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TUESDAY, APRIL 16, 1974

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Pages 13617–13747

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This list includes only rules that were published in the FEDERAL REGISTER after October 1, 1972.

page no. and date

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Title 3—The President

PROCLAMATION 4284

Pan American Day and Pan American Week

By the President of the United States of America

A Proclamation

On April 14, the United States will join in commemorating the establishment of the International Union of American Republics. The 84th anniversary of that event finds the United States and other members of the Organization of American States, the descendant of the International Union of American Republics, actively working together to fashion the Inter-American System into a constructive, cooperative force which will bring mutual understanding and mutual assistance.

We are moving toward this goal despite the diversity of our cultural heritages and national characteristics and despite tensions and differences which have occurred from time to time. We do this, knowing, as a former Secretary of State of the United States, Elihu Root, once said:

> "There is not one of all our countries that cannot benefit the others; there is not one that will not gain by the prosperity, the peace and the happiness of all."

The Americas of today are joined in the common effort to bring about progress and well-being for all so that those who follow us will enjoy the fruits of a new inter-American order based on justice, security, and peace.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Sunday, April 14, 1974, as Pan American Day, and the week beginning April 14 and ending April 20 as Pan American Week, and I call upon the Governors of the fifty States, the Governor of the Commonwealth of Puerto Rico, and appropriate officials of all other areas under the flag of the United States to issue similar proclamations.

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

[FR Doc.74-8868 Filed 4-15-74;10:03 am]

Rules and Regulations

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

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

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Management Support Services and Clarifying Amendments

Part 2, of 7 CFR Subtitle A, is amended to abolish delegations of authority to the Director, Office of Management Services, to provide new delegations of authority for management support services and to make minor clarifying amendments as follows:

Subpart B—General Delegations of Authority by the Secretary of Agriculture

1. Section 2.7 is revised to read as follows:

§ 2.7 Authority to supervise and direct.

Unless specifically reserved, or otherwise delegated, the delegations of authority to each general officer of the Department and each agency head contained in this part or elsewhere includes the authority to direct and supervise the employees engaged in the conduct of activities under his jurisdiction, and the authority to take any action, execute any document, authorize any expenditure, promulgate any rule, regulation, order, or instruction required by or authorized by law and deemed by the general officer or agency head to be necessary and proper to the discharge of his responsibilities. This authority will be exercised subject to applicable administrative rules and regulations. Unless otherwise provided, a general officer or agency head may, subject to his continuing responsibility for the proper discharge of delegations made to him, in his part or elsewhere, delegate and provide for the redelegation of his authority to appropriate officers and employees. Subject to the general supervision of the Secretary, agency heads who are delegated authority from a general officer, in this part or elsewhere, report to and are under the supervision of that general officer.

Subpart C—Delegations of Authority to the Under Secretary, Assistant Secretaries and Director of Agricultural Economics

2. Section 2.27 is amended by adding a new paragraph (d) as follows:

§ 2.27 Delegations of authority to the Director of Agricultural Economics.

* * * * *

(d) *Related to management support services*—Pursuant to written agreement between an Assistant Secretary and the Director of Agricultural Economics, concurred in by the Assistant Secretary for Administration, provide, to the extent agreed upon, management support services to an agency or agencies reporting to the Assistant Secretary. As used herein, management support service shall include:

(1) Administrative Services—with authority to take actions required by law or regulation concerning procurement and contracting, real and personal property management, paperwork management, records management, and related functions.

(2) Budget, Accounting, and Financial Management Services—with authority to take actions required by law or regulation to discharge budget, accounting, and related financial management functions.

(3) Personnel Services—with authority to take actions required by law or regulation concerning employment, classification, organizaion, employee relations, and related functions.

Subpart G—Delegations of Authority by the Assistant Secretary for Conservation, Research, and Education

3. Section 2.57 is amended as follows:

2.57 Administrator, Agricultural Research Service.

(a) * * *

(23) Provide management support services for the Cooperative State Research Service and National Agricultural Library, as agreed upon by the agencies, including administrative, budget, financial, personnel, and matters such as procurement, property management, communications, messenger and paperwork management, but excluding fiscal accounting.

Subpart I—Delegations of Authority by the Assistant Secretary for Rural Development

4. Section 2.72 is amended as follows:

§ 2.72 Administrator, Rural Electrification Administration.

(a) * * *

(3) Provide management support services for the Rural Development Service, as agreed upon by the agencies, including administrative, budget, financial, personnel, and matters such as procurement, property management, communications, messenger and paperwork management, but excluding fiscal accounting.

* * * * *

Subpart J—Delegations of Authority by the Assistant Secretary for Administration

§ 2.77 [Reserved]

5. Section 2.77 is revoked and reserved.

Subpart K—Delegations of Authority by the Director of Agricultural Economics

6. A new section 2.88 is added to read as follows:

§ 2.88 Director, Economic Management Support Center.

(a) *Delegations*—Pursuant to § 2.27, the following delegations of authority are made by the Director of Agricultural Economics to the Director, Economic Management Support Center:

(1) Provide to the other agencies reporting to the Director of Agricultural Economics management support services, as agreed upon by the agencies. As used herein, management support services shall include:

(i) Administrative Services—with authority to take action required by law or regulation concerning procurement and contracting, real and personal property management, paperwork management, records management, and related functions.

(ii) Budget, Accounting and Financial Management Services—with authority to take actions required by law or regulation to discharge the budget, accounting, and related financial management functions.

(iii) Personnel Services—with authority to take actions required by law or regulation concerning employment, classification, organization, employee relations, and related functions.

(2) Pursuant to written agreement between an Assistant Secretary and the Director of Agricultural Economics, concurred in by the Assistant Secretary for Administration, provide, to the extent agreed upon, management support services as described in paragraph (a) (1) (i), (ii), and (iii) of this section, to an agency or agencies reporting to the Assistant Secretary.

Effective date. These amendments shall become effective on the date of signature by the Secretary of Agriculture.

For Subparts B and C:

WILLIAM ERWIN,
Acting Secretary of Agriculture.

APRIL 10, 1974.

For Subpart G:

PAUL A. VANDER MYDE,
Deputy Assistant Secretary for Conservation, Research and Education.

APRIL 9, 1974.

For Subpart I:

WILLIAM ERWIN,
Assistant Secretary for Rural Development.

APRIL 10, 1974.

For Subpart J:

JOE WRIGHT,
Assistant Secretary for Administration.

APRIL 10, 1974.

For Subpart K:

J. DAWSON AHALT,
Acting Director of Agricultural Economics.

APRIL 10, 1974.

[FR Doc.74-8691 Filed 4-15-74;8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1468—MOHAIR

Subpart—Payment Program for Mohair (1974-1977)

Correction

In FR Doc. 74-7507 appearing at page 11987 in the issue for Tuesday, April 2, 1974, make the following changes on page 11988:

1. In line 17 of § 1468.7(a), the word "the" should read "he".

2. In lines 2 and 3 of § 1468.7(d), the word "sharing" should read "shearing".

Title 15—Commerce and Foreign Trade

CHAPTER IX—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER D—GENERAL REGULATIONS OF THE ENVIRONMENTAL DATA SERVICE

PART 950—ENVIRONMENTAL DATA

APRIL 9, 1974.

The general information that follows describes the type and availability of environmental data and information that may be obtained from the Environmental Data Service for use by Federal, State, and local agencies, and the general public, including those segments engaged in commerce, industry, science, and engineering.

ROBERT M. WHITE,
Administrator.

Part 950 is added to 15 CFR Chapter IX to read as follows:

Sec.
950.1 Scope and purpose.
950.2 Environmental Data Service (EDS).
950.3 National Climatic Center (NCC).
950.4 National Oceanographic Data Center (NODC).
950.5 National Geophysical and Solar-Terrestrial Data Center (NGSDC).
950.6 Center for Experiment Design and Data Analysis (CEDDA).
950.7 Environmental Science Information Center (ESIC).
950.8 Comprehensive Referral Service.

AUTHORITY: (5 U.S.C. 552, 553) and Reorganization Plan No. 4 of 1970.

§ 950.1 Scope and purpose.

This part describes the Environmental Data Service (EDS), a principal organizational element of the National Oceanic and Atmospheric Administration and EDS management of environmental data and information.

§ 950.2 Environmental Data Service (EDS).

The Environmental Data Service is the Government's first major line organization created specifically to manage environmental data. Under U.S. Department of Commerce, Department Organization Order 25-5B, EDS shall acquire, process, archive, analyze, and disseminate worldwide environmental (solid earth, marine, atmospheric, solar, and aeronomy) information, data, and products for use by commerce, industry, the scientific and engineering community, the general public and by Federal, State, and local governments; guide applied research pertinent to the improvement of such services; provide relevant World Data Center facilities; coordinate international exchange activities in oceanic, climatological, geophysical, solar, and aeronomy data; and provide editorial, publishing, library, and related information services. In support of this mission EDS operates five centers: National Climatic Center, National Oceanographic Data Center, National Geophysical and Solar-Terrestrial Data Center, Center for Experiment Design and Data Analysis, and Environmental Science Information Center.

§ 950.3 National Climatic Center (NCC).

The National Climatic Center acquires, processes, archives, and disseminates climatological data and develops analytical and descriptive products to meet user requirements, and provides facilities for the World Data Center—A (Meteorology and Nuclear Radiation). It is the collection center and custodian of all United States weather records, the largest of the EDS Centers, and the largest climatic center in the world:

(a) Climatic Data Available from NCC include:

(1) Hourly Surface Observations from Land Stations (ceiling, sky cover, visibility, precipitation or other weather phenomena, obstructions to vision, pressure, temperature, dew point, wind direction, wind speed, gustiness).

(2) Three-Hourly and Six-Hourly Surface Observations from Land Stations, Ocean Weather Stations, and Moving Ships (variable data content).

(3) Upper Air Observations (radiosondes, rawinsondes, rocketsondes, low-level soundings, pilot balloon winds, aircraft reports).

(4) Radar Observations (radar log sheets, radar scope photography).

(5) Satellite Data (vidicon pictures of earth and clouds, Earth Resources Technology Satellite (ERTS) imagery and other radiation data, derived products).

(6) Selected Maps and Charts (National Meteorological Center products).

(7) Derived and Summary Data (grid points, computer tabulations, digital summary data).

(8) Special Collections (Barbados Oceanographic and Meteorological Experiment meteorological data, Global Atmospheric Research Program basic data set, solar radiation data, many others).

(b) Queries should be addressed to:

National Climatic Center
National Oceanic and Atmospheric Administration
Asheville, N.C. 28801
Tel: (704) 254-0765

§ 905.4 National Oceanographic Data Center (NODC).

The National Oceanographic Data Center acquires, processes, archives, and disseminates oceanographic data and develops analytical and descriptive products to meet user requirements, and provides facilities for the World Data Center—A (Oceanography). It was the first NODC established and houses the world's largest usable collection of marine data.

(a) Oceanographic Data Available from NODC include:

(1) Mechanical and expendable bathythermograph data in analog and digital form.

(2) Oceanographic station data for surface and serial depths, giving values of temperature, salinity, oxygen, inorganic phosphate, total phosphorus, nitrite-nitrogen, nitrate-nitrogen, silicate-silicon, and pH.

(3) Continuously recorded salinity-temperature-depth data in digital form.

(4) Surface current information obtained by using drift bottles or calculated from ship set and drift.

(5) Biological data, giving values of plankton standing crop, chlorophyll concentrations, and rates of primary productivity; also papers on marine biology.

(b) Queries should be addressed to:

National Oceanographic Data Center
National Oceanic and Atmospheric Administration
Washington, D.C. 20235
Tel: (202) 343-8921

§ 950.5 National Geophysical and Solar-Terrestrial Data Center (NGSDC).

The National Geophysical and Solar-Terrestrial Data Center acquires, processes, archives, evaluates, and disseminates solid earth and marine geophysical data as well as ionospheric, solar, and other space environment data; develops analytical, climatological and descriptive products to meet user requirements; and provides facilities for World Data Center—A (Geomagnetism, Gravity, Seismology, and Solar-Terrestrial Physics):

(a) Geophysical and solar-terrestrial data available from NGSDC include:

(1) *Marine geology and geophysics.* Bathymetric measurements; seismic reflection profiles; gravimetric measurements; geomagnetic total field measurements; and geological data, including data on heat flows, cores, samples, and sediments.

(2) *Solar-terrestrial physics.* Ionosphere data, including ionograms, frequency plots, riometer and field-strength

strip charts, and tabulations; solar activity data; geomagnetic variation data, including magnetograms; auroral data; cosmic ray data; and airglow data.

(3) *Seismology.* Seismograms; accelerograms; digitized strong-motion accelerograms; earthquake data list (events since January 1900); earthquake data service, updates on a monthly basis.

(4) *Geomagnetic main field.* Magnetic survey data and secular-change data tables.

(b) Queries for marine geological and geophysical data should be addressed to:

Marine Geology and Geophysics Group
National Oceanic and Atmospheric Administration
Washington, D.C. 20235
Tel: (202) 343-7368

(c) Queries for solar-terrestrial and other types of geophysical data should be addressed to:

National Geophysical and Solar-Terrestrial Data Center
National Oceanic and Atmospheric Administration
Boulder, Colorado 80302
Tel: (303) 499-1000, ext. 6215

§ 950.6 Center for Experiment Design and Data Analysis (CEDDA).

The Center for Experiment Design and Data Analysis provides service and support in data management and scientific analysis for large-scale environmental field research projects, and assists in the planning, design, and implementation of such projects to ensure that data needs are met:

(a) CEDDA is currently concerned with three major field projects:

(1) BOMEX—The Barbados Oceanographic and Meteorological Experiment. The complete set of data resulting from this project are available at the National Climatic Center.

(2) IFYGL—The International Field Year for the Great Lakes. Most of the data resulting from this project are available at the National Climatic Center.

(3) GATE—The Global Atmospheric Research Project (GARP) Atlantic Tropical Experiment. A set of basic data from this underway project is available from the National Climatic Center.

(b) Queries should be addressed to:

Center for Experiment Design and Data Analysis
National Oceanic and Atmospheric Administration
Washington, D.C. 20235
Tel: (202) 343-6281

§ 950.7 Environmental Science Information Center (ESIC).

The Environmental Science Information Center develops policies for and provides editorial and publishing services to NOAA components; manages a central library system; provides functional guidance to other NOAA libraries; and develops and implements automated scientific information systems for NOAA and external use. It complements the Environmental Data Service family of data centers, enhancing the service structure necessary for a comprehensive, single source for environmental data and information within NOAA:

(a) ESIC issues a "NOAA Publications Announcement" several times a month. This booklet describes NOAA publications by title, author, source, date, abstract, keywords, and availability.

(b) The NOAA libraries, run by ESIC, are open to the public for reference use. The Atmospheric Sciences Library, 8060 13th Street, Silver Spring, Maryland, specializes in climatic publications; the Marine and Earth Sciences Library, 6001 Executive Boulevard, Rockville, Maryland, in cartographic, oceanographic, and fisheries publications; the NOAA Miami Library, 15 Rickenbacker Causeway, Miami, Florida, in oceanographic, cartographic, and climatic publications; and the NOAA Environmental Research Laboratories Library, University of Colorado, Boulder, Colorado, in solar-terrestrial physics.

(c) ESIC also responds to requests for copies of NOAA technical publications by sending out those in stock or referring the request to the proper NOAA or non-NOAA source.

(d) Queries should be addressed to:

Environmental Science Information Center
National Oceanic and Atmospheric Administration
Washington, D.C. 20235
Tel: (202) 343-6454

§ 950.8 Comprehensive Referral Service.

(a) Since 1969, EDS has been building the Environmental Data Index (ENDEX). When fully operational (target date, 1978), ENDEX will provide convenient, rapid referral to existing NOAA, national, and global environmental science data files and sources, as well as documentation concerning their quality, quantity, and character. A complementary, literature-based system, Oceanic and Atmospheric Scientific Information System (OASIS), will provide a parallel subject-author-abstract referral service. A telephone call to an EDS specialist at any EDS data or information center will allow a user to "plug into" this interdisciplinary NOAA data dialog machine.

(b) Under the EDS "lead center" concept, a user need contact only a single EDS Center for a one-stop service, a comprehensive, multidiscipline answer to his query for data products, information, or referral services—whether or not the question concerns the discipline for which the Center has responsibility or requires multidiscipline input.

[FR Doc.74-8670 Filed 4-15-74;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket C-2491]

PART 13—PROHIBITED TRADE PRACTICES

Atlantic Hosiery Mills, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages or connections;* 13.15-190 Manufacturing nature; § 13.30 *Composition of goods;* 13.30-75 Textile Fiber Products Identification Act; § 13.73 *Formal regulatory and statutory requirements;* 13.73-90 Textile Fiber Products Identification Act; § 13.175 *Quality of product or service;* §§ 13.235 *Source or origin;* 13.235-60 Place; 13.235-60(e) Imported products or parts as domestic. Subpart—Concealing, obliterating or removing law required and informative marking: § 13.523 *Textile fiber product tags or identification.* Subpart—Failing to maintain records: § 13.1051 *Failing to maintain records;* 13.1051-30 Formal regulatory and/or statutory requirements. Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties;* 13.1053-80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* 13.1185-80 Textile Fiber Products Identification Act; § 13.1212 *Formal regulatory and statutory requirements;* 13.1212-80 Textile Fiber Products Identification Act; § 13.1295 *Quality or grade;* § 13.1325 *Source or origin;* 13.1325-70 Place; 13.1325-70(g) Imported product or parts as domestic; 13.1325-70(i) Textile Fiber Products Identification Act. Subpart—Misrepresenting oneself and goods—Business status, advantages or connection: § 13.1485 *Manufacturer's operations.*—Goods: § 13.1623 *Formal regulatory and statutory requirements;* 13.1623-80 Textile Fiber Products Identification Act; § 13.1685 *Nature;* § 13.1715 *Quality;* § 13.1745 *Source or origin;* 13.1745-70 Place; 13.1745-70(c) Imported product or parts as domestic. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements;* 13.1852-70 Textile Fiber Products Identification Act. Subpart—Using misleading name—Vendor: § 13.2420 *Manufacturing nature.*

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; (15 U.S.C. 45, 70)) [Cease and desist order, Atlantic Hosiery Mills, Inc., et al., Hialeah, Fla., Docket C-2491, March 13, 1974]

In the Matter of Atlantic Hosiery Mills, Inc., a Corporation, Also Doing Business as Grabco Mills Sales, and Ruben Kloda, Individually and as an Officer of Atlantic Hosiery Mills, Inc.

Consent order requiring a Hialeah, Fla., marketer of ladies' hosiery and related products, among other things to cease misbranding and mislabeling its textile fiber products; failing to maintain records as provided for by statute; furnishing false guaranties; misrepresenting their business status through misleading corporate name; misrepresenting foreign manufactured products as being domestically produced; and failing to mark products as "seconds" or "irregulars" when such is the case.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Atlantic Hosiery Mills, Inc., a corporation, its successors and assigns, also doing business as Grabco Mills Sales, or any other name, and its officers, and Ruben Kloda, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale

advertising or offering for sale, in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" ars defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix a stamp, tag, label or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Removing or mutilating, or causing or participating in the removal or mutilation of, the stamp, tag, label or other identification required by the Textile Fiber Products Identification Act to be affixed to any textile fiber product, after such textile fiber product has been shipped in commerce, prior to the time such textile fiber product is sold and delivered to the ultimate consumer without substituting therefor labels conforming to section 4 of said Act and the Rules and Regulations promulgated thereunder and in the manner prescribed by section 4(b) of the Act.

C. Failing to maintain and preserve, as required by section 6(b) of the Textile Fiber Products Identification Act, such records of the fiber content of textile fiber products as will show the information set forth on the stamps, tags, labels or other identification removed by respondents, together with the name or names of the persons or persons from whom such textile fiber products were received, when substituting stamps, tags, labels or other identification pursuant to section 5(b) of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Atlantic Hosiery Mills, Inc., a corporation, its successors and assigns, also doing business as Grabco Mills Sales, or any other name, and its officers, and Ruben Kloda, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or other device, do forthwith cease and desist from furnishing a false guaranty that any textile fiber product is not misbranded or falsely invoiced or advertised under the provisions of the Textile Fiber Products Identification Act.

COUNT II

It is further ordered, That respondents Atlantic Hosiery Mills, Inc., a corporation, its successors and assigns, also doing business as Grabco Mills Sales, or any other name, and its officers, and Ruben Kloda, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale or distribution of hosiery or any other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Directly or indirectly using the word "Mills" or any other word or term of similar import or meaning in or as a part of respondents' corporate or trade name or representing in any other manner that respondents perform functions of a mill or otherwise manufacture or process the products sold by them unless or until respondents own, operate, or directly or absolutely control the mill, factory or manufacturing plant wherein said products are manufactured.

2. Misrepresenting in any manner that respondents own, operate or control mills, factories or manufacturing plants where their products are manufactured.

3. Misrepresenting, in any manner, by disclosing on labels, packages, advertisements, or elsewhere, that such products are "Made in America", or through use of terms of like import, unless such products, in truth and in fact, are made in the United States.

It is further ordered, That respondents Atlantic Hosiery Mills, Inc., a corporation, its successors and assigns, also doing business as Grabco Mills Sales, or any other name, and its officers, and Ruben Kloda, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale or distribution of hosiery or other related "industry products", which are "irregulars", "seconds", or otherwise imperfect, as such terms are defined in Rule 4(c) of the Amended Trade Practice Rules for the Hosiery Industry (16 CFR 152.4(c)), in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Selling or distributing any such product without clearly and conspicuously marking thereon the words "irregular" or "second", as the case may be, in such degree of permanency as to remain on the product until the consummation of the consumer sale and or such conspicuousness as to be easily observed and read by purchasing public.

B. Using any advertisement or promotional material in connection with the offering for sale of any such product unless it is disclosed therein that such article is an "irregular" or "second", as the case may be.

C. Using the words "finest quality" or words of similar import on the package in which such product is sold or in reference to any such product in any advertisement or promotional material.

D. Representing in any other manner, directly or by implication, that such products are first quality or perfect quality.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent, Atlantic Hosiery Mills, Inc., such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of proposed respondents engaged in the offering for sale, or sale, of any product or in any aspect of preparation, creation, or placing of advertising, and that proposed respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: March 13, 1974.

By the Commission.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.74-8667 Filed 4-15-74;8:45 am]

[Docket C-2492]

PART 13—PROHIBITED TRADE PRACTICES

Occidental Petroleum Corporation, et al.

Subpart—Reciprocity: § 13.2110 Reciprical arrangements, agreements, understandings, etc.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45)) [Cease and desist order, Occidental Petroleum Corporation, et al., Los Angeles, Calif., Docket C-2492, Mar. 18, 1974]

In the Matter of Occidental Petroleum Corporation, a Corporation, Hooker Chemical Corporation, a Corporation, and as a Subsidiary of Occidental Petroleum Corporation

Consent order requiring a Los Angeles, California, explorer and developer of oil, natural gases and coal, refiner and marketer of petroleum products, and manufacturer and distributor of industrial, agricultural and metal finishing chemicals, and a wholly-owned subsidiary (Hooker Chemical Corp., Stamford, Conn.), among other things to cease entering into reciprocal dealings allow-

ing respondents to systematically use actual or potential purchases to obtain or increase sales to certain companies.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows,

I. *It is ordered,* That respondent Occidental, its officers, directors, employees, agents, and representatives, directly or through any corporate or other device, shall forthwith cease and desist from:

a. Purchasing or entering into or adhering to any agreement or understanding to purchase from an actual or potential supplier on the understanding that any of such purchases are conditioned upon or related to any sales by respondent Occidental or any other company;

b. Selling or entering into or adhering to any agreement or understanding to sell to an actual or potential customer on the understanding that any of such sales are conditioned upon or related to purchases by respondent Occidental or any other company;

c. Communicating to another company that:

1. Respondent Occidental's purchasing decisions will or may be conditioned upon or related to sales by respondent Occidental or any other company;

2. Sales by respondent Occidental will or may be conditioned upon purchases by respondent Occidental or any other company.

d. Causing or permitting any of respondent Occidental's executive or managerial personnel to specify or recommend to any purchasing personnel that the status of any company as an actual or potential customer should be considered in making any purchasing decision involving such company;

e. Discussing, comparing, or exchanging statistical data or other information with another company in order to ascertain, develop, facilitate, or further any relationship between purchases and sales of the nature prohibited by this Order;

f. Preparing or maintaining statistical data which compares or otherwise relates respondent Occidental's actual or potential purchases from a company to its actual or potential sales to such company; Provided, however, that nothing in this subparagraph shall prevent respondent Occidental's personnel other than its sales or purchasing personnel from preparing or maintaining statistical data which shows the amount of respondent Occidental's actual or potential sales to any company and statistical data which shows the amount of its actual or potential purchases from such company;

g. Causing or permitting any sales personnel to:

1. Engage in purchasing;

2. Obtain statistical data or other information which shows the amount of actual or potential purchases from any company;

3. Specify or recommend to any other of respondent Occidental's personnel that the status of any company as an actual or potential customer should be considered in making any purchasing decision involving such company;

h. Causing or permitting any purchasing personnel to:

1. Engage in selling;

2. Obtain statistical data or information which shows the amount of actual or potential sales to any company;

3. Specify or recommend to any other of respondent Occidental's personnel that sales could or should be made to any company because of the status of such company as an actual or potential supplier.

Provided, however, That nothing in this Paragraph shall prohibit any of respondent Occidental's personnel engaging in purchasing for resale or having principal responsibility within the corporation for any product or geographic area (including the principal assistants to such personnel), from engaging in activities described in Parts 1 and 2 of Subparagraphs g. and h. of this Paragraph, insofar as such activities are appropriate to the legimate performance of their duties, and so long as such activities are not used to develop, facilitate, or further any relationship between purchases and sales of the nature prohibited by this Order.

II. It is further ordered, That respondent Occidental shall, within thirty (30) days subsequent to the date of service of this Order withdraw and provide for continued isolation:

a. From the possession, custody, and control of all sales personnel, all statistical data and other information which shows actual or potential purchases from another company;

b. From the possession, custody, and control of all purchasing personnel, all statistical data and other information which shows actual or potential sales to another company.

Provided, However, That nothing in this Paragraph shall prohibit any of respondent Occidental's personnel from retaining such statistical data or other information as is needed to engage in activities not prohibited by Paragraph I, above.

III. *It is further ordered,* That respondent Occidental shall within sixty (60) days subsequent to the date of this Order:

a. Issue a copy of Attachment A,[1] hereof, to each of its personnel, who has, at any time since January 1, 1971, served as sales personnel or purchasing personnel, or who has compiled or distributed statistical sales or purchase data, or who has directed or supervised such compilation or distribution;

b. Insert and maintain within all manuals and other such documents which set out its policies or procedures for purchasing or for obtaining sales, or its policies relating to the compilation or distribution of statistical purchase or sales data:

1. The language of Attachment A, hereof;

2. A current list of all sales personnel and purchasing personnel within the operating unit for which such manual is issued.

IV. *It is further ordered,* That respondent Occidental shall, in the following manner, mail a copy of Attachment B[1] hereof, together with a copy of this Order, to its customers and suppliers described below:

a. Within sixty (60) days subsequent to the date of service of this Order, to each company which respondent Hooker has made purchases from or sales to valued in excess of $50,000 in 1972;

b. Within one hundred twenty (120) days subsequent to the date of service of this Order, to each company (other than those described in a. above) which respondent Occidental has made purchases from or sales to valued in excess of $50,000 in 1972;

c. Within one hundred twenty (120) days subsequent to the date of service of this order, or by May 1, 1974, whichever comes later, to each company (other than those described in a. and b. above) Occidental has made purchases from or sales to valued in excess of $50,000 in 1973.

V. *It is further ordered,* That respondent Hooker shall, within sixty (60) days of the third (3rd) anniversary of the date of this Order:

a. Cause each of its then-current personnel who, at any time subsequent to the date of this Order, has held any of the positions listed in Appendix 1,[2] hereof, to complete and furnish to respondent Hooker's legal department a sworn statement in the form of Attachment C,[2] hereof;

b. Cause each of its then-current personnel who, at any time subsequent to the date of this Order, has held any of the positions listed in Appendix 2,[2] hereof, to complete and furnish to respondent Hooker's legal department a sworn statement in the form of Attachment D,[2] hereof;

c. Cause each of its then-current personnel who, at any time subsequent to the date of this Order, has held any of the positions listed in Appendix 3,[2] hereof, to complete and furnish to respondent Hooker's legal department a sworn statement in the form of Attachment E,[2] hereof.

VI. *It is further ordered,* That respondent Hooker shall:

A. Request each of its personnel who, at any time subsequent to the date of this Order, has held any of the positions listed in Appendix 1, hereof, and who leaves the employ of respondent prior to the third (3rd) anniversary of the date of this Order, to complete and furnish to respondent Hooker's legal department, within (10) days preceding such termination of employment, a sworn statement in the form of Attachment C, hereof;

B. Request each of its personnel who, at any time subsequent to the date of this Order, has held any of the positions listed in Appendix 2,[2] hereof, and who leaves the employ of respondent Hooker prior to the third (3rd) anniversary of the date of this Order, to complete and furnish to respondent Hooker's legal department, within ten (10) days preced-

[1] Filed as part of the original document.

[2] Filed as part of the original document.

ing such termination of employment, a sworn statement in the form of Attachment D,[2] hereof;

C. Request each of its personnel who, at any time subsequent to the date of this Order, has held any of the positions listed in Appendix 3, hereof, and who leaves the employ of respondent Hooker prior to the third (3rd) anniversary of the date of this Order, to complete and furnish to respondent Hooker's legal department, within ten (10) days preceding such termination of employment, a sworn statement in the form of Attachment E, hereof.

VII. *It is further ordered,* That respondent Hooker shall submit to the Federal Trade Commission:

A. Within ninety (90) days subsequent to the third (3rd) anniversary of the date of service of this Order, all sworn statements which it has received pursuant to Paragraph V, above;

B. Within ninety (90) days subsequent to the first (1st) anniversary of the date of service of this Order, and annually thereafter for a period of two (2) years, all sworn statements which it has received pursuant to Paragraph VI above, together with the name and address of each individual who failed to complete a sworn statement as requested by respondent Hooker pursuant to Paragraph VI, above, at any time in the one (1) year period immediately prior to any such submission.

VIII. *It is further ordered,* That respondent Occidental shall, within sixty (60) days subsequent to the date of service of this Order, file with the Federal Trade Commission a written report setting forth in detail the manner and form in which it and respondent Hooker have complied with this Order, including, but not limited to the following:

a. The name and title of each individual to whom a copy of Attachment A, hereto was isued pursuant to Paragraph III, above;

b. The name of each company to which a copy of this Order was mailed pursuant to Paragraph IV, above.

IX. *It is further ordered,* That respondent Occidental shall forthwith distribute a copy of this Order to each of its operating divisions.

X. *It is further ordered,* That respondent Occidental notify the Federal Trade Commission at least thirty (30) days prior to any proposed change in its corporate structure, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of this Order.

XI. *It is further ordered,* That nothing contained in this Order shall prohibit respondent Occidental from:

A. Receiving or conveying products, services, or raw materials under any agreement or other mutual undertaking for the exchange (by purchase, sale or otherwise) of products, services, or raw materials of like or substantially like kinds, with or without processing;

B. Entering into or adhering to any contract, agreement, or arrangement (whether tolling, purchase and sale, or otherwise) for the conversion of respondent Occidental's products or goods into other forms for its own use or for resale or for the conversion by respondent Occidental of the products or goods of other companies;

C. Entering into or adhering to any contract or agreement for construction work or for the manufacture, installation, servicing or operating of equipment, products or facilities, or the furnishing of supplies, for respondent Occidental's own use, or the use of its employees, on the condition that respondent Occidental's or other specified products, goods or services be used in the performance of such contracts or agreements;

D. Conveying any product or raw material in which a shortage exists in respondent Occidental's marketing area for such product or raw material, under any term of any agreement or other mutual undertaking by which respondent Occidental is to receive in exchange (by purchase or otherwise) any other product or raw material as to which a shortage also exists in the area in which respondent Occidental has a need therefor; *provided,* That respondent Occidental may not enter into any such agreement or mutual undertaking unless it has first made diligent efforts to obtain such other product or raw material on the open market and has failed to do so because there exists a shortage in the interstate commerce; and provided further that at any time the Commission may, after giving to respondent Occidental notice and an opportunity to be heard, vacate, amend, or modify this provision as circumstances then require.

Provided, however, That nothing in this Paragraph or any of its subparagraphs shall be construed as having application to, or limiting in any manner whatsoever, any other proceeding or investigation initiated by the Federal Trade Commission, and that the Federal Trade Commission reserves the right to take further action, including the issuance of a complaint, with respect to transactions of the nature described in this Paragraph and each of its subparagraphs in the event that it shall at any time in the future have reason to believe that any of such transactions may violate any of the statutes administered by it.

XII. *It is further ordered,* That respondent Occidental shall, for a period of five (5) years subsequent to the date of service of this Order, maintain and retain:

A. All written contracts and agreements of the nature described in Paragraphs XI-A and D, above; and

B. Documents sufficient to disclose the terms and substance of all oral contracts and agreements of the nature described in Paragraphs XI-A and D above;

together with documents sufficient to show the total annual dollar value and/or volume of deliveries and receipts pursuant to each such written or oral contracts and agreements.

XIII. Nothing contained herein shall apply

a. To acts or transactions not in interstate commerce which do not substantially lessen competition within the United States or otherwise restrain trade therein; or

b. To agreements, understandings, contracts or other commercial arrangements with foreign governments or with agencies or entities thereof, whereby respondent Occidental is to receive products, services, or raw materials not produced in the United States.

Issued: March 18, 1974.

By the Commission.[3]

[SEAL] CHARLES A. TODIN, *Secretary.*

[FR Doc.74-8668 Filed 4-15-74;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Order Amending Quality Standard for Canned Cherries in Regard to Blemish Limitation; Confirmation of Effective Date

In the matter of amending the standard of quality for canned cherries (21 CFR 27.31) to change the definition of a blemished cherry and increase the aggregate area of a blemish with skin discoloration (other than scald) from $\frac{1}{16}$ to $\frac{5}{32}$ inch in diameter:

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055-1056 as amended by 70 Stat 919 and 72 Stat. 948; (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of January 3, 1974 (39 FR 794). Accordingly, the amendment promulgated by that order became effective March 4, 1974.

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

Dated: April 9, 1974.

SAM D. FINE, *Associate Commissioner for Compliance.*

[FR Doc.74-8659 Filed 4-15-74;8:45 am]

PART 51—CANNED VEGETABLES

Certain Standardized Canned Vegetables; Use of Margarine as an Optional Seasoning Ingredient

In the matter of amending the identity standards for canned peas (21 CFR 51.1), canned dry peas (21 CFR 51.4) canned green beans (21 CFR 51.10), canned wax beans (21 CFR 51.15), canned corn (21

[2] Attachments A-E and Appendices 1-3 filed as part of the original document.

CFR 51.20), canned field corn (21 CFR 51.30), and canned vegetables other than those specifically regulated as provided for in 21 CFR 51.990, to permit the use of margarine as an optional seasoning ingredient in an amount not less 3 percent by weight of the finished food:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of June 27, 1973 (38 FR 16909) based on a petition filed by the National Association of Margarine Manufacturers, 1725 K St. NW., Washington, DC 20016.

In addition to the petitioner's provisions, the Commissioner proposed to update the labeling provisions for the optional ingredients used in each of the standards affected in accordance with §§ 1.12 and 3.88 (21 CFR 1.12 and 3.88).

An order ruling on a proposal to amend the standards for canned corn (21 CFR 51.20, 51.21, and 51.22) based on the Codex standard was published in the FEDERAL REGISTER of February 15, 1974 (39 FR 5760). It adopted the provision to provide for margarine as an optional seasoning ingredient in canned corn and updated the labeling provisions for optional ingredients as set out in the proposal published in the FEDERAL REGISTER of June 27, 1973 (38 FR 16909). Therefore, because no further changes in the standards of identity for canned corn (21 CFR 51.20) and canned field corn (21 CFR 51.30) are needed, a ruling in respect to those standards is not included in this order.

Three of the four comments received were in favor of the proposal. The fourth comment expressed concern that the proposed use of margarine in canned vegetables would increase the number of foods presenting a health hazard for those individuals allergic to the coal tar derivatives found in some of the artificial coloring and flavoring ingredients permitted in margarine. The comment further stated that even if the labeling requirements were amended to declare in boldface print that margarine is present the proposed regulations would unduly burden concerned individuals in shopping for such canned vegetable products.

The Commissioner states that the color additives and flavor additives which may be used in margarine are regulated or certified for use under regulations established pursuant to the Federal Food, Drug, and Cosmetic Act, and have been considered to be safe. He concludes that the name of the food and the ingredient statement will indicate the presence of margarine, will give adequate warning to individuals that such substances may be present and will permit them readily to distinguish between those canned vegetables with added margarine and those without added margarine. In any event the Commissioner is aware that colors permitted for use in margarine are no different from those permitted for use in butter. Section 403(k) of the Federal Food, Drug, and Cosmetic Act does not require label declaration of artificial colors added to butter. Therefore, the Commissioner cannot justify denying the availability of canned vegetable products with margarine to the large majority of the population who are not allergic to certain color or flavor additives that the margarine may contain.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended by 70 Stat. 919 and 72 Stat. 948; (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner (21 CFR 2.120); *It is ordered*, That Part 51 be amended as follows:

1. In § 51.1 by revising paragraph (c) (7), and paragraphs (d) and (e), and by adding new paragraphs (f) and (g) as follows:

§ 51.1 Canned peas; identity; label statement of optional ingredients.

* * * * *

(c) * * *

(7) Butter or margarine in a quantity not less than 3 percent by weight of the finished food. When butter or margarine is added, safe and suitable emulsifiers or stabilizers, or both, may be added. When butter or margarine is added, no spice, flavoring, or coloring simulating the flavor or color imparted by butter or margarine is used.

(d) The name of the optional pea ingredient is "early" or "June" or "early June", "sweet" or "sweet wrinkled" or "sugar".

(e) If artificial coloring is present, the label shall state that fact in such manner and form as provided in § 51.2(c) of this chapter.

(f) The name of the food is "peas". The name of the food shall include a declaration of any flavoring that characterizes the product as specified in § 1.12 of this chapter, and a declaration of any spice or seasoning that characterizes the product; for example, "with added spice", "seasoned with red peppers", "seasoned with butter". Whenever the name "peas" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the name of the optional pea ingredient present as specified in paragraph (d) of this section, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that the specified varietal name of the peas may so intervene.

(g) Each of the optional ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

2. In § 51.4 by revising paragraph (c) as follows:

§ 51.4 Canned dry peas; identity; label statement of optional ingredients.

* * * * *

(c) The name of the food is "cooked dry peas" or "soaked dry peas". The full name of the food shall appear on the principal display panel of the label in type of uniform size, style, and color. The optional pea ingredient names specified by § 51.1(d) of this chapter shall not be used on labels.

3. In § 51.10, by revising paragraph (c) (7) and paragraph (e), by deleting paragraphs (d) (6), (7), and (8), and by adding a new paragraph (f) as follows:

§ 51.10 Canned green beans; identity; label statement of optional ingredients.

* * * * *

(c) * * *

(7) Butter or margarine in a quantity not less than 3 percent by weight of the finished food. When butter or margarine is added, safe and suitable emulsifiers or stabilizers, or both, may be added. When butter or margarine is added, no spice or flavoring simulating the color or flavor imparted by butter or margarine is used.

* * * * *

(e) The name of the food is "green beans". The name of the food shall include a declaration of any flavoring that characterizes the product as specified in § 1.12 of this chapter, and a declaration of any spice or seasoning that characterizes the product; for example, "with added spice", "seasoned with red peppers", "seasoned with butter". Further, whenever the name "green beans" appears on the label so conspicuously as to be easily seen under the customary conditions of purchase, the words and statements prescribed by paragraph (d)(1) through (5) shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter except that there may intervene (i) the designation of the length of cut, (ii) the varietal name, which may include the word "stringless", and (iii) the description of the green beans, as "stringless", which may also be used between the words "green" and "beans", where the beans are in fact stringless.

(f) Each of the optional ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

4. In § 51.990 by revising paragraph (c) (3) (xiii), by deleting paragraph (f) (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13), and by revising paragraph (g) and adding paragraph (h) as follows:

§ 51.990 Canned vegetables other than those specifically regulated; identity; label statement of optional ingredients.

* * * * *

(c) * * *

(3) * * *

(xiii) Butter or margarine in a quantity not less than 3 percent by weight of the finished food. When butter or margarine is added, safe and suitable emulsifiers or stabilizers, or both, may be added. When butter or margarine is added, no spice or flavoring simulating the color or flavor imparted by butter or margarine is used.

* * * * *

(g) The name of the food shall include a declaration of any flavoring that characterizes the product as specified in § 1.12 of this chapter, and a declaration of any spice or seasoning that characterizes the product; for example, "with added spice", "seasoned with red pep-

pers", "seasoned with butter". Wherever the name of the vegetable appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements specified in paragraphs (e) and (f)(1) through (3) of this section shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that the varietal name of the vegetable may so intervene.

(h) Each of the optional ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

Any person who will be adversely affected by the foregoing order may at any time on or before May 16, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective June 17, 1974, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be given by publication in the FEDERAL REGISTER.

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

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8660 Filed 4-15-74;8:45 am]

PART 121—FOOD ADDITIVES

SUBPART F—FOOD ADDITIVES RESULTING FROM CONTACT WITH CONTAINERS OR EQUIPMENT AND FOOD ADDITIVES OTHERWISE AFFECTING FOOD

Polyurethane Resins

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 3B2920) filed by Spencer Kellogg Division of Textron, Inc., 4201 Genesee St., Buffalo, NY 14225, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of additional reactants and optional adjuvant substances, as set forth below, in the production of polyurethane resins intended for use in contact with dry bulk foods.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; (21 U.S.C. 348(c)(1))) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2522 is amended in paragraphs (a)(1) and (2) and (b) by alphabetically inserting new items in the "List of substances," as follows:

§ 121.2522 Polyurethane resins.

* * * * *

(a) * * *

(1) Isocyanates:

* * * * *

3-Isocyanatomethyl-3,5,5-trimethylcyclohexyl isocyanate.

* * * * *

(2) List of substances:

* * * * *

Polybutylene glycol.

* * * * *

(b) * * *

List of substances	*Limitations*
* * *	* * *
Dibutyltin diacetate	As a catalyst.
Dibutyltin dichloride	Do.
Dibutyltin dilaurate	Do.
* * *	* * *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before May 16, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This notice shall be effective April 16, 1974, objections on or before May 16, 1974.

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8657 Filed 4-15-74;8:45 am]

SUBCHAPTER F—BIOLOGICS

PART 640—ADDITIONAL STANDARDS FOR HUMAN BLOOD AND BLOOD PRODUCTS

Reorganization and Republication; Correction

In FR Doc. 73-24521 appearing at page 32048 in the FEDERAL REGISTER of November 20, 1973, the italicized heading for paragraph (c)(2) of § 640.64 appearing on page 32094, which reads "(2) *Anticoagulant acid citrate dextrose dextrose solution (CPD)*," is corrected to read "(2) *Anticoagulant citrate phosphate dextrose solution (CPD)*."

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8664 Filed 4-15-74;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-240]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*		*	*	*	*
Connecticut	New London	Waterford, town of				Apr. 15, 1974. Emergency.
Illinois	Carroll	Unincorporated areas.				Do.
Do	Monroe	Valmeyer, village of.				Do.
Do	Cook	Orland Park, city of.				Do.
Michigan	Benzie	Crystal Lake, township of.				Do.
Minnesota	Scott	Jordan, city of				Do.
Do	Crow Wing	Baxter, city of				Do.
Do	Mille Lacs	Unincorporated areas.				Do.
Do	Cottonwood	do				Do.
Do	Roseau	Greenbush, city of.				Do.
Do	Anoka	Circle Pines, city of.				Do.
Do	Kennepin	Plymouth, city of				Do.
Do	Fillmore	Mabel, city of				Do.
Do	Pipestone	Unincorporated areas.				Do.
Mississippi	Newton	Newton, city of				Do.
Missouri	Jefferson	Kimmswick, city of.				Do.
North Carolina	Catawba	Conover, town of				Do.
Do	Wilkes	Wilkesboro, town of.				Do.
Pennsylvania	Beaver	Aliquippa, borough of.				Do.
Do	Mifflin	Bratton, township of.				Do.
Do	Allegheny	Crafton, borough of.				Do.
Do	Luzerne	Dallas, borough of.				Do.
Do	Cameron	Driftwood, borough of.				Do.
Do	Tioga	Elk, township of				Do.
Do	do	Morris, township of.				Do.
Do	Northampton	Washington, township of.				Do.
Do	McKean	Bradford, city of				Do.
Vermont	Washington	Barre, city of				Do.
Virginia	Rockbridge	Unincorporated areas.				Do.
Wisconsin	Winnebago	do				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 23, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), (42 U.S.C. 4001-4127); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: April 8, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8564 Filed 4-15-74;8:45 am]

[Docket No. FI-241]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Idaho	Gem	Unincorporated areas.				April 12, 1974, Emergency.
New Jersey	Camden	Haddon, township of.				Do.
New York	Chautauqua	Fredonia, village of.				Do.
Texas	Milam	Cameron, city of				Do.
Virginia	Grayson	Independence, town of.				Do.
Wisconsin	Waukesha	Muskego, city of				Do.

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

Issued: April 5, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8563 Filed 4-15-74;8:45 am]

[Docket No. FI-2413]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Alabama	Limestone	Athens, city of				April 11, 1974, Emergency.
Connecticut	New Haven	Meriden, city of				Do.
Colorado	Adams	Commerce, city of				Do.
Illinois	Will	Frankfort, village of.				Do.
Iowa	Lee	Fort Madison, city of.				Do.
Minnesota	Sibley	Unincorporated area.				Do.
Do	Traverse	do				Do.
Mississippi	Holmes	do				Do.
Do	Montgomery	do				Do.
North Carolina	Washington	Plymouth, town of.				Do.
North Dakota	Barnes	Valley City, city of.				Do.
Oregon	Columbia	Unincorporated area.				Do.
Do	Clatsop	Clearhart, city of				Do.
Pennsylvania	Lancaster	Martic, township of.				Do.
Do	Jefferson	Summerville, borough of				Do.
Texas	Orange	West Orange, city of.				Do.
Virginia	Green	Unincorporated area.				Do.
Do	Prince Edward	do				Do.
Washington	Benton	do				Do.
Do	Yakima	do				Do.
Wisconsin	Kewaunee	Kewaunee, city of				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 23, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Pub. L. 91–152, Dec. 24, 1969), (42 U.S.C. 4001–4127); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: April 5, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8562 Filed 4-10-74;8:45 am]

[Docket No. FI-243]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*		*	*	*	*
Arkansas	Phillips	West Helena, city of.				April 9, 1974. Emergency
California	San Luis Obispo	El Paso de Robles, city of.				Do.
Colorado	Clear Creek	Georgetown, town of.				Do.
Connecticut	Hartford	East Granby, town of.				Do.
Idaho	Shoshone	Unincorporated areas.				Do.
Maryland	Washington	Hagerstown, city of.				Do.
Massachusetts	Essex	Beverly, city of				Do.
Do	Norfolk	Cohasset, town of				Do.
Minnesota	Dakota	Inver Grove Heights, city of.				Do.
Do	Itasca	Deer River, city of.				Do.
Do	Sibley	Gaylord, city of				Do.
Mississippi	Tallahatchie	Glendora, city of				Do.
North Dakota	Morton	Hebron, city of				Do.
Oregon	Linn	Unincorporated areas.				Do.
Pennsylvania	Erie	Harbercreek, township of.				Do.
Do	Lycoming	Shrewsburg, township of.				Do.
Virginia	Stafford	Unincorporated areas.				Do.
Do	Sussex	Stony Creek, town of.				Do.
Washington	Okanogan	Omak, city of				Do.
Do	Whitman	Albion, town of				Do.
Wyoming	Fremont	Hudson, town of				Do.

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

Issued: April 2, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8561 Filed 4-15-74;8:45 am]

[Docket No. FI-244]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*		*	*	*	*
Illinois	Mercer	Unincorporated area.				April 8, 1974. Emergency
Do	Whiteside	Prophetstown, city of.				Do.
Louisiana	St. Tammy Parrish.	Covington, city of				Do.
Minnesota	Pipestone	Edgerton, city of				Do.
Do	St. Louis	Ely, city of				Do.
Do	Traverse	Wheaton, city of				Do.
Nebraska	Scottsbluff	Scottsbluff, city of				Do.
New York	Onondaga	Elbridge, town of				Do.
N. Carolina	Perquimans	Hertford, town of				Do.
Pennsylvania	Northumberland	Rockefeller, township of.				Do.
Washington	Lewis	Unincorporated area.				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 23, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), (42 U.S.C. 4001-4127); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: April 1, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8560 Filed 4-15-74;8:45 am]

[Docket No. FI-245]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Connecticut	Litchfield	New Milford, town of.				April 10, 1974. Emergency.
Illinois	Peoria	Peoria, city of				Do.
Iowa	Dubuque	Durango, city of				Do.
Maine	Aroostook	Fort Kent, town of.				Do.
Minnesota	Rice	Northfield, city of				Do.
Ohio	Franklin	Hilliard, city of				Do.
Pennsylvania	Chester	West Pikeland, township of.				Do.

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

Issued: April 2, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8559 Filed 4-15-74;8:45 am]

[Docket No. FI-240]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding. Since this publication is merely for the purpose of informing the public of the location of areas of special flood hazard and has no binding effect on the sale of flood insurance or the commencement of construction, notice and public prcoedure are impracticable, unnecessary, and contrary to the public interest. Inasmuch as this publication is not a substantive rule, the identification of special hazard areas shall be effective on the date shown. Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Arizona	Graham	Pima, town of	H 04 009 0330 01 through H 04 009 0330 02	Arizona State Land Department, 1624 West Adams, room 400, Phoenix, Ariz. 85104. Arizona Department of Insurance, P.O. Box 7023, Phoenix, Ariz. 85011.	Mayor, Municipal Bldg., Pima, Ariz. 85543.	Apr. 12, 1974.
Do	Maricopa	Tolleson, city of	H 04 013 0510 01 through H 04 013 0510 02	do	Mayor, City Hall, city of Tolleson, 9555 West Van Buren, Phoenix, Ariz. 85353.	Do.
Do	Yuma	Somerton, town of	H 04 027 0440 01	do	Mayor, City Hall, Somerton, Ariz. 85350.	Do.
Do	do	Yuma, city of	H 04 027 0620 01 through H 04 027 0620 04	do	Mayor, City Hall, Yuma, Ariz. 85364	Do.
Arkansas	Dallas	Fordyce, city of	H 05 039 1340 01 through H 05 039 1340 02	Division of Soil and Water, Resources, State Department of Commerce, 1020 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 40 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, City Hall, Fordyce, Ark. 71742.	Do.
Do	Jackson	Swifton, city of	H 05 067 3790 01	do	Mayor, City Hall, Swifton, Ark. 72471	Do.
Do	Lawrence	Black Rock, city of.	H 05 075 0410 01	do	Mayor, City Hall, Black Rock, Ark. 72415.	Do.
Do	Mississippi	Manila, city of	H 05 093 2520 01	do	Mayor, Manila, Ark. 72442	Do.
Do	Union	Calion, city of	H 05 139 0620 01	do	Mayor, City Hall, Calion, Ark. 71724	Do.
Do	Washington	Farmington, city of.	H 05 143 1305 01	do	Mayor, City Hall, Farmington, Ark. 72730.	Do.
California	Alameda	Emeryville, city of.	H 06 001 1170 01 through H 06 001 1170 02	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Mayor, 2449 Powell St., Emeryville, Calif. 94608.	Do.
Do	Imperial	Calipatria, city of	H 06 025 0330 01 through H 06 025 0330 02	do	Mayor, City Hall, 101 North Lake Ave., Calipatria, Calif. 92233.	Do.
Do	Santa Clara	Santa Clara, city of.	H 06 085 3440 01 through H 06 085 3440 07	do	Mayor, City Hall, P.O. Box 383, Santa Clara, Calif. 95050.	Do.
Do	Tulare	Porterville, city of.	H 06 107 2880 01 through H 06 107 2880 03	do	Mayor, City Hall, 291 North Main St., Porterville, Calif. 93257.	Do.
Colorado	Otero	La Junta, city of	H 08 089 1410 01 through H 08 089 1410 02	Colorado Water Conservation, Board, room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Mayor, City Hall, La Junta, Colo. 81050.	Do.
Do	Rio Blanco	Rangely, town of.	H 08 103 2070 01 through H 08 103 2070 02	do	Mayor, Town Hall, Rangely, Colo. 81648.	Do.
Do	Weld	Platteville, town of.	H 08 123 1990 01	do	Mayor, Platteville, Colo. 80651.	Do.
Connecticut	Litchfield	Woodbury, town of.	H 09 005 0837 01 through H 09 015 0343 03	Department of Environmental Protection, Division of Water and Related Resources, room 207, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Town of Woodbury, Town Office Bldg., Main St., Woodbury, Conn. 06798.	Do.
Do	Windham	Windham, town of.	H 09 015 0343 01 through H 09 015 0343 03	do	Mayor, City Hall, Windham, Conn. 06280.	Do.
Florida	Clay	Green Cove Springs, city of.	H 12 019 1200 01	Department of Community Affairs, 2571 Executive Center Circle East, Howard Bldg., Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, the Capitol, Tallahassee, Fla. 32304.	Planning and Zoning Board, City Hall, 229 Walnut St., Green Cove Springs, Fla. 32043.	Do.
Georgia	Baker	Newton, city of	H 13 007 3360 01 through H 13 007 3360 02	Department of Natural Resources, Office of Planning and Research, 270 Washington St. SW., room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Mayor, City Hall, Newton, Ga. 31770	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Chatooga	Summerville, city of.	H 13 055 5260 01 through H 13 055 5260 02	do	Mayor, City Hall, Summerville, Ga. 30747.	Do.
Do	Chattahoochee	Cusseta, city of	H 13 053 1450 01	do	Mayor, City Hall, Cusseta, Ga. 31805.	Do.
Do	Clarke	Athens, city of	H 13 059 0270 01 through H 13 059 0270 07	do	Inspection Department, City of Athens, City Hall, Athens, Ga. 30601.	Do.
Do	Cobb	Powder Springs, town of.	H 13 067 4490 01 through H 13 067 4490 02	do	Mayor, City Hall, Powder Springs, Ga. 30073.	Do.
Do	De Kalb	Pine Lake, town of.	H 13 089 4370 01	do	Mayor, City Hall, Pine Lake, Ga. 30072.	Do.
Do	do	Stone Mountain, city of.	H 13 089 5220 01 through H 13 089 5220 02	do	Chairman, De Kalb County Board of Commissioners, city of Stone Mountain, Courthouse, Decatur, Ga. 30030.	Do.
Do	Jenkins	Millen, city of	H 13 165 3630 01 through H 13 165 3630 04	do	Mayor, City Hall, Millen, Ga. 30442	Do.
Do	Liberty	Hinesville, city of	H 13 179 2730 01 through H 13 179 2730 02	do	Mayor, City Hall, Hinesville, Ga. 31313.	Do.
Do	Madison	Comer, town of	H 13 195 1290 01 through H 13 195 1290 02	do	Mayor, City Hall, Comer, Ga. 30629	Do.
Do	Newton	Porterdale, town of.	H 13 217 4470 01	do	Mayor and City Council, City Hall, Porterdale, Ga. 30270.	Do.
Do	Richmond	Hephzibah, city of.	H 13 245 2670 01 through H 13 245 2670 02	do	Mayor, City Hall, Hephzibah, Ga. 30815.	Do.
Illinois	Champaign	Rantoul, village of.	H 17 019 7220 01 through H 17 019 7220 03	Governor's Task Force on Flood Control, Natural Resources Services Center, Thornhill Bldg., P.O. Box 475, Lisle, Ill. 60532. Illinois Insurance Department, 509 State Office Bldg., Springfield, Ill. 62702.	Mayor, City Hall, Rantoul, Ill. 61866	Do.
Do	Cook	Bartlett, village of	H 17 031 0540 01 through H 17 031 0540 03	do	President, 288 South Main St., Bartlett, Ill. 60103.	Do.
Do	do	Brookfield, Village of.	H 17 031 1050 01	do	President, Village Hall, 8820 Brookfield Ave., Brookfield, Ill. 60513.	Do.
Do	do	Burbank, city of	H 17 031 1185 01	do	Administrative Bldg., 6360 West 79 St., Burbank, Ill. 60459.	Do.
Do	do	Chicago Heights, city of.	H 17 031 1680 01 through H 17 031 1680 04	do	Mayor, City Hall, 1430 Chicago Rd., Chicago Heights, Ill. 60411.	Do.
Do	do	Hanover Park, village of.	H 17 031 3731 01 through H 17 031 3731 02	do	Village of Hanover Park, Municipal Bldg., 2121 West Lake St., Hanover Park, Ill. 60103.	Do.
Do	do	Lynwood, village of.	H 17 031 5033 01	do	President, Village Hall of Lynwood, Chicago Heights, Ill. 60411.	Do.
Do	do	Matteson, village of.	H 17 031 5380 01 through H 17 031 5380 02	do	President, Village Hall, 3625 West 215th St., Matteson, Ill. 60443.	Do.
Do	do	Oak Lawn, village of.	H 17 031 6400 01 through H 17 031 6400 03	do	Village Hall, 5252 West James, Oak Lawn, Ill. 60453.	Do.
Do	do	Park Forest, village of.	H 17 031 6730 01 through H 17 031 6730 02	do	Village Hall, Village of Park Forest, Park Forest, Ill. 60466.	Do.
Do	do	Phoenix, village of	H 17 031 6940 01	do	President, Phoenix Village Hall, Harvey, Ill. 60426.	Do.
Do	do	Richton Park, village of.	H 17 031 7278 01	do	President, Village Hall, 4045 Sauk Trail, Richton Park, Ill. 60471.	Do.
Do	do	Robbins, village of.	H 17 031 7380 01	do	President, Village Hall, 3327 West 137th St., Robbins, Ill. 60472.	Do.
Do	do	South Chicago Heights, village of.	H 17 031 8090 01	do	President, Village Hall, 2720 Jackson Ave., South Chicago Heights, Ill. 60411.	Do.
Do	do	Streamwood, village of.	H 17 031 8367 01 through H 17 031 8367 03	do	President, 401 East Irving Park Rd., Streamwood, Ill. 60103.	Do.
Do	do	Willow Springs, village of.	H 17 031 9370 01 through H 17 031 9370 02	do	President, Village Hall, 8480 Archer Rd., Willow Springs, Ill. 60480.	Do.
Do	Du Page	Bensenville, village of.	H 17 043 0740 01 through H 17 043 0740 03	do	President, 700 West Irving Park Rd., Bensenville, Ill. 60106.	Do.
Do	do	Carol Stream, village of.	H 17 043 1385 01 through H 17 043 1385 02	do	Carol Stream Village Hall, 415 North Gary Ave., Carol Stream, Ill. 60187.	Do.
Do	do	Naperville, city of	H 17 043 5980 01 through H 17 043 5980 07	do	Municipal Center, 175 West Jackson Ave., Naperville, Ill. 60540.	Do.
Do	do	West Chicago, city of.	H 17 043 9180 01 through H 17 043 9180 04	do	Mayor, 132 Main St., West Chicago, Ill. 60185.	Do.
Do	Grundy	Morris, city of	H 17 063 5750 01	do	Mayor, City Hall, 222 Wauponsee St., Morris, Ill. 60450.	Do.
Do	Jackson	Murphysboro, city of.	H 17 077 5950 01 through H 17 077 5950 03	do	Mayor, 404 South 20th St., Murphysboro, Ill. 62966.	Do.
Do	Kane	Sleepy Hollow, village of.	H 17 089 8031 01	do	President, 909 Willow Lane, Village of Sleepy Hollow, Dundee, Ill. 60118.	Do.
Do	La Salle	Sheridan, village of	H 17 099 7940 01	do	Mayor, City Hall, Sheridan, Ill. 60551	Do.
Do	Livingston	Dwight, village of.	H 17 105 2490 01	do	Mayor, City Hall, Dwight, Ill. 60420	Do.
Do	McHenry	Cary, village of	H 17 111 1440 01	do	President, Cary, Ill. 60013	Do.
Do	do	Lake in the Hill, village of.	H 17 111 4625 01	do	President, Village of Lake in the Hill, Algonquin, Ill. 60102.	Do.

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Do	Pulaski	Karnak, village of	H 17 153 4400 01	do	Village President, Karnak, Ill. 62956	Do.
Do	do	Ullin, village of	H 17 153 8750 01	do	Mayor, City Hall, Ullin, Ill. 62992	Do.
Do	Randolph	Chester, city of	H 17 157 1660 01 through H 17 157 1660 03	do	Mayor, City Hall, Chester, Ill. 62233	Do.
Do	Rock Island	Carbon Cliff, village of	H 17 161 1340 01	do	Mayor, Village Hall, Carbon Cliff, Ill. 61229.	Do.
Do	Tazewell	Pekin, city of	H 17 179 0840 01 through H 17 179 0840 03	do	Mayor, City Hall, 400 Margaret, Pekin, Ill. 61511.	Do.
Do	Will	Beecher, village of	H 17 197 0620 01	do	President, Village Hall, Beecher, Ill. 60401.	Do.
Do	do	Bolingbrook, village of	H 17 197 0887 01 through H 17 197 0887 03	do	President, Village Hall, 131 West Boughton, Bolingbrook, Ill. 60443.	Do.
Do	do	Crete, village of	H 17 197 2060 01 through H 17 197 2060 02	do	President, Village Hall, Crete, Ill. 60417.	Do.
Do	do	Wilmington, city of.	H 17 197 9320 01	do	Mayor, City Hall, Wilmington, Ill. 60481.	Do.
Indiana	Benton	Fowler, town of	H 18 007 1000 01	Division of Water, Department of Natural Resources, 603 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department., 509 State Office Bldg., Indianapolis, Ind. 46204.	Chairman of Town Board, Town Hall, 311 East 5th St., Fowler, Ind. 47944.	Do.
Do	Boone	Whitestown, town of.	H 18 011 5280 01	do	Chairman of Town Board, Town Hall, Whitestown, Ind. 46075.	Do.
Do	do	Zionsville, town of.	H 18 011 5420 01	do	Chairman of Town Board, Town Hall, Zionsville, Ind. 46077.	Do.
Do	Clark	Charlestown, city of.	H 18 019 0800 01	do	Mayor, 701 Main St., Charlestown, Ind. 47111.	Do.
Do	Crawford	English, town of	H 18 025 1460 01	do	President of Town Board, English, Ind. 47118.	Do.
Do	Decatur	Greensburg, city of.	H 18 031 1910 01 through H 18 031 1910 02	do	Mayor, City Hall, Greensburg, Ind. Ind. 47240.	Do.
Do	Lake	East Chicago, city of.	H 18 089 1310 01 through H 18 089 1310 03	do	Mayor, 4525 Indianapolis Blvd., East Chicago, Ind. 46312.	Do.
Do	do	Hobart, city of	H 18 089 2120 01 through H 18 089 2120 04	do	Mayor, City Hall, 414 Main St., Hobart, Ind. 46342.	Do.
Do	Wabash	Lafontaine, town of.	H 18 169 2490 01	do	Director, Wabash County Planning Commission, Courthouse, Wabash, Ind. 46992.	Do.
Do	Wayne	Hagerstown, town of.	H 18 177 1980 01	do	Town Board, City Bldg., 40 East College Ave., Hagerstown, Ind. 47346.	Do.
Iowa	Black Hawk	Cedar Falls, city of.	H 19 013 1330 01 through H 19 013 1330 14	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 52172.	Office of the Building Official, 217 Washington St., Cedar Falls, Iowa 50613.	Do.
Do	Harrison	Logan, town of	H 19 085 4870 01	do	Mayor, City Hall, Logan, Iowa 51546	Do.
Do	do	Missouri Valley, city of.	H 19 085 5650 01 through H 19 085 5650 02	do	City Clerk's Office, 223 Erie St., Missouri Valley, Iowa 51555.	Do.
Kansas	Greenwood	Eureka, city of	H 20 073 1740 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st floor, Statehouse, Topeka, Kans. 66612.	Mayor, City Hall, Eureka, Kans.	Do.
Do	Leavenworth	Basehor, city of	H 20 103 0375 01	do	Mayor, City Hall, Basehor, Kans. 66007.	Do.
Louisiana	Franklin Parish	Baskin, village of	H 22 041 0120 01 through H 22 041 0120 02	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Town Hall, Highway 15, Baskin, La. 71219.	Do.
Do	Iberia Parish	Loreauville, village of.	H 22 045 1350 01 through H 22 045 1350 02	do	Village of Loreauville, 516 Main St., Loreauville, La. 70552.	Do.
Do	Iberville Parish	Maringouin, town of.	H 22 047 1460 01 through	do	Mayor, Town of Maringouin, City Hall, Maringouin, La. 70757.	Do.
Do	do	Plaquemine, city of.	H 22 047 1870 01 through H 22 047 1870 03	do	Mayor's Office and City Clerk's Office, City Hall, 209 Main St., P.O. Box 675, Plaquemine, La. 70764.	Do.
Do	Lafayette	Broussard, town of.	H 22 055 0260 01 through H 22 055 0260 02	do	Mayor, City Hall, Broussard, La. 70518.	Do.
Do	Lafourche Parish	Thibodaux, city of.	H 22 057 2250 01 through H 22 057 2250 02	do	Mayor, City Hall, Thibodaux, La. 70301.	Do.
Do	Livingston Parish	Albany, village of.	H 22 063 0035 01	do	Mayor, Albany, La. 70711	Do.
Do	Natchitoches, Parish.	Robeline, village of.	H 22 069 2040 01	do	Mayor, City Hall, Robeline, La. 71469.	Do.
Do	Rapides Parish	Glenmora, town of.	H 22 079 0840 01	do	Mayor, Glenmora, La. 71433	Do.
Do	Red River Parish	Coushatta, town of.	H 22 081 0500 01	do	Mayor, Town of Coushatta, La. 71019.	Do.
Do	St. Landry Parish	Melville, town of	H 22 097 1510 01 through H 22 097 1510 03	do	Town Hall, Town of Melville, Melville, La. 71353.	Do.
Do	Tanipahoa Parish	Ponchatoula, city of.	H 22 105 1910 01	do	Mayor, Ponchatoula, La. 70454	Do.
Do	Webster	Cullen, town of	H 22 119 0613 01	do	Mayor, Town Hall, Cullen, La. 71021	Do.

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Maine	Aroostook	Caribou, city of	H 23 003 1500 01 through H 23 003 1500 09	Maine Soil and Water Conservation Commission, State House, Augusta, Maine 04330. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Chairman, City Council, City Office, Caribou, Maine 04736.	
Do	Cumberland	Westbrook, city of.	H 23 005 9000 01 through H 23 005 9000 06	do	Planning Board, Westbrook, Maine 04092.	Do.
Maryland	Worcester	Snow Hill, town of.	H 24 047 1470 01 through H 24 047 1470 02	Department of Water Resources, State Office Bldg., Annapolis, Md. 21401. Maryland Insurance Department, 301 West Preston St., Baltimore, Md. 21863.	Mayor and Town Council, Snow Hill, Md. 21863.	Do.
Massachusetts	Hampden	Chicopee, city of	H 25 013 0210 01 through H 25 013 0210 06	Division of Water Resources, Water Resources Commission, State Office Bldg., 100 Cambridge St., Boston, Mass. 02202. Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Chairman, Planning Board, City Hall, Chicopee, Mass. 01013.	Do.
Do	do	Wilbraham, town of.	H 25 013 1477 01 through H 25 013 1477 06	do	Chairman, Planning Board, Town Office, Wilbraham, Mass. 01095.	Do.
Michigan	Barry	Hastings, city of	H 26 015 2220 01	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48913. Michigan Insurance Bureau, 111 North Hosmer St., Lansing, Mich. 48913.	Mayor, City Hall, Hastings, Mich. 49058.	Do.
Do	Macomb	New Baltimore, city of.	H 26 099 3500 01 through H 26 099 3500 02	do	New Baltimore City Hall, 36535 Green St., New Baltimore, Mich. 48047.	
Do	do	Sterling Heights, city of.	H 26 099 4731 01 through H 26 099 4731 04	do	Al Martin, mayor, 40555 Utica Rd., Sterling Heights, Mich. 48078.	June 29, 1973. Apr. 12, 1974.
Do	Monroe	Estral Beach, village of.	H 26 115 1610 01	do	Municipal Bldg., Village of Estral Beach, 1794 Lakeview Ave., Newport, Mich. 48166.	Do.
Do	Ottawa	Holland, city of	H 26 139 2290 01 through H 26 139 2290 05	do	Mayor, City Hall, Holland, Mich. 49423.	Do.
Do	St. Clair	Algonac, city of	H 26 147 0070 01 through H 26 147 0070 04	do	City Hall, 1410 St. Clair River Dr., Algonac, Mich. 48001.	Do.
Do	do	Cottrelville, township of.	H 26 147 1633 01 through H 26 147 1633 06	do	Cottrellville, Township Hall, 7008 Marsh Rd., Marine City, Mich. 48039.	Do.
Do	do	East China, township of.	H 26 147 3020 01 through H 29 147 3020 03	do	East China Township Hall, 298 Recor Rd., St. Clair, Mich. 48079.	Do.
Do	Wayne	Grosse Pointe Park, city of.	H 29 163 2090 01 through H 29 163 2090 05	do	Municipal Bldg., 15115 East Jefferson Ave., Grosse Pointe Park, Mich. 48230.	Do.
Do	do	Grosse Pointe Woods, city of.	H 29 163 2104 01 through H 29 163 2104 05	do	Office of City Administrator, City of Grosse Pointe Woods, 20025 Mack Ave., Grosse Pointe Woods, Mich. 48236.	Do.
Do	do	Grosse Point Shores, village of.	H 29 163 2100 01 through H 29 163 2100 02	do	Grosse Pointe Shores Municipal Bldg., 795 Lake Shore Rd., Grosse Pointe Shores, Mich. 48236.	Do.
Do	do	Inkster, city of	H 26 163 2430 01 through H 26 163 2430 04	do	City Clerk, city of Inkster, 2121 Inkster Rd., Inkster, Mich. 48141.	Do.
Do	do	Southgate, city of.	H 26 163 4571 01 through H 26 163 4571 02	do	Chief Inspector, Building and Engineering Department, 13763 Northline Rd., Southgate, Mich. 48195.	Do.
Minnesota	Hennepin	Brooklyn Park, city of.	H 27 053 0821 01 through H 27 053 0821 09	Division of Waters, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R 210 State Office Bldg., St. Paul, Minn. 55101.	City Hall, 5800 85th Ave. North, Brooklyn Park, Minn. 55443.	Do.
Do	Kandiyohi	Raymond, city of.	H 27 067 5820 01	do	Mayor, Raymond, Minn. 56282	Do.
Do	Kanabec	Mora, city of	H 27 065 4900 01 through H 27 065 4900 02	do	City Hall, city of Mora, Mora, Minn. 55051.	Do.
Do	Lac Qui Parle	Dawson, city of	H 27 073 1670 01	do	Mayor, Municipal Bldg., Dawson, Minn. 56232.	Do.
Do	do	Madison, city of	H 27 073 4400 01	do	Mayor, Municipal Bldg., Madison, Minn. 56256.	Do.
Do	Mahnomen	Mahnomen, city of.	H 27 087 4430 01	do	Mayor, City Hall, Mahnomen, Minn. 56557.	Do.
Do	Meeker	Litchfield, city of	H 27 093 4200 01 through H 27 093 4200 02	do	Mayor, Community Bldg., Litchfield, Minn. 55355.	Do.
Do	do	Watkins, city of	H 27 093 7400 01	do	Mayor, Watkins, Minn. 55389	Do.
Do	Olmstead	Eyota, city of	H 27 109 2270 01	do	Mayor, city of Eyota, City Hall, Eyota, Minn. 55934.	Do.
Do	Renville	Renville, city of	H 27 129 5880 01	do	Mayor, Renville, Minn. 56284	Do.
Do	Rock	Hills, city of	H 27 133 3310 01	do	Mayor, Hills, Minn. 56138	Do.
Do	Stearns	Paynesville, city of.	H 27 145 5540 01	do	Mayor, Paynesville, Minn. 56362	Do.
Do	Steele	Medford, city of	H 27 147 4620 01	do	Mayor, City Hall, Medford, Minn. 55049.	Do.
Do	Todd	Bertha, city of	H 27 153 0560 01	do	Mayor, Village Hall, Bertha, Minn. 56437.	Do.
Do	do	Long Prairie, city of.	H 27 153 4250 01	do	Mayor, City Hall, Long Prairie, Minn. 56347.	Do.

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Do	Wadena	Menahga, city of	H 27 159 4060 01 through H 27 159 4060 02	do	Mayor, Menahga, Minn. 56464	Do.
Do	do	Sebeka, city of	H 27 159 6480 01	do	Mayor, Sebeka, Minn. 56477	Do.
Do	Waseca	New Richland, city of.	H 27 161 5170 01	do	Mayor, City Hall, New Richland, Minn. 56072.	Do.
Do	Washington	Cottage Grove, city of.	H 27 163 1517 01 through H 27 163 1517 12	do	Municipal Bldg., 7516 80th St. South, Cottage Grove, Minn. 55016.	Do.
Do	Watonwan	Madelia, city of	H 27 165 4399 01	do	Mayor, City Hall, Madelia, Minn. 56062.	Do.
Do	Winona	St. Charles, city of.	H 27 169 6230 01 through H 27 169 6230 02	do	Mayor, St. Charles, Minn. 55972	Do.
Mississippi	Tate	Coldwater, village of.	H 23 137 0510 01	Mississippi Research and Development Center, P.O. Drawer 2170, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg., P.O. Box 79, Jackson, Miss. 39205.	Mayor, City Hall, Coldwater, Miss. 38618.	Do.
Missouri	Franklin	St. Clair, town of	H 29 071 7020 01 through H 29 071 7020 03	Water Resources Board, P.O. Box 271, Jefferson City, Mo. 65077. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Mayor, 570 South Main St., St. Clair, Mo. 63077.	Do.
Do	Henry	Clinton, city of	H 29 083 1750 01 through H 29 083 1750 04	do	Mayor, City Hall, Clinton, Mo. 64735	Do.
Do	Howard	Glasgow, city of	H 29 089 3120 01	do	Mayor and City Council, City Hall, Glasgow, Minn. 65254.	Do.
Do	Mississippi	Bertrand, town of	H 29 133 0670 01 through H 29 133 0670 03	do	Mayor, City Hall, Bertrand, Mo. 63823.	Do.
Do	Newton	Granby, city of	H 29 145 3250 01 through H 29 145 3250 02	do	Mayor, City Hall, Granby, Mo. 64844	Do.
Do	Pemiscot	Hayti, city of	H 29 155 3570 01 through H 29 155 3570 04	do	Mayor, P.O. Box 474, Hayti, Mo. 63851.	Do.
Do	St. Charles	Wentzville, city of	H 29 183 8250 01 through H 29 183 8250 03	do	Mayor, City Hall, Wentzville, Mo. 63385.	Do.
Do	Scott	Scott City, city of.	H 29 201 7203 01 through H 29 201 7203 02	do	Mayor, City Hall, Scott City, Mo. 63780.	Do.
Montana	Deer Lodge	Anaconda, city of	H 30 023 0020 01	Montana Department of Natural Resources and Conservation, Water Resources Division, Sam W. Mitchell Bldg., Helena, Mont. 59601. Montana Insurance Department, Capitol Bldg., Helena, Mont. 59601.	Mayor, City Hall, Anaconda, Mont. 59711.	Apr. 12, 1974.
Do	Lewis and Clark	Helena, city of	H 30 049 0590 01 through H 30 049 0590 05	do	City Manager, Civic Center, Helena, Mont. 59601.	Do.
Do	Roosevelt	Wolf Point, city of	H 30 085 1200 01	do	Mayor, City Hall, Wolf Point, Mont. 59201.	Do.
Nebraska	Boone	Albion, city of	H 31 011 0040 01 through H 31 011 0040 02	Nebraska Natural Resources Commission, P.O. Box 94765, State House Station, Lincoln, Nebr. 68509. Nebraska Insurance Department, 1335 "L" St., Lincoln, Nebr. 68509.	Mayor, City Hall, Albion Nebr. 68620.	Do.
Do	Burt	Decatur, village of.	H 31 021 1410 01	do	Mayor, City Hall, Decatur, Nebr. 68020.	Do.
Do	Clay	Edgar, city of	H 31 035 1610 01	do	Mayor, City Hall, Edgar, Nebr. 68935.	Do.
Do	Dixon	Ponca, city of	H 31 051 3970 01	do	Mayor, Ponca, Nebr. 68770	Do.
Do	Howard	St. Paul, city of	H 31 093 4280 01	do	Mayor, City of St. Paul, St. Paul, Nebr. 68873.	Do.
Do	Thayer	Deshler, city of	H 31 169 1430 01	do	Mayor, Deshler, Nebr. 68340	Do.
New Hampshire.	Hillsborough	Antrim, town of	H 33 011 0005 01 through H 33 011 0005 04	Office of State Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.	Selectmen, Antrim, N.H. 03440	Do.
Do	do	Merrimack, town of.	H 33 011 0334 01 through H 33 011 0334 09	do	Selectmen, Merrimack, N.H. 03045	Do.
New Jersey	Bergen	Carlstadt, borough of.	H 34 003 0560 01 through H 34 003 0560 03	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1390, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Mayor, 500 Madison St., Carlstadt, N.J. 07072.	Do.
Do	do	East Rutherford, borough of.	H 34 003 0820 01 through H 34 003 0820 02	do	Mayor, Patterson Avenue and Everett Pl., East Rutherford, N.J. 07073.	Do.
Do	do	Rutherford, borough of.	H 34 003 2040 01 through H 34 003 2040 02	do	Mayor, 176 Park Ave., Rutherford, N.J. 07070.	Do.
Do	Camden	Camden, city of	H 34 007 0320 01 through H 34 007 0320 03	do	Mayor, City Hall, Camden, N.J. 08101.	Do.
Do	Gloucester	National Park, borough of.	H 34 015 2000 01 through H 34 015 2000 03	do	Mayor, 7 South Grove Ave., National Park, N.J. 08063.	Do.
Do	Hudson	Bayonne, city of	H 34 017 0190 01 through H 34 017 0190 03	do	Mayor, 630 Ave. C, Bayonne, N.J. 07002.	Do.

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Do	Hunterdon	Frenchtown, borough of.	H 34 019 1100 01	do	Borough Hall, 2d St., Frenchtown, N.J. 08825.	Do.
Do	Monmouth	Colts Neck, township of.	H 34 025 0692 01 through H 34 025 0692 03	do	Mayor, Box 158, Colts Neck, N.J. 07722.	Do.
Do	do	New Shrewsbury, borough of.	H 34 025 2188 01 through H 34 025 2188 09	do	Mayor, 556 Tinton Ave., New Shrewsbury, N.J. 07721.	Do.
Do	Morris	Harding, township of.	H 34 027 1297 01 through H 34 027 1297 03	do	Mayor, Town of Harding, P.O. Box 23, Madison, N.J. 07940.	Do
Do	Somerset	Branchburg, township of.	H 34 035 0396 01 through H 34 035 0396 02	do	Municipal Bldg., 27 Cedar Grove Rd., Branchburg, N.J. 08876.	Do
New Mexico	Colfax	Springer, town of	H 35 007 0770 01 through H 35 007 0770 02	State Engineer's Office, Bataan Memorial Bldg., Santa Fe, N. Mex. 87501. New Mexico Department of Insurance, P.O. Box 1269, Santa Fe, N. Mex. 87501.	Mayor, City Hall, Springer, N. Mex. N.Y. 87747.	Do.
New York	Albany	Altamont, village of.	H 36 001 0130 01	New York State Department of Environmental Conservation, Division of Resources Management Services, Albany, N.Y. 12201. New York State Insurance Department, 123 William St., New York, N.Y. 10038.	Mayor, Altamont, N.Y. 12009	Do.
Do	Allegany	Almond, town of	H 36 003 0121 01 through H 36 003 0121 15	do	Office of the Town Clerk, Town Bldg., McHenry, Valley Rd., Almond, 14701.	Do
Do	Broome	Binghamton, city of.	H 36 007 0540 01 through H 36 007 0540 03	do	City Clerk, City Hall, Governmental Plaza, Binghamton, N.Y. 13901.	Do
Do	do	Johnson City, village of.	H 36 007 2970 01 through H 36 007 2970 03	do	Mayor, Johnson City, N.Y. 13790	Do
Do	do	Nanticoke, town of.	H 36 007 3974 01 through H 36 007 3974 03	do	Town Supervisor, Town of Nanticoke, Glen Aubrey, N.Y. 13777.	Do
Do	Cayuga	Throop, town of	H 36 011 6067 01 through H 36 011 6067 05	do	Throop Town Board, RD No. 5, Auburn, N.Y. 13021.	Do
Do	Chemung	Big Flats, town of	H 36 015 0535 01 through H 36 015 0535 10	do	Town Supervisor, Big Flats Town Hall, 476 Maple St., Big Flats, N.Y. 14814.	Sept. 14, 1973 Apr. 12, 1974
Do	Chenango	Greene, village of	H 36 017 2100 01	do	Mayor, 14 Coventry Rd., Greene, N.Y. 13778.	Do
Do	Columbia	New Lebanon, town of.	H 36 021 4095 01 through H 36 021 4095 03	do	Town Supervisor, New Lebanon, N.Y. 12125.	Do
Do	Delaware	Sidney, town of	H 36 025 5705 01 through H 36 025 5705 04	do	Supervisor, Sidney, N.Y. 13838	Do
Do	Erie	Newstead, town of.	H 36 029 0040 01 through H 36 029 0040 07	do	Supervisor, Town Hall, Church and Johns Sts., Akron, N.Y. 14001.	Do
Do	do	Boston, town of	H 36 029 0611 01 through H 36 029 0611 08	do	Supervisor, Town Hall, 8435 Boston State Rd., Boston, N.Y. 14025.	Do
Do	do	Aurora, town of	H 36 029 1620 01 through H 36 029 1620 09	do	Supervisor, Town Hall, 5 South Grove St., East Aurora, N.Y. 14052.	Do
Do	Erie	Lancaster, village of.	H 36 029 3140 01	do	Mayor, Village Hall, 5423 Broadway, Lancaster, N.Y. 14085.	Do
Do	Madison	Lincoln, town of	H 36 053 3254 01 through H 36 053 3254 06	do	Town Supervisor, Town of Lincoln, Clockville, N.Y. 13043.	Do.
Do	Monroe	Mendon, town of.	H 36 055 3681 01 through H 36 055 3681 09	do	Mendon Town Board, Town Hall, Masonic Temple Bldg., Honeoye Falls, N.Y. 14472.	Do
Do	Montgomery	Fort Plain, village of.	H 36 057 2110 01	do	Mayor, Fort Plain, N.Y. 13339	Do
Do	Niagara	Hartland, town of	H 36 063 2564 01 through H 36 063 2564 13	do	Supervisor, Town Hall, 8942 Ridge Rd., Middleport, N.Y. 14105.	Do
Do	do	Lewiston, town of	H 36 063 3220 01 through H 36 063 3220 13	do	Supervisor, Town Hall, 736 Center, Lewiston, N.Y. 14092.	Do.
Do	do	North Tonowanda, city of.	H 36 063 4330 01 through H 36 063 4330 05	do	Mayor, City Hall, North Tonawanda, N.Y. 14120.	Do.
Do	do	Porter, town of	H 36 063 5083 01 through H 36 063 5083 09	do	Supervisor, Town Hall, 120 Lockport St., Youngstown, N.Y. 14174.	Do
Do	do	Cambria, town of	H 36 063 5437 01 through H 36 063 5437 10	do	Supervisor, 4150 Lower Mount Rd., Lockport, N.Y.	Do
Do	Onondaga	Camillus, village of.	H 36 067 0310 01	do	Mayor, 127 Maple Dr., Camillus, N.Y. 13031.	Do
Do	do	East Syracuse, village of.	H 36 067 1750 01	do	Mayor, 204 North Center St., East Syracuse, N.Y. 13057.	Do.
Do	do	Jordan, village of	H 36 067 2990 01	do	Mayor, Mechanic St., Jordan, N.Y. 13080.	Do
Do	do	Marcellus, village of.	H 36 067 3540 01	do	Mayor, 6 Slocum Ave., Marcellus, N.Y. 13108.	Do
Do	do	Syracuse, city of	H 36 067 6010 01 through H 36 067 6010 08	do	Mayor, City Hall, Syracuse, N.Y. 13202.	Do.
Do	Orange	Chester, town of	H 36 071 1140 01 through H 36 071 1140 07	do	Supervisor, Main St., Chester, N.Y. 10918.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	do	Minisink, town of	H 36 071 3803 01 through H 36 071 3803 03	do	Supervisor, Box 211, Unionville, N.Y. 10988.	Do.
Do	do	Tuxedo, town of	H 36 071 6164 01 through H 36 071 6164 04	do	Supervisor, Town Hall, Orange Turnpike, Tuxedo Park, N.Y. 10987.	Do.
Do	Orleans	Kendall, town of	H 36 073 3009 01 through H 36 073 3009 02	do	Kendall Fire Hall, 1879 Main St., Kendall, N.Y. 14476.	Do.
Do	Putnam	Kent, town of	H 36 079 3022 01 through H 36 079 3022 10	do	Supervisor, Town Hall, Lake Carmel, N.Y. 10512.	Do.
Do	do	Patterson, town of.	H 36 079 4083 01 through H 36 079 4083 04	do	Supervisor, Town Hall, Patterson, N.Y. 12563.	Do.
Do	Rockland	Clarkstown, town of.	H 36 087 1176 01 through H 36 087 1176 05	do	Supervisor, Town Hall, New City, N.Y. 10956.	Do.
Do	do	Haverstraw, village of.	H 36 087 2580 01 through H 36 087 2580 02	do	Mayor, Village Hall, Fairmount Ave., Haverstraw, N.Y. 10927.	Do.
Do	Saratoga	Round Lake, village of.	H 36 091 5317 01 through H 36 091 5317 02	do	Chairman, Round Lake Association Office, Round Lake, N.Y. 12151.	Do.
Do	do	South Glens Falls, village of.	H 36 091 5890 01	do	Mayor, Village Hall, 73 Main St., South Glens Falls, N.Y. 12801.	Do.
Do	do	Stillwater, village of.	H 36 091 5970 01	do	Mayor, Village Offices, North Hudson Ave., Stillwater, N.Y. 12170.	Do.
Do	Seneca	Seneca Falls,	H 36 099 5930 01 through H 36 099 5930 03	do	Mayor, 97 State St., Seneca Falls, N.Y. 13148.	Do.
Do	Steuben	Avoca, village of	H 36 101 0340 01	do	Mayor, Village Board, Avoca, N.Y. 14809.	Do.
Do	Suffolk	Lloyd Harbor, village of.	H 36 103 3330 01 through H 36 103 3330 04	do	Village Hall, 32 Middle Hollow Rd., Huntington, N.Y. 11743.	Do.
Do	do	Northport, village of.	H 36 103 4300 01 through H 36 103 4300 02	do	Mayor, Village Clerk's Office, 224 Main St., Northport, N.Y. 11768.	Do.
Do	Tompkins	Groton, village of	H 36 109 2460 01	do	Mayor, Village Hall, Groton, N.Y. 13073.	Do.
Do	Warren	Lake George, village of.	H 36 113 3100 01	do	Adirondack Park Agency, P.O. Box 99, Ray Brook, N.Y. 12977.	Do.
Do	Washington	Fort Ann, village of.	H 36 115 2970 01	do	Mayor, Fort Ann, N.Y. 12827	Do.
Do	do	Granville, village of.	H 36 115 2360 01	do	Mayor, Granville, N.Y. 12832	Do.
Do	do	Salem, village of	H 36 115 5420 01	do	Mayor, Salem, N.Y. 12865	Do.
Do	Wayne	Arcadia, town of	H 36 117 0232 01 through H 36 117 0232 03	do	Town Clerk's Office, Town of Arcadia, 103 East Miller St., Newark, N.Y. 14513.	Do.
Do	do	Macedon, village of.	H 36 117 3430 01	do	Village Board, Macedon, N.Y. 14502	Do.
Do	Westchester	Elmsford, village of.	H 36 119 1870 01	do	Mayor, 15 South Ave., Elmsford, N.Y. 10523.	Do.
North Carolina	Cabarrus	Harrisburg, town of.	H 37 025 2963 01	North Carolina Office of Water and Air Resources, Department of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.	Mayor, Harrisburg, N.C. 28075	Do.
Do	Johnston	Johnston, town of.	H 37 101 4230 01 through H 37 101 4230 03	do	Mayor, City Hall, Johnston, N.C.	Do.
Do	Pitt	Farmville, town of.	H 37 147 1660 01		Mayor, Municipal Bldg., Farmville, N.C. 27823.	Do.
Do	Wake	Knightdale, town of	H 37 183 2470 01 through H 37 183 2470 02	do	Mayor, Knightdale, N.C. 27545	Do.
Do	Wilkes	North Wilkesboro, town of.	H 37 193 5040 01 through H 37 193 5040 02	do	Mayor, North Wilkesboro, N.C. 28659.	Do.
North Dakota	McLean	Garrison, city of	H 38 055 1100 01	State Water Commission, State Office Bldg., 900 East Blvd., Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	Mayor, City Hall, Garrison, N. Dak. 58540.	Do.
Do	Oliver	Center, city of	H 38 065 0600 01	do	Mayor, Center, N. Dak. 58530	Do.
Ohio	Ashland	Ashland, city of	H 39 005 0310 01 through H 39 005 0310 03	Ohio Department of Natural Resources, Fountain Sq., Columbus, Ohio 43215. Ohio Insurance Department, 115 East Rich St., Columbus, Ohio 43215.	Office of City Building and Zoning Inspector, City of Ashland, Ashland, Ohio 44805.	Do.
Do	Clark	Springfield, city of.	H 39 023 7800 01 through H 39 023 7800 07	do	Mayor, Municipal Bldg., Springfield, Ohio 45501.	Do.
Do	Columbiana	Lisbon, village of	H 39 029 4280 01	do	Mayor, City Hall, Lisbon, Ohio 44432.	Do.
Do	Cuyahoga	Bay Village, city of.	H 39 035 0512 01 through H 39 035 0512 03	do	Mayor, Village Hall, 350 Dover Center, Bay Village, Ohio 44140.	Do.
Do	do	Lyndhurst, city of.	H 39 035 4480 01 through H 39 035 4480 02	do	Mayor, City Hall, 5301 Mayfield Rd., Lyndhurst, Ohio 44124.	Do.
Do	do	West Lake, city of.	H 39 035 8770 01 through H 39 035 8770 05	do	Mayor, Dover Center and Hilliard, West Lake, Ohio 44140.	Do.
Do	Erie	Milan, village of	H 39 043 5060 01 through H 39 043 5060 02	do	Mayor, 5 East Church St., Milan, Ohio 44846.	Do.
Do	Hamilton	Sharonville, city of.	H 39 061 7450 01 through H 39 061 7450 04	do	Mayor, 10200 Reading Rd., Sharonville, Ohio 45241.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*	*
Do	Harrison	Jewett, village of	H 39 067 3330 01 through H 39 067 3330 02	do	Mayor, Jewett, Ohio 43980.	Do.
Do	Henry	Hamler, village of	H 39 069 3270 01	do	Mayor, City Bldg., Hamler, Ohio 43524.	Do.
Do	Jefferson	Amsterdam, village of.	H 39 081 0180 01	do	Mayor's office, Amsterdam, Ohio 43903.	Do.
Do	do	Dillonvale, village of.	H 39 081 2220 01	do	Mayor's Office, City Bldg., Dillonvale, Ohio 43917.	Do.
Do	Licking	Johnstown, village of.	H 39 089 3840 01	do	Mayor, Main St., Johnstown, Ohio 43031.	Do.
Do	Logan	West Liberty, village of.	H 39 091 8790 01	do	Mayor, West Liberty, Ohio 43357.	Do.
Do	Lorain	Avon, city of	H 39 093 0400 01 through H 39 093 0400 06	do	Mayor, City Hall, 36774 Detroit Rd., Avon, Ohio 44011.	Do.
Do	do	Avon Lake, city of.	H 39 093 0410 01 through H 39 093 0410 04	do	Mayor, Municipal Bldg., 150 Avon-Belden Rd., Avon Lake, Ohio 44012.	Do. Do.
Do	Lucas	Holland, village of.	H 39 095 3550 01	do	Mayor, City Hall, Holland, Ohio 43528.	Do.
Do	Mercer	Celina, city of	H 39 107 1430 01 through H 39 107 1430 02	do	City Planning Commission, Court House, Celina, Ohio 45822.	Do.
Do	do	Rockford, village of.	H 39 107 7020 01	do	Village Council, 703 South Main St., Rockford, Ohio 45882.	Do.
Do	Pickaway	Circleville, city of.	H 39 129 1620 01 through H 39 129 1620 03	do	Mayor, City Bldg., Circleville, Ohio 43113.	Do.
Do	Portage	Garretsville, village of.	H 39 133 2850 01 through H 39 133 2850 02	do	Mayor, City Hall, Garretsville, Ohio 44231.	Do.
Do	Ross	Frankfort, village of.	H 39 141 2700 01	do	Mayor, Post Office, Frankfort, Ohio 45628.	Do.
Do	Seneca	Bettsville, village of.	H 39 147 0770 01	do	Mayor, City Hall, Bettsville, Ohio 44815.	Do.
Do	Seneca and Hancock.	Fostoria, city of	H 39 147 2690 01 through H 39 147 2690 04	do	Mayor, City Hall, Fostoria, Ohio 44830.	Do.
Do	Trumbull	Hubbard, city of	H 39 155 3620 01 through H 39 155 3620 02	do	Mayor, City Hall, 33 West Liberty St., Hubbard, Ohio 44425.	Do.
Do	Washington	Lowell, village of	H 39 157 4410 01	do	Mayor, City Bldg., Lowell, Ohio 45744.	Do.
Do	Warren	Springboro, village of.	H 39 165 7790 01 through H 39 165 7790 02	do	Mayor, Springboro, Ohio 45066	Do.
Oklahoma	Cherokee	Hulbert, town of	H 40 021 2433 01	Oklahoma Water Resources, Board, 2241 Northwest 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, room 408 Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Chairman, Board of Trustees, Hulbert Public Works Authority, Hulbert, Okla. 74441.	Do.
Do	Kingfisher	Kingfish, city of	H 40 073 2600 01	do	Office of the City Clerk, city of Kingfisher, Kingfisher, Okla. 73750.	Do.
Do	Mayes	Locust Grove, town of.	H 40 097 2850 01	do	Chairman, Board of Trustees, Locust Grove, Okla. 74352.	Do.
Do	Muskogee	Haskell, town of	H 40 101 2100 01	do	President, Board of Trustees, Haskell, Okla. 74436.	Do.
Do	Okfuskee	Boley, town of	H 40 107 0490 01	do	Mayor, Boley, Okla. 74829.	Do.
Oregon	Clackamas	Sandy, city of	H 41 005 1830 01	Executive Department, State of Oregon, Salem, Oreg. 97310. Oregon Insurance Division, Department of Commerce, 158 12th St. NE., Salem, Oreg. 97310.	Mayor, City Hall, Sandy, Oreg. 97055.	Do.
Do	Aloha	Hillsboro, city of	H 41 067 1000 01 through H 41 067 1000 05	do	Mayor, City Hall, Hillsboro, Oreg. 97123.	Do.
Pennsylvania	Allegheny	Duquesne, city of	H 42 003 2140 01 through H 42 003 2140 05	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Mayor, 12 south 2d St., Duquesne, Pa. 15110.	Do.
Do	do	North Braddock, borough of.	H 42 003 6040 01 through H 42 003 6040 03	do	Mayor, 600 Anderson St., Braddock, Pa. 15104.	Do.
Do	Carbon	Franklin, township of.	H 42 025 3012 01 through H 42 025 3012 02	do	Franklin Township Bldg., Fairyland Rd., R.D. No. 4, Leighton, Pa. 18235.	Do.
Do	Clearfield	Dubois, city of	H 42 033 2070 01 through H 42 033 2070 02	do	Municipal Bldg., 16 West Scribbner Ave., Dubois, Pa. 15801.	Do.
Do	do	Grampian, borough of.	H 42 033 3290 01	do	Mayor, Grampian, Pa. 16838	Do.
Do	do	Irvona, borough of.	H 42 033 3890 01 through H 42 033 3890 02	do	Mayor, Irvona, Pa. 16656	Do.
Do	Clinton	Lock Haven, city of.	H 42 035 4550 01 through H 42 035 4550 05	do	City Engineer's Office, City Hall, 20 East Church St.	Do.
Do	Columbia	Scott, township of	H 42 037 7446 01 through H 42 037 7446 03	do	Scott Township, Market St., Espy, Scott Township, Pa.	Do.
Do	Delaware	Middletown, township of.	H 42 045 5122 01 through H 42 045 5122 09	do	Township Bldg., 27 North Pennell Rd., Lima, Pa. 19060.	Do.

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Do	Erie	Corry, city of	H 42 049 1700 01 through H 42 049 1700 06	do	City of Corry, Municipal Bldg., 100 South Center, Corry, Pa. 16407.	Do.
Do	do	Union City, borough of.	H 42 049 8680 01 through H 42 049 8680 02	do	Mayor, Borough Hall, 13 South Main St., Union City, Pa. 16438.	Do.
Do	Jefferson	Sykesville, borough of.	H 42 065 8340 01 through H 42 065 8340 03	do	Council President, Borough Bldg., Sykesville, Pa. 15865.	Do.
Do	Juniata	Thompsontown, borough of.	H 42 067 8420 01	do	Borough Manager, Borough of Thompsontown, Thompsontown, Pa. 17094.	Do.
Do	Lackawanna	Jessup, borough of.	H 42 069 3992 01 through H 42 069 3992 03	do	Mayor, Borough Bldg., Jessup, Pa. 18434.	Do.
Do	Lancaster	Adamstown, borough of.	H 42 071 0030 01 through H 42 071 0030 02	do	Office of the Mayor, 210 Jefferson Rd., Adamstown, Pa. 19501.	Do.
Do	do	Caernarvon, township of.	H 42 071 1028 01 through H 42 071 1028 06	do	Chairman, Board of Supervisors, Box 111-R.D. 1, town of Caernarvon, Morgantown, Pa. 19543.	Do.
Do	do	West Earl, township of.	H 42 071 9028 01 through H 42 071 9028 09	do	West Earl Township, 201 South State St., Talmage, Pa. 17580.	Do.
Do	Lehigh	Slatington, borough of.	H 42 077 7720 01	do	Mayor, Borough Hall, 491 West Church St., Slatington, Pa. 18080.	Do.
Do	Luzerne	Wilkes-Barre, city of.	H 42 079 0340 01 through H 42 079 0340 02	do	Office of the City Engineer, City Hall, Wilkes-Barre, Pa. 18701.	Do.
Do	McKean	Eldred, borough of.	H 42 083 2510 01 through H 42 083 2510 02	do	Mayor, Eldred, Pa. 16731	Do.
Do	Mercer	West Middlesex, borough of.	H 42 085 9160 01 through H 42 085 9160 02	do	President, Borough Council, 89 Haywood St., West Middlesex, Pa. 16159.	Do.
Do	Northampton	Portland, borough of.	H 42 095 0740 01	do	Mayor, Borough Hall, Main St., Portland, Pa. 18351.	Do.
Do	do	Tatamy, borough of	H 42 095 8370 01	do	Lester R. Scott, Jr., mayor, Borough of Tatamy, 420 Broad St., Tatamy, Pa. 18585.	Do.
Do	Perry	Bloomfield, borough of.	H 42 099 0775 01	do	Mayor, Borough of Bloomfield, 203 West High St., New Bloomfield, Pa. 17068.	Do.
Do	Schuylkill	Giradville, borough of.	H 42 107 3190 01	do	Mayor, Borough Hall, Giradville, Pa. 17935.	Do.
Do	do	Tower City, borough of.	H 42 107 8500 01	do	Mayor, Borough Bldg., Tower City, Pa. 17980.	Do.
Do	Somerset	Garrett, borough of.	H 42 111 3140 01 through H 42 111 3140 02	do	Mayor, Garrett, Pa. 15542	Do.
Do	Venango	Sugarcreek, borough of.	H 42 121 8217 01 through H 42 121 8271 02	do	Borough Council, town of Sugarcreek, Sugarcreek Municipal Bldg., 212 Fox St., Franklin, Pa. 16323.	Do.
Do	Warren	Youngsville, borough of.	H 42 123 9640 01 through H 42 123 9640 03	do	Borough Manager, 49 Railroad St., Youngsville, Pa. 16371.	Do.
Do	Washington	Houston, borough of.	H 42 125 3760 01	do	Mayor, Huston, Pa. 15343	Do.
Do	Westmoreland	Irwin, borough of.	H 42 129 3300 01	do	Mayor, 227 West Main St., Irwin, Pa. 15642.	Do.
Do	do	Ligonier, borough of.	H 42 129 4480 01	do	Mayor, 115 West Vincent St., Ligonier, Pa. 15658.	Do.
Do	do	Manor, borough of.	H 42 129 4810 01 through H 42 129 4810 03	do	Township Municipal Bldg., 26 Millersville Rd., Lancaster, Pa. 17603.	Do.
Do	do	Penn, borough of.	H 42 129 6470 01	do	Mayor, Penn, Pa. 15675	Do.
Tennessee	Wilson	Lebanon, city of	H 42 189 1360 01 through H 42 189 1360 06	Tennessee State Planning Office, 660 Capitol Hill Bldg., Nashville, Tenn. 37219. Tennessee Department of Insurance and Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Mayor, City Hall, Lebanon, Tenn. 37087.	Do.
Texas	Bandera	Bandera, city of	H 48 019 0110 01	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Mayor, City Hall, Bandera, Tex. 78003.	Do.
Do	Bexar	Hollywood Park, city of.	H 48 029 3245 01	do	Mayor, 2 Mecca Dr., City of Hollywood Park, San Antonio, Tex. 78232.	Do.
Do	Blanco	Blanco, city of	H 48 031 0670 01	do	Mayor City Hall, Blanco, Tex. 78606	Do.
Do	Bowie	Maud, city of	H 48 037 4410 01 through H 48 037 4410 01	do	Mayor, City Hall, Maud, Tex. 75567	Do.
Do	Clay	Henrietta, city of	H 48 077 3130 01 through H 48 077 3130 02	do	Mayor, City Hall, Henrietta, Tex. 76365.	Do.
Do	Collin	Celina, city of	H 48 085 1260 01	do	Mayor, P.O. Box 75, Celina, Tex. 75009.	Do.
Do	Crosby	Lorenzo, city of	H 48 107 4100 01	do	Mayor, City Offices, Lorenzo, Tex. 79343.	Do.
Do	Dallas	Farmers Branch, city of.	H 48 113 2310 01	do	Mayor, 10000 Wm. Dickson Parkway, Farmers Branch, Tex. 75234.	Do.
Do	DeWitt	Yorktown, city of	H 48 123 7640 01	do	City Hall, 123 North Eckhardt St., Yorktown, Tex. 78164.	Do.
Do	Eastland	Eastland, city of	H 48 133 2050 01 through H 48 133 2050 02	do	Mayor, City of Eastland, Eastland, Tex. 76448.	Do.

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Do	Fischer	Rotan, city of	H 48 151 5980 01 through H 48 151 5980 02	do	City Manager, City Hall, Rotan, Tex. 79546.	Do.
Do	Garza	Post, city of	H 48 169 5480 01 through H 48 169 5480 02	do	Mayor, city Hall, 105 East Main, Post, Tex. 79356.	Do.
Do	Gillespie	Fredericksburg, city of.	H 48 171 2480 01 through H 48 171 2480 04	do	Mayor, City of Fredericksburg, Fredericksburg, Tex. 78624.	Do.
Do	Hale	Petersburg, city of.	H 48 189 5310 01	do	Mayor, P.O. Box 326	Do.
Do	Hockley	Sundown, city of	H 48 219 6680 01	do	Mayor, Box 626, Sundown, Tex. 79372	Do.
Do	Hunt	Cuinlan, city of	H 48 231 5590 01 through H 48 231 5590 02	do	Mayor, City Hall, Cuinlan, Tex	Do.
Do	Jackson	Ganado, city of	H 48 239 2580 01	do	Mayor, 203 West Putman, Ganado, Tex. 77962.	Do.
Do	Maverick	Eagle Pass, city of.	H 48 323 2030 01 through H 48 323 2030 02	do	Mayor, City Hall, Eagle Pass, Tex. 78852.	Do.
Do	Mitchell	Colorado City, city of.	H 48 335 1460 01 through H 48 335 1460 02	do	Mayor, City Hall, 180 West 3d St., Colorado City, Tex. 79512.	Do.
Do	Morris	Naples, city of	H 48 343 4820 01 through H 48 343 4820 02	do	Mayor, City Hall, Naples, Tex. 75568	Do.
Do	Parmer	Friona, city of	H 48 369 2510 01	do	Mayor, City Hall, Friona, Tex. 79035	Do.
Do	Pecos	Fort Stockton, city of.	H 48 371 2440 01	do	City Manager, Fort Stockton, Tex. 79735.	Do.
Do	Smith	Troup, city of	H 48 423 7030 01	do	City Manager, City Hall, Troup, Tex. 75789.	Do.
Do	Wichita	Electra, city of	H 48 485 2150 01 through H 48 485 2150 02	do	Mayor, 101 West Cleveland, Electra, Tex. 76360.	Do.
Do	Williamson	Florence, town of	H 48 491 2380 01	do	Mayor, City Hall, Florence, Tex. 76527.	Do.
Do	Young	Olney, city of	H 48 503 5070 01	do	Mayor, Olney, Tex. 76374	Do.
Vermont	Franklin	Sheldon, town of	H 50 011 0618 01 through H 50 011 0618 05	Management and Engineering, Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Chairman, Sheldon Board of Selectmen, c/o town clerk, Sheldon, Vt. 05483.	Do.
Virginia	Independent City	Salem, city of	H 51 000 2170 01 through H 51 000 2170 05	Bureau of Water Control Management, State Water Control Board, 2d floor Davenport Bldg., 11 South 10 St., Richmond, Va. 23219. Virginia Insurance Department, 200 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.	City Manager, City Council, 19 Collage Ave., Salem, Va. 24153.	Do.
Washington	Columbia	Dayton, city of	H 53 013 0520 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	City Council, Dayton, Wash. 99328	Do.
Do	Garfield	Pomeroy, city of	H 53 023 1690 01 through H 53 023 1690 02	do	Mayor, City Hall, Pomeroy, Wash. 99347.	Do.
Do	Pend Oreille	Ione, town of	H 53 051 0970 01	do	Mayor, City Hall, Ione, Wash. 99139	Do.
Do	Walla Walla	Waitsburg, town of.	H 53 071 2380 01	do	City Council, City Hall, Waitsburg, Wash. 99361.	Do.
West Virginia	Kanawha	Marmet, town of	H 54 039 1650 01	Office of Federal-State Relations, room West 115, Capitol Bldg., Charleston, W. Va. 25305. West Virginia Insurance Department, State Capitol, Charleston, W. Va. 25305.	Mayor, Town Hall, Marmet, W. Va. 25315.	Do.
Wisconsin	Burnett	Webster, village of	H 55 013 5150 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53703.	Village President, Webster, Wis. 54893	Do.
Do	Calumet	Chilton, city of	H 55 015 0990 01	do	Mayor, City Hall, Chilton, Wis. 53014	Do.
Do	do	Hilbert, village of	H 55 015 2150 01	do	President, Village Board, Hilbert, Wis. 54129.	Do.
Do	do	New Holstein, city of.	H 55 015 3370 01	do	Mayor, New Holstein, Wis. 53061	Do.
Do	Columbia	Cambria, village of.	H 55 021 0800 01	do	Village President, Cambria, Wis. 53923	Do.
Do	do	Lodi, city of	H 55 021 2650 01	do	Mayor, Lodi, Wis. 53555	Do.
Do	do	Wyocena, village of.	H 55 021 5480 01	do	Village President, Wyocena, Wis. 53969.	Do.
Do	Dodge	Iron Ridge, village of.	H 55 027 2290 01	do	Village President, Iron Ridge, Wis. 53035.	Do.
Do	Jefferson	Sullivan, village of.	H 55 055 4710 01	do	Village President, Sullivan, Wis. 53178.	Do.
Do	Milwaukee	West Allis, city of	H 55 079 5160 01 through H 55 079 5160 05	do	Mayor, City Hall, West Allis, Wis. 53214.	Do.
Do	Oconto	Gillett, city of	H 55 083 1900 01	do	Mayor, City Hall, Gillett, Wis. 54124	Do.
Do	Pierce	Ellsworth, village of.	H 55 093 1570 01	do	Village President, Ellsworth, Wis. 54011.	Do.
Do	Vernon	Coon Valley, village of.	H 55 123 1150 01	do	President, Village Board, Coon Valley, Wis. 54623.	Do.
Do	Waukesha	Sussex, village of	H 55 133 4760 01	do	Village President, N66W, 24148 Champany Rd., Sussex, Wis. 53089.	Do.

of studies. Such an individual is considered a dropout whether he leaves school during or between regular school terms, whether he leaves school before or after he has passed the compulsory school attendance age, and, where applicable, whether or not he has completed a minimum required amount of school work.

(20 U.S.C. 887)

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

(20 U.S.C. 881(f))

"Low income factor" (as defined in section 103(c) of the Elementary and Secondary Education Act of 1965, as amended) means an annual family income of $4,000.

(20 U.S.C. 887(a)(2); 241(c))

"State" includes, in addition to the 50 States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands. This term does not include the Trust Territory of the Pacific Islands.

(20 U.S.C. 887, 881(j))

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

(20 U.S.C. 881(k))

Subpart B—Preapplication and Project Proposal Requirements

§ 124.3 Preapplications.

Prior to the submission of a formal project proposal, each prospective applicant must submit a preapplication proposal to the U.S. Office of Education and to the apropriate State education agency. Office of Education personnel, State educational agency personnel, and outside consultants will evaluate the preapplication proposals. Each State educational agency will indicate to the Office of Education its approval or disapproval of the proposals submitted. Invitations and instructions to submit a formal proposal will be given to applicants whose preapplication proposals have received a favorable review based on the requirements and criteria set forth in §§ 124.5 and 124.15.

(20 U.S.C. 887(b))

§ 124.4 Eligibility.

Financial assistance under section 807 of the Act may be provided to a local educational agency with an approved preapplication proposal under § 123.3 of this chapter only upon submission of an application for assistance which has been approved by the appropriate State educational agency.

(20 U.S.C. 887(b))

§ 124.5 Project proposal requirements.

Each project proposal shall describe the activities to be undertaken with funds made available under section 807 of the Act and shall contain information adequate to establish:

(a) That the project will be carried out in one or more elementary or secondary schools (1) which are located in urban or rural areas, (2) which have a high percentage of children from families with incomes not exceeding the low-income factor, and (3) which have a high percentage of such children who do not complete their education in elementary or secondary schools;

(b)(1) That the applicant has conducted a comprehensive needs assessment which includes an analysis of the reasons for the failure of those children in those schools to complete their elementary and secondary education, and (2) that the proposed project has been designed in the light of that assessment and shows promise of effectively reducing or eliminating the causes of that failure; and

(c) That effective procedures, including objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the proposed project; and

(d) That an independent review of this educational program evaluation will be made by qualified persons not associated with the applicant, for the purpose of verifying the results of that evaluation and of assessing the appropriateness of evaluation procedures used in determining the effectiveness of the program, and that copies of reports prepared as a result thereof shall be submitted to the Office of Education.

(20 U.S.C. 887(b))

§ 124.6 Adequacy of facilities.

Each project proposal shall describe the facilities to be made available for the project. If a project proposal provides for the leasing or remodeling of facilities, it must show why such a provision is necessary for the success of the project.

(20 U.S.C. 887)

Subpart C—Approval of Project Proposals

§ 124.15 Criteria for evaluation of project proposals.

In evaluating project proposals for the purpose of making awards under this part, the Commissioner will seek to identify a relatively small number of projects in areas of outstanding need and will give consideration to the following (in addition to the criteria set forth in § 100a.26(b) of this chapter):

(a) The extent to which the proposed innovative methods, systems, materials or programs show promise of reducing the number of children in the target school who do not complete their elementary and secondary school education;

(b) The extent to which the project is likely to result in the development of new materials and methods which will be of value in reducing the number of children who do not complete their elementary and second school education; and

(c) The percentage of children in the schools in which the project will be carried out who come from families with an income not exceeding the low income factor, and the percentage of those children who may not complete their elementary and secondary school education. Priority will be given to proposals where projects will be undertaken in schools in which:

(1) At least 40 percent of the children in average daily membership are from families with an income not exceeding low income factor; and

(2) The annual dropout rate of such children is at least 7 percent;

(d)(1) The adequacy of the applicant's analysis of the causes for the dropout problem in the schools proposed to be served, and the (2) adequacy of the design of the program intended to eliminate those causes;

(e) The extent to which the applicant has consulted with dropouts and potential dropouts and their families and with interested members of the community, and has sought their advice on the relevance of the proposed project;

(f) The extent to which the proposed project is exemplary;

(g) The adequacy of evidence that the proposed project will focus upon a limited number of schools intended to be served by assistance under this part so as to have a major impact on the problem of dropout prevention; and

(h) The degree of the applicant's awareness of other dropout prevention programs, research findings, or published materials of recognized experts.

(20 U.S.C. 887; H.R. Rept. No. 1049, 90th Cong. 1st Sess. 53 (1967); Sen. Rept. No. 726, 90th Cong. 1st Sess. 50-51 (1967).)

§ 124.16 Dissemination of information.

(a) The recipient shall provide for dissemination of (1) significant information developed as a result of those projects carried out under this part and (2) the recipient's evaluation of those projects. The cost of dissemination, and of submission of copies of disseminated materials pursuant to paragraph (b) of this section, may be charged to the project to the extent authorized in the award document.

(b) The recipient must submit to the Office of Education one copy of printed and audiovisual materials produced and disseminated in connection with the project, including curriculum materials, newsletters, brochures, and other printed matter, and films, filmstrips, slides, and videotapes. All materials, together with a statement of the purpose and extent of distribution, shall be sent to the Office of Education.

(20 U.S.C. 887)

GUIDELINES

ELEMENTARY AND SECONDARY EDUCATION ACT

Title VIII

Section 807

FINANCIAL ASSISTANCE FOR DEMONSTRATION PROJECTS FOR REDUCING THE NUMBER OF SCHOOL DROPOUTS

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PART 1—INTRODUCTION

Sec. 1.1 Scope of guidelines.

(a) The guidelines contained in this document are recommendations and suggestions for meeting the legal requirements which apply to Federal assistance under the Elementary and Secondary Education Act, title VIII, section 807. The legal requirements include the Act itself (20 U.S.C. 887) and the regulations (45 CFR 124). The guidelines are not to be construed as requirements. However, where the guidelines set forth a permissible means of meeting a legal requirement, the guidelines may be relied upon.

(20 U.S.C. 887; 113 Cong. Rec. 5936, 5939 (daily ed. May 23, 1967); *United States* v. *Jefferson County Board of Education*, 372 F. 2d 836, 857 (1966))

(b) Where a guideline is issued in connection with or affecting a provision in the regulations, the pertinent regulation will be cited after the citation of legal authority for the guideline in the parentheses following the guideline. For example, if the legal authority for the guideline is Section 807(b) of the Act (20 U.S.C. 887(b)), and the guideline affects section 124.5(d) of the regulations (45 CFR 124.5(d)), the following citation will be placed on the line immediately following the guideline: (20 U.S.C. 887(b); 45 CFR 124.5 (b)). If no particular section of the regulations is affected, no citation to the Code of Federal Regulations (CFR) will be made.

(20 U.S.C. 1232(a))

Sec. 1.2 Purpose of the Act.

The Dropout Prevention Program, funded under title VIII of the Elementary and Secondary Education Act of 1965, as amended, is designed to foster the development of exemplary educational programs which show promise of reducing the number of children who do not complete their education in elementary and secondary schools. Since the program is for the development and demonstration of promising educational practices throughout the Nation, projects funded involve the use of innovative methods, systems, or materials in their efforts to reduce the dropout rate.

(20 U.S.C. 887(a); 45 CFR 124.1)

Sec. 1.3 Basic objectives.

(a) Because of the nature of the problem, comprehensiveness of approach should be an essential element in designing projects. No mere addition to the existing school program will be significant in keeping children in school; instead, the school district should consider introducing basic and widespread changes in its organization, curriculum offerings, pupil services, and teacher training. The thorough needs assessment required by 45 CFR 124.5(b) should assist the school district in determining what changes may be needed and the nature and extent of those changes.

(b) In approaching the problem in a comprehensive fashion, the school district should also recognize that children begin to drop out of school long before they reach the secondary level of education. Attention should be paid to the earlier levels of education, for the roots of the problem are often found at these educational levels.

(c) Concentration of resources should also be an essential element of the program. Sufficient human and financial resources should be utilized if dropout prevention efforts are to yield maximum impact in solving the problem. Moreover, human resources involved in any dropout prevention project should, to the extent practical, include representatives of all segments of the community, since the dropout problem should not be separated from the larger context of the community.

(d) Since the Dropout Prevention Program is designed to develop model programs which can be replicated and adapted in school systems across the Nation, emphasis is being placed on accountability for results by the local educational agency. The local educational agency should be answerable for both the educational accomplishments attributable to specific dropout prevention techniques and the cost effectiveness of instructional and management procedures involved in the project.

(20 U.S.C. 887; 45 CFR 124.5, 124.15)

PART 2—PROGRAM DESIGN

Sec. 2.1 Design of management systems.

(a) Since dropout prevention projects are comprehensive and may require large expenditures of funds, the local educational agency should be firmly committed to the development of an effective management system with an effective framework and methodology for planning, installing, operating, communicating and evaluating program activities. It is suggested that the project be viewed as a subsystem within the total school system, serving a defined target area and requiring identified resources from the local educational agency at specified points during the project's schedule of operation.

(b) In designing a management system, it is suggested that basic steps or actions, such as the following, be taken into account: (1) Identify the problem, (2) analyze the problem, (3) consider alternate solutions, (4) determine strategy, (5) implement the project, and (6) evaluate the project.

(c) An important element in developing a management system is the selection of the project director, i.e., the educational manager, who should be experienced in acting for educational change, in stimulating people to get things done, in making decisions, in evaluating educational programs, and in using outside resources to strengthen the school's capability to solve educational problems.

(20 U.S.C. 887(b)(2))

Sec. 2.2 Planning and installation of system.

(a) *Planning.* After a needs assessment (Part 4) has been conducted and objectives have been established, the project director and project planners should determine what components and activities will be needed to attain the objectives of the project. Various management tools can help the project director plan a strategy and build an organization for an effective program. Some of the management tools currently used in business, industry, and education are Program Evaluation and Review Techniques (PERT), Critical Path Method (CPM), and Line of Balance (LOB). Charts showing work breakdown structures, work flow networks, staff-line relationships, time lines (with milestone events identified), and monthly rate of expenditures can help planners analyze all the constituent parts of a project. These management products also serve as an effective communication medium for all personnel involved in the planning process.

(b) *Installation.* The effective installation of a dropout prevention project depends in large measure on the quality of the planning. When planning is well done, the objectives, procedures, and management processes for meeting these objectives are clearly delineated. The project director's task then becomes that of installing and operating according to the specific plans, and of providing management decisions to keep the program moving toward its stated objectives on schedule and within cost projections. One of the critical tasks of the project director is staffing the positions provided for by the organization structure. Management activities include appraising and selecting candidates for positions and providing necessary training for personnel. Project directors should determine the policies and procedures they expect to follow for recruiting, selecting, training, and promoting the project staff members.

(20 U.S.C. 887(b)(2))

Sec. 2.3 Internal communication system.

The control of an operating program depends on timely, relevant, and valid feedback of information so that problems can be readily identified, alternate solutions considered, and decisions made and implemented. Project directors should establish an effective internal communication system so that timely feedback information is reported by and to project staff, and regular school staff. The information feedback system should be a process by which information about past and present performances is used to influence future performance. The communication system should also be linked to procedures for utilizing the information.

(20 U.S.C. 887(b)(2))

Sec. 2.4 Evaluation design.

The project director should ensure that an adequate evaluation design has been developed for each project component and for the overall project, and that provisions have been made for timely feedback of evaluation findings to appropriate personnel. An evaluation of the project is useful in determining how

well each component and the entire project function within the established framework of time, cost, and performance objectives. The evaluation design should provide a basis for a cost effectiveness analysis of the project. For example, the design should provide for data to be collected for the calculation of total participant costs for such component, including the pro-rata or proportionate administrative costs applied to the components; the calculation of average participant costs; and the comparison of component and project participant costs with achievement gains.

(20 U.S.C. 887(b) (3); 45 CFR 124.5(c))

PART 3—COMMUNITY PARTICIPATION

Sec. 3.1 Community representation.

The Office of Education suggests that representatives of all segments of the community be involved in the development and operation of projects, with special consideration being given to plans for the participation of dropouts and students. The Dropout Prevention Program is uniquely suited to providing new opportunities for youth to have a voice in planning, implementing, and evaluating the experiences and programs in which they participate. Encouraging youth to originate and carry out ideas for increasing their role and participation in school and community activities, giving them opportunities to share responsibility with adults, and to work with their peers and adults in a variety of relationships may encourage students to remain in school.

(20 U.S.C. 887(b) (2); 45 CFR 124.15(e))

Sec. 3.2 Student involvement.

(a) Since it is well established that a major factor cited by students for their withdrawal from school is disinterest in a curriculum which they view as boring and irrelevant, almost all dropout prevention programs tend to focus on curriculum modification. Efforts to restructure curriculum focus on both content and methodology, and these range from the redesign of existing courses and traditional subjects to the introduction of entirely new curriculum areas. Among some of the more promising recent curriculum efforts are those in which students have had a major voice and have occupied a joint role as both the objects and the agents of an improved instructional program. In some instances, students are serving as advisers to teachers and department heads responsible for curriculum revision; while in others, working closely with teachers as resource persons, students themselves have developed and conducted complete courses, selected the materials and instructors, and arranged for speakers and outside consultants to assist them.

(b) Student advisory roles to school faculties, administrators, and boards of education are also being developed and are giving students a greater understanding of the complexities of school operations and the opportunity to identify, study, and discuss school problems, make recommendations, and help to implement solutions. As part of their responsibilities, such youth advisers may report their activities through various school media and help to create a better informed and more concerned student body.

(c) Additional opportunities for student participation in school and community-related experiences can be provided through work-study programs, a prominent feature of many dropout prevention projects. In addition to local businesses and industries, project planners should consider community agencies, municipal government offices, and the schools themselves as potential placement sources for student training, work experience, and part-time paid positions. Within the schools, students might serve as classroom and library aides, tutors to other students, assistants in the operation of school stores and after-school and evening study or recreation centers, and apprentices in the building maintenance, food, clerical and audiovisual supportive services.

(20 U.S.C. 887(b) (2); 45 CFR 124.15(e))

Sec. 3.3 Involvement of parents and other community residents.

(a) Parents and other residents of the community should similarly be given opportunities for program participation. Many of the roles suggested for students—participating in curriculum development, serving as advisers and consultants to teachers, administrators, and school boards, and disseminating their activities to the community—are equally appropriate for adults, while other activities are suited uniquely to the interests and resources of parents and other residents.

(b) Interaction between parents and project staff—in home, classrooms, and elsewhere—can help parents learn how they may best support and influence the dropout prevention effort and on their own, reinforce the goals of the program. Such interaction, accomplished through home visits, orientation sessions, workshops, and other methods, assists the project staff in becoming more responsive to the needs and goals of the parents and community and in becoming better able to translate their goals into project activities.

(c) Instructional activities should be open to parent observers at reasonable and convenient times, and parents should be encouraged to observe classes periodically during the school year. Parental involvement might also take the form of educational programs designed to familiarize parents with the school curriculum or with specific project activities, and to instruct them in the use of materials and techniques by which they might supplement and reinforce their children's classroom instruction at home.

(20 U.S.C. 887(b) (2); 45 CFR 124.15(e))

PART 4—NEEDS ASSESSMENT

Sec. 4.1 Purpose of needs assessment.

(a) A significant step in the development of a comprehensive dropout prevention project should be the efforts of the school district to assess the nature and scope of its local dropout problem and to analyze thoroughly the reasons why students drop out of schools within the district. In addition to providing project planners with the information necessary to establish priorities for the dropout prevention project on a sound basis, an adequate assessment of local needs will have long-range value and will yield information useful to the system in any future planning for both locally and federally sponsored programs.

(b) The assessment of needs should be a continuing process during the several stages of the planning and operation of a project. Since a major section of the preliminary proposal must be devoted to a discussion of the local dropout problem and the methods by which it has been analyzed, an initial assessment of needs should be completed prior to the submission of the preliminary proposal. In those districts selected to develop a formal proposal, further examination and interpretation of existing information and appropriate additional studies or surveys concerning school dropouts quite likely will be among the major activities of the planning group during the developmental period. If the project is funded, at least an annual reexamination of local needs is suggested as an aid to project personnel in determining appropriate program modifications.

(20 U.S.C. 887(b) (2); 45 CFR 124.5(b), 124.15 (d))

Sec. 4.2 Analyzing local needs.

The following questions are suggestions for developing an analysis of local needs:

(a) By grade level, how many students drop out of school in the district each year? What are the grade levels at which the highest dropout rate occurs? Which schools have the highest dropout rates?

(b) What is the current status of the district's information about its school dropout problem and how adequate is the dropout information system?

(c) What are the characteristics of those students who drop out of school?

(d) What happens to the students who drop out of school, both on a short-term and on a long-range basis?

(e) What are the reasons for students dropping out of school, as perceived by a wide variety of groups both within and outside of the schools? Such groups should include teachers, administrators, parents, community and agency representatives, former dropouts, potential dropouts, and students satisfied with the schools.

(f) Which students are likely to drop out of school and what procedures are used to identify these students?

(g) What are the program priorities best designed to meet the needs of those students identified as potential dropouts, as suggested and agreed upon by groups both within and outside of the schools?

(h) What are the implications of the title VIII needs assessment for the entire school system?

(20 U.S.C. 887(b) (2); 45 CFR 124.5(b), 124.15 (d))

Sec. 4.3 Related resources.

Several resources will be valuable to the project planners in carrying out their work. One of the first tasks might be an examination of several of the studies available concerning the national dropout problem, which include profiles of the typical school dropout and analyses of the reasons for withdrawal from school. Although the instruments used in individual studies vary greatly and although it is unlikely that any single study or combination of studies will include all of the variables of any local situation other than the one studied, the use of such research may assist the planners in the identification of critical factors to be investigated and may suggest possible instruments and assessment designs which can be adapted for local use. An excellent source of research and information related to the dropout problem is the Educational Research Information Center (ERIC), a nationwide, comprehensive information system through which materials are available at low cost. Information concerning the ERIC system can be obtained by writing to the Central ERIC, National Institute of Education, Reporters Building, Room 405, 7th and D Streets, SW., Washington, D.C. 20202.

(20 U.S.C. 887(b) (2); 45 CFR 124.15(h))

Sec. 4.4 Local studies.

Along with their study of the research and literature on the national dropout problem, the project planners should review the currently available information on the local situation. The status of local needs assessments will, of course, vary substantially in individual districts. Some districts already have adequate data and studies which, with some updating and expansion, can serve as the basis for planning a dropout prevention project. Other districts may have adequate statistical data on the numbers and rate of school dropouts over the past several years, but they may lack information concerning the reasons why students drop out of school or other important information related to the local problem. For these districts, a survey sample may provide valuable insights into the nature of otherwise unavailable information.

(20 U.S.C. 887(b) (2); 45 CFR 124.15(h))

PART 5—TECHNICAL ASSISTANCE

Sec. 5.1 Use of technical assistance.

Technical assistance is the use of resources outside the local educational agency in planning, developing, managing, evaluating, disseminating, and conducting an educational audit of dropout prevention programs. The purpose of outside technical assistance is to help the local educational agency strengthen its capabilities to achieve the performance objectives of the dropout prevention project.

(20 U.S.C. 887(b))

Sec. 5.2 Resources for technical assistance.

Outside technical assistance may be provided by (a) industry, (b) business, (c) labor, (d) private and nonprivate organizations, (e) colleges and universities, (f) services clubs, (g) community action groups, (h) regional education laboratories, (i) research and development centers, (j) State educational agencies, (k) other local educational agencies, (l) the U.S. Office of Education, (m) other Federal agencies, (n) employment bureaus, and (o) other groups or organizations with the needed expertise. Because of their familiarity with improved techniques of management and quality control, business and industrial resources may be particularly helpful to local educational agencies in improving their program management operations.

(20 U.S.C. 887(b))

Sec. 5.3 Selecting technical assistance.

Local educational agencies should ensure that any technical assistance obtained is furnished by reputable organizations. For example, program planners might examine the capabilities of the prospective technical assistance groups in terms of the following:

(a) Experience and evidence of acceptable performance in problem areas and tasks similar to those specified by the local educational agency;

(b) Evidence of staff expertise in the job area (Resumes should provide specific information concerning the background and experiences of personnel assigned to the contract work. The technical assistance agency should indicate the availability of these personnel, giving evidence of staff stability, reputation, and performance which would tend to insure successful completion of the contract terms and conditions.); and

(c) Evidence of cost effectiveness in terms of the end products and services provided.

(20 U.S.C. 887(b))

PART 6—MEASURABLE PERFORMANCE OBJECTIVES

Sec. 6.1 Identification of objectives.

Project accomplishments rest heavily on the degree to which accomplishments can be validly measured by systematic methods such as standardized tests and questionnaires, teacher-made tests, rating techniques and observational procedures. However, the adequacy of the measurement process in turn depends upon project planners' skill in determining and framing measurable project objectives, i.e., immediate or long-range goals which can be stated in terms of products, performance criteria, indices of change or progress, or other operational accomplishments. Too often, these objectives are described in loose, general language with the result that their meaning is subject to a variety of interpretations. A clear statement of objectives identifying specific types of performances to be measured is, therefore, an important task facing project planners.

(20 U.S.C. 887(b)(3); 45 CFR 124.5(c))

Sec. 6.2 Types of measurable performance objectives.

Performance objectives in an educational program are precise statements of anticipated project goals in terms of behaviors, outcomes, or material items which can be validly measured. For purposes of project planning under Section 807 of the Act, performance objectives are significant for three distinct areas of program design—*product outcomes, instructional* or *operational processes*, and *management processes*. Product refers to a behavior—cognitive, affective, or psychomotor—or to a materials item such as a curriculum guide or a list of available vocational opportunities for a work-study program. Process is the means by which a product or series of products is obtained.

(20 U.S.C. 887(b)(3); 45 CFR 124.5(c))

Sec. 6.3 Elements for defining objectives.

(a) In approaching the development of performance objectives, it is recommended that program planners consider the following types of elements in order to have an adequately defined measurable performance objective.

(1) *Identification of the individual or group that will perform the desired behavior.* For example, the objective of "developing questionnaires, survey techniques, and interview procedures for identifying potential dropouts" is an incomplete statement, since the individuals responsible for the development of the end products are not specified.

(2) *Identification of the behavior to be demonstrated or product to be developed.* The behavior should be described as precisely as possible as an action or a product that can be observed. An objective such as "a student will understand the importance of education for his future success in life" would not meet this criterion. The word "understand" may convey a variety of meanings to those assigned the task of evaluating whether the objective was achieved. Other indefinite "behavior" terms include expressions such as "knowing," "appreciating," "thinking," "enjoying," and "grasping the value of." Unlike these expressions, objectives stating a clear form of externalized action are not subject to such an array of interpretations. Such actions might be "writing," "listing," "constructing," "reading," or "attending." A third category of possibilities lies somewhere in the middle. Such words as "demonstrating," "participating," or "utilizing," are visible forms of behavior, but they may mean different things to different observers. More rigor could be applied to a definition of behavior by indication of the unit measure. Does "participating", for example, mean commenting or asking questions during discussions or attending extracurricular activity sessions?

(3) *Identification of the primary conditions under which the performance is expected to be measured.* Conditions might include restrictions placed upon the project participant during the performance of specified behaviors, such as a time imposed on a student in a test-taking situation. Conversely, conditions might refer to supporting services which would be available as resources to assist in the attainment of the anticipated behavior or product. Programmed materials and a teacher aide in a regular classroom setting might be identified as pertinent resources or "given" during an observation of teacher performance. Since every measurement situation will be composed of a variety of conditional factors, objectives should specify those which are unique or of particular significance.

(4) *Identification of the minimum level of acceptable performance.* This step can be critical because it poses many problems for planners. Not only is there an element of risk involved in predicting what a program will accomplish, but there is need for considerable care in establishing the performance standard through an analysis of past experience or research data, and determining and collecting baseline data (data on existing status of performance or programs). Without adequate baseline data, predictions become trial-and-error guesswork.

(5) *Identification of the means or instrument which will be used to measure the expected performance or terminal behavior.* This element is closely related to paragraph (a)(4). Since, if the minimum level of acceptable performance is a statistically significant improvement of student skills in an academic skill area, i.e., a specified number of correct answers to test questions, the instrument of measurement would be the particular test used. Likewise, if a demonstration of skill acquisition by a teacher is indicated by her attainment of 20 points out of a total of 30 on a rating scale, the means for accomplishing the measurement could be a videotape viewed by a panel of teachers utilizing the rating scale.

(b) (1) The process of defining performance objectives and instruments to measure the attainment of these objectives can present certain difficulties to project planners.

(2) Project planners should follow the findings of the comprehensive needs assessment closely in determining priorities among possible objectives. The need for changes in what is termed the "affective domain" is likely to be one source of difficulty. For example, if the needs assessment reveals that dropout-prone students perceive teachers to be insensitive to their problems, project planners might find it difficult to construct adequate performance objectives for their efforts to change this perception. However, the existence of problems in the measurement of affective changes should not lead to avoidance or postponement of the problem. The unfortunate result would be inadequate use of needs assessment data and, in all probability, undue emphasis upon more mechanistic, easily designed program objectives. Moreover, the interplay between cognitive and affective factors makes it desirable that project planners wrestle with the problem. Motivational forces might well interact with program treatments to bring about a cognitive behavioral change on the part of dropout-prone students. These changes merit attention as a product outcome as much as a score on a standardized achievement test, particularly in determining conditions necessary for project replication in other situations.

(3) Project planners should also insure that all target groups participating in the program are included in the statement of performance objectives. In too many instances, there is a tendency for planners to develop objectives only for target student groups. However, a dropout prevention program, in order to be comprehensive, should not be focused exclusively on students. Teachers, administrators, and community residents are often the recipients of program treatment or activities, and changes in their performance are, therefore, appropriate goals for program planners' consideration.

(20 U.S.C. 887(b)(3); 45 CFR 124.5(c))

Sec. 6.4 Development of objectives.

In order to assist the project manager in developing adequate measurable performance objectives, the following questions relating to each of the basic management functions have been included as suggestions for eliciting the type of information that will be useful in this task.

(a) *Planning and organizing.* (1) Was the needs assessment conducted by a broadly based planning group which provided a variety of perspectives on the problem?

(2) Were individuals and groups to be affected by the project's operation involved

in the planning of activities which will affect them?

(3) Are the needs assessment data reflected in the project priorities and component activities?

(4) Were alternative approaches to meeting specified needs considered?

(5) Were special efforts made to gain the support of individuals or groups whose anticipated reaction to the program is negative or neutral?

(6) Were performance objectives for both product outcomes and operational processes established for each component?

(7) Were work breakdown structures and work flow networks developed for each component and the entire project?

(8) Were the needs for technical assistance identified and the appropriate services secured and utilized?

(9) Were alternative resources identified in the event that selected contractors, consultants, or suppliers did not provide services according to specifications?

(b) *Installing and operating.* (1) Did important prerequisite actions such as staff training take place before component activities were initiated?

(2) Were all staff positions filled in time for program operation to begin as planned and on schedule?

(3) Were student selection and scheduling procedures completed so that students were ready to enter program activities on the target date?

(4) Were the services and products of contractors provided according to specifications so that component activities could begin as planned?

(5) Were the facilities readied for operation on schedule and were the equipment and materials available to the project staff when needed?

(6) Was sufficient authority delegated so that project staff could carry out its responsibilities effectively?

(7) Did the project director have the decision-making authority necessary to carry out program plans and did he exercise his authority effectively?

(8) When performance deficiencies were noted, did the project director take prompt and decisive corrective action?

(9) Did the project director receive the needed support of services, personnel, and leadership from within the school system, and did he effectively utilize available resources?

(10) Were staff positions developed and assigned so that the workload was allocated reasonably?

(c) *Communicating.* (1) Did program staff provide the director with timely information on problems so that solutions could be developed and implemented as quickly as possible?

(2) Did the staff organizational pattern facilitate communication (i) among the project staff, (ii) between staff and school system administration, and (iii) between project staff and the community groups?

(3) Did the project director consult with those to be affected by a change in the program plan and allow for feedback and further modification before the revised plan was implemented?

(4) Were the types of media selected for communication purposes determined by the type of information to be presented and the specific target audience?

(5) Did the communication system provide a mechanism for the continuous flow of ideas and suggestions from those involved with and concerned about the project to the project director?

(6) Was a mechanism established for the periodic review and dissemination of information about the status of the project?

(d) *Evaluating.* (1) Was technical assistance utilized effectively in the development of evaluation procedures when identified areas of weakness existed?

(2) Were the evaluation responsibilities clearly assigned?

(3) Were evaluation techniques and instruments determined as an integral part of the performance objective development process?

(4) Were the baseline data secured prior to the initiation of program activities which might affect the validity of evaluation data?

(5) Were the evaluation procedures coordinated with the program verification process?

(6) Were the evaluation findings utilized appropriately by the project staff in adjusting or modifying program operations to correct problems?

(20 U.S.C. 887(b) (3); 45 CFR 124.5(c))

PART 7—COMPREHENSIVE EVALUATION DESIGN

Sec. 7.1 Purpose.

(a) A comprehensive evaluation design through which the school system can assess the degree to which the project objectives have been achieved is an integral part of the overall program design. (See section 124.5(c) of the regulations.) The purpose of the evaluation is to determine how well each component and the entire project function within the established framework of time, cost, and objectives. If well planned and operated, the evaluation system should result in information which communicates clearly whether the standards of performance specified in the objectives have been met to a degree greater than, equal to, or less than the predetermined standards and why. The task of designing the evaluation plan is both complex and multifaceted. Each component and the total project involves the evaluation of product, operational process, and management process goals.

(b) As one of his primary management responsibilities, the project director oversees the design and implementation of the evaluation plan. Many districts may find it necessary to hire consultants or to seek the help of an outside technical assistance group for the planning, installation, or operation of the evaluation system, particularly if the program requires newly developed instruments or techniques.

(20 U.S.C. 887(b) (3))

Sec. 7.2 Components.

The evaluation design (briefly discussed in section 2.4) to be presented in the formal application should include at least the following components. Although the following suggestions are not comprehensive, they may serve as a general guide for the description of each component.

(a) *Performance to be measured.* (1) The formation of the evaluation design is inextricably linked to the development of performance objectives. (Part 6) If performance objectives are developed both for product outcomes and for operational and management processes, a major part of the task will be accomplished, since the expected behaviors, the measurement instruments, the conditions of measurement, and the minimum levels of acceptable performance should be specified within these objectives.

(2) Following a careful review of the objectives to verify that each one contains the basic elements (section 6.3), those responsible for designing the evaluation should assist the project planners in strengthening any objectives which require greater specificity, refinement, or the addition of omitted elements.

(b) *Measurement instruments and techniques.* (1) The evaluation instrument for each objective should be identified and described briefly. Standardized tests, questionnaires, rating scales, interviews, observation schedules, and interest inventories may be among the instruments selected. It is recommended that the instruments be matched as closely as possible to the objectives and that the validity and reliability of each instrument be ascertained prior to its use. If new instruments are to be developed, a plan for their design and pretesting should be included.

(2) (i) Since the validity of the evaluation process may be affected if the appropriate prerequisite data on the target population are not secured or available at the beginning of the program, baseline data on ability and achievement levels, socio-economic status, attitudes, and other characteristics of project participants may be needed in many cases for accurate measurement of the attainment of project performance objectives.

(ii) The process of establishing baseline data is a task of some magnitude and requires skill on the part of project planners. Questions of appropriateness of objectives, timeliness of collection, sensitivity or responsiveness to short-term change, reliability and objectivity of data, and comparability of data-gathering situations are some of the considerations which program planners may take into account as they formulate their evaluation designs.

(3) In the case of process evaluation, program planners should consider various approaches toward establishing a standard against which operational and management processes can be measured. For example, (i) Does the process exist? (ii) Is the process the most effective one known as compared with the best practice, determined by recognized authorities? (iii) Is the process more effective than similar processes used in other school system projects or operations?

(4) The evaluation techniques should also be described clearly. Those who design the evaluation should determine whether traditional pretest and post-test techniques may be used to measure some of the objectives, for example, and if so, on what basis the scores and ratings will be evaluated.

(c) *Data collection procedures.* It is suggested that the plan for the collection of evaluation data should cover the appropriate budget period and should include the complete evaluation schedule, the target populations to be measured, those responsible for arranging and administering the measurements, and any conditions of measurement not specified in the objectives. Procedures for the selection and training of testers, observers, or interviewers should be described. Charts and diagrams may prove to be helpful tools in the planning and organization of data collection procedures and in the coordination of these procedures with the plans for periodic reviews of the data by the independent educational accomplishment auditor.

(20 U.S.C. 887(b) (3); 45 CFR 124.5(c))

Part 8—Educational Program Verification

Sec. 8.1 Purpose.

An educational program verification is an external evaluation by qualified outside technical personnel who are not directly involved in the planning or operation of the project. The verification is designed (a) to verify the results of the evaluation of an educational program and (b) to assess the appropriateness of evaluation procedures for determining the effectiveness of program procedures. Assuming that the evaluation is complete, relevant, and valid and that it includes procedures for assessing product, process, and program management, an educational verification should provide an added measure of objectivity for the conclusions reached through the evaluation process, and

may also identify weaknesses in the evaluation procedures and offer ideas for correcting such weaknesses in succeeding phases of the project.

(20 U.S.C. 887(b)(3); 45 CFR 124.5(d))

Sec. 8.2 Suggested procedures.

(a) *Program examiners.* Soon after a preapplication proposal is selected for further development, the applicant should contact and establish liaison with one or more prospective educational program examiners. When the district has tentatively selected an examiner, arrangements should be made for services to be provided by him during the developmental period. If the local educational agency has been awarded a developmental grant, some of the funds from this grant can be used to pay for the services of an examiner on a consultant basis.

(b) *Preliminary procedures.* (1) As one of the first of his activities during the developmental period, the examiner should familiarize himself thoroughly with the intent and policies of the dropout prevention program and with the proposed objectives and project activities which the applicant presented in the preapplication proposal. The local district should provide all pertinent documents to the examiner early in the developmental period.

(2) (i) A major function of the examiner during this developmental period is his conduct of an examination of the proposed evaluation system to determine whether it provides a basis for an adequate educational verification of the project. The examiner should determine, for example, whether the baseline data, the types of instruments to be used, and the quantity of evaluation data to be collected are adequate and whether instruments and procedures are included for the evaluation of product, operational process, and management process objectives.

(ii) While the examination is being conducted, the outside examiner should work closely with the prospective project evaluator as well as with the planning director and his staff. The examiner should be given draft materials for the formal proposal as they are developed and copies of specific evaluation instruments as they are selected or designed. In making his critique of the proposed evaluation design, the examiner must be careful to maintain objectivity and detachment, lest he later find himself in the position of auditing his own work. Designing and modifying the evaluation system is *not* his function.

(3) The verification plan and a performance contract for the operational period also should be developed during the developmental period.

(c) *Evaluation of documents.* (1) Throughout the project period, the local school district should provide the examiner with project evaluation documents at scheduled times. Prior to his onsite visits, the examiner needs adequate time for a detailed analysis of the evaluation documents, the formulation of questions to be raised with the project director and the evaluator, and the determination of the specific sampling to be conducted during the visit. In turn, the local educational agency will generally need time to arrange and confirm with the examiner his onsite visit schedule. Since it is obvious that the examiner cannot possibly examine all of the project evaluative data, he will need to work largely from tabulations, data analyses, and written interpretations and summaries of the evaluation made available to him by the local educational agency during the project period.

(2) In addition to providing the examiner with the evaluation reports, the local educational agency should submit to him a description of the data analysis techniques and procedures used by the project evaluator, any recommendations for revisions of the evaluation design which have been proposed as a result of a particular phase of the evaluation cycle, and any recommendations for program modifications which have been suggested as a result of the evaluation.

(d) *Onsite visits.* (1) The examiner's review of the written documents prior to his visit will establish a framework for the scope and emphases of his onsite work, which may consist largely of spot checking and sampling what has been reported in the documents. The critique of the evaluation reports is an important preliminary activity, but it is through the onsite visits that the examiner can actually verify the results of the evaluation and assess the appropriateness of the evaluation procedures.

(2) Before concluding his onsite visit, the examiner should discuss any major discrepancy findings with the local educational agency, so that procedures for their correction and for appropriate follow-up activities by the examiner can be established as soon as possible. If, for example, some phase of the evaluation had not been completed on schedule and, therefore, could not be verified, the examiner might plan to verify that phase at a later date; or if the procedures for some phase of the evaluation are to be modified substantially, a reexamination of that phase might be appropriate at some time prior to the next regularly scheduled complete verification.

(e) *Reports.* (1) The major task of the examiner after he completes his onsite visit is the preparation of verification reports, which should include his comments, critiques and recommendations with regard to the project evaluation.

(2) It is recommended that an interim and a final report be written initially as draft documents, to be presented to and discussed with the local educational agency prior to formal submission to the appropriate local personnel and in turn to the Office of Education. Provision for a meeting to discuss the draft audit report would enable both the examiner and the local educational agency to raise final questions concerning its content, accuracy, and completeness. The meeting can serve as the occasion for a review of the entire educational program verification process and the degree to which both have fulfilled their responsibilities.

(20 U.S.C. 887(b)(3); 45 CFR 124.5(d))

PART 9—DISSEMINATION

Sec. 9.1 Purpose.

An effective dissemination program is vital to the success of the Dropout Prevention Program and to the success of each project. Since the Dropout Prevention Program is a demonstration program which seeks to develop models that can be emulated and adapted across the Nation, it is important that validated information about these projects be widely disseminated. The educational community should be made aware of these projects and their progress so that successful approaches and solutions can be shared, mistakes avoided, and cooperative efforts stimulated. The general public should also be made aware of these efforts to find solutions to the school dropout problem, since public understanding of the project and support for it are essential to its continuation and expansion.

(20 U.S.C. 887(a); 45 CFR 124.16)

[FR Doc.74-8711 Filed 4-15-74;8:45 am]

Proposed Rules

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

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 1]

[ADM-9-03:R:R:ds]

CUSTOMS FIELD ORGANIZATION

Proposed Changes in Customs Region V

In order to provide better Customs services to carriers, importers, and the public in the Avondale area, adjacent to the present New Orleans, Louisiana, Customs port of entry, and in order to simplify the port limits of New Orleans, Louisiana, which have become unduly complex as the result of repeated extensions, it is proposed to extend the port limits of New Orleans, Louisiana, to include the Avondale area and certain other small areas east and west of the present port limits.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 9 (38 FR 17517), it is proposed to extend the port limits of New Orleans, Louisiana, in the New Orleans, Louisiana, Customs district (Region V), to include the territory enclosed within the following geographical limits:

From that point where the midpoint of the Mississippi River crosses north latitude 29°-49', west along north latitude 29°49' to west longitude 90°15', then north along west longitude 90°15' to Airline Highway (U.S. Highway Nos. 51, 61, and 65), then east along Airline Highway to west longitude 90°10', then north along west longitude 90°10' to the middle of Lake Pontchartrain, then in an easterly direction along the middle of Lake Pontchartrain to the midpoint of the Rigolets, then along the midpoint of the Rigolets to the shore of Lake Borgne, in a southwesterly direction along the northern shoreline of Lake Borgne to the point where the Bayou Bienvenue enters Lake Borgne, then in a westerly direction along the midpoint of the Bayou Bienvenue to a point where it crosses west longitude 89°55', then south along west longitude 89°55' to the point where it first crosses the midpoint of the Mississippi River, then downstream in a southerly direction along the midpoint of the Mississippi River to the point where it crosses north latitude 29°49'.

Prior to the adoption of the foregoing proposal, consideration will be given to any relevant data, views, or arguments which are submitted to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received not later than May 16, 1974.

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

Dated: April 4, 1974.

[SEAL] JAMES B. CLAWSON,
Acting Assistant Secretary of the Treasury.

[FR Doc.74-8708 Filed 4-15-74;8:45 am]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Parts 1, 292]

REPRESENTATION AND APPEARANCE BEFORE SERVICE AND BOARD OF IMMIGRATION APPEALS

Notice of Proposed Rulemaking

Pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383), notice is hereby given of the proposed issuance of the following rules pertaining to representation of others in proceedings before the Immigration and Naturalization Service and the Board of Immigration Appeals. In accordance with section 553, interested parties may submit written data, views, or arguments relative to the proposed rules to the Chairman, Board of Immigration Appeals, Room 1104, 521 Twelfth Street, NW., Washington, D.C., whose mail address is: Board of Immigration Appeals, Department of Justice, Washington, D.C. 20530. Such representations may not be presented orally in any manner. All relevant material received on or before May 6, 1974, will be considered.

PART 1—DEFINITIONS

Paragraph (j) of § 1.1, *Definitions*, is proposed to be amended to read as follows and a new paragraph (m) is added:

§ 1.1 Definitions.

* * * * *

(j) The term 'representative' means a person described in § 292.1(a)(2), (3), (4), (5), or (6), or in § 292.1(d) of this chapter.

* * * * *

(m) The term "representation" before the Board and the Service includes practice and preparation as defined in § 1.1(i), and (k).

PART 292—REPRESENTATION AND APPEARANCES

1. Section 292.1 is proposed to be revised as follows:

§ 292.1 Representation of others.

(a) A person entitled to representation may be represented by any of the following:

(1) *Attorneys in the United States.* Any attorney as defined in § 1.1(f) of this chapter.

(2) *Law students.* A law student, who is enrolled in the final year of an accredited law school, provided that:

(i) He is appearing on an individual case basis, at the request of the person entitled to representation;

(ii) He is participating, under the direct supervision of a faculty member or an attorney, in a legal aid program or clinic conducted or sponsored by the law school;

(iii) His appearance is permitted by the official before whom he wishes to appear, namely an immigration judge, district director, officer-in-charge, regional commissioner, the Commissioner or the Board; and

(iv) The person in whose behalf he appears assents to being represented by a non-attorney law student.

(3) *Reputable individuals.* Any reputable individual of good moral character, provided that:

(i) He is appearing on an individual case basis, at the request of the person entitled to representation;

(ii) He is appearing without direct or indirect remuneration and files a written declaration to that effect;

(iii) His appearance is permitted by the official before whom he wishes to appear, namely an immigration judge, district director, officer-in-charge, regional commissioner, the Commissioner or the Board; and

(iv) He has a pre-existing relationship or connection with the person entitled to representation, e.g., he is a relative, neighbor, clergyman, business associate or personal friend. No blanket advance permission shall be given to any person under this subdivision. The requirement of a pre-existing relationship or connection may be waived, as a matter of administrative discretion, in cases where adequate representation would not otherwise be available.

(v) Permission shall be withheld from any non-attorney who wishes to appear if he regularly engages in immigration practice and preparation or holds himself out to the public as specially qualified in immigration or nationality law and procedure.

(4) *Accredited representatives.* A person representing an organization described in § 292.2 of this chapter who has been accredited by the Board.

(5) *Accredited officials.* An accredited official, in the United States, of the government to which an alien owes allegiance, if the official appears solely in

his official capacity and with the alien's consent.

(6) *Attorneys outside the United States.* An attorney, other than one described in § 1.1(f) of this chapter, residing outside the United States, licensed to practice law and in good standing in a court of general jurisdiction of the country in which he resides, and who is engaged in such practice.

(b) *Amicus curiae.* The Board may grant permission to appear, on a case-by-case basis, as amicus curiae, to an attorney or to an organization represented by an attorney, if the public interest will be served thereby.

(c) *Former employees.* No person previously employed by the Department of Justice shall be permitted to act as a representative in any case in violation of the provisions of 28 CFR 45.735-7.

(d) *Persons formerly authorized to practice.* A person, other than a representative of an organization described in § 292.2 of this chapter, who on December 23, 1952, was authorized to practice before the Board and the Service may continue to act as a representative, subject to the provisions of § 292.3 of this chapter.

(e) *Limitation.* No other person or persons shall represent others in any case.

2. The heading and text of § 292.2 are revised to read as follows:

§ 292.2 Organizations qualified for recognition; requests for recognition; withdrawal of recognition; accreditation of representatives; roster.

(a) *Qualifications of organizations.* A non-profit religious, charitable, social-service, or similar organization established in the United States and recognized as such by the Board may designate a representative or representatives to practice before the Service and the Board. Such organization must establish to the satisfaction of the Board that (1) it makes only nominal charges and assesses no excessive membership dues for persons given assistance; (2) it has at its disposal adequate knowledge, information and experience.

(b) *Requests for recognition.* An organization having the qualifications prescribed in paragraph (a) of this section may file a request for recognition on Form G-27 with a district director, regional commissioner or the Commissioner for transmittal to the Board. The Service shall forward the request along with recommendations for approval or disapproval and reasons therefor. The organization and the Service shall be informed of the action taken by the Board.

(c) *Withdrawal of recognition.* The Board may withdraw the recognition of any organization which has failed to maintain the qualifications required by § 292.2(a). Withdrawal of recognition may be accomplished in accordance with the following procedure:

(1) The Service, by the district director within whose jurisdiction the organization is located, may conduct an investigation into any organization it believes no longer meets the standards for recognition.

(2) If the investigation establishes to the satisfaction of the district director that withdrawal proceedings should be instituted, he shall cause a written statement of the grounds upon which withdrawal is sought to be served upon the organization, with notice to show cause why its recognition should not be withdrawn. The notice will call upon the organization to appear before an immigration judge for a hearing at a time and place stated, not less than 30 days after service of the notice.

(3) The immigration judge shall hold a hearing, receive evidence, make findings of fact, state his recommendations, and forward the complete record to the Board.

(4) The organization and the Service shall have the opportunity of appearing at oral argument before the Board at a time specified by the Board.

(5) The Board shall consider the entire record and render its decision. The order of the Board shall constitute the final disposition of the proceedings.

(d) *Accreditation of representatives.* An organization recognized by the Board under paragraph (b) of this section may apply for accreditation of persons of good moral character as its accredited representatives. An application for accreditation shall state the nature and extent of the proposed representative's experience and knowledge of immigration and nationality law and procedure. An application may be filed with a district director, regional commissioner or the Commissioner for transmittal to the Board. The Service shall forward the application along with recommendations for approval or disapproval and reasons therefore. No individual may submit an application on his own behalf under this paragraph. The organization and the Service shall be advised of the action taken by the Board. The accreditation of a representative shall be valid for three years only. Renewal may be sought by making application in the same manner as for an initial accreditation. Accreditation terminates when the Board's recognition of the organization ceases for any reason or when the representative's employment or other connection with the organization ceases. The organization shall promptly notify the Board of such changes.

(e) *Roster.* The Board shall maintain an alphabetical roster of recognized organizations and their accredited representatives. A copy of the roster shall be furnished to the Commissioner and he shall be advised from time to time of changes therein.

(Secs. 103, 292, 66 Stat. 173, 235; (8 U.S.C. 1103, 1362))

Dated: April 5, 1974.

WILLIAM B. SAXBE,
Attorney General.

[FR Doc.74-8654 Filed 4-15-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

[7 CFR Part 760]

BEEKEEPER INDEMNITY PAYMENT PROGRAM (1974-1977)

Notice of Proposed Rulemaking

Notice is hereby given that the Agricultural Stabilization and Conservation Service, under the authority of section 804 of the Agriculture Act of 1970, 84 Stat. 1382, 7 U.S.C. 135b, as amended by the Agriculture and Consumer Protection Act of 1973, 87 Stat. 237, 7 U.S.C. 135 b, is considering revising the beekeeper indemnity payment program regulations 7 CFR Part 760, §§ 760.100 through 760.-118, to improve administration of the program and to provide more equitable payment rates in view of increased costs sustained by beekeepers in maintaining their operations. This proposed amendment would:

1. Provide for the acceptance of a certification by the person inspecting the bees, for pesticide damage showing that the losses resulted solely from pesticides and were not caused by disease, starvation, or neglect. This statement would be sufficient to prove that pesticides were used near or adjacent to the bee colonies as required by the Act. If the inspector cannot make this certification, the beekeeper must furnish the type of acceptable evidence now required to prove that pesticide caused the damages.

2. Eliminate the provision for filing a claim on the basis of loss of income. An examination of the records submitted to support claims previously filed on this basis have generally been inadequate to support the claim. Furthermore, in most cases, it has been extremely difficult to establish the legitimacy of claims filed on this basis because the records submitted do not establish that the loss of income was due to the use of pesticides, weather or other factors.

3. Provide for flat rates of payment for losses which occurred since January 1, 1974, as follows:

(i) $22.50 for each colony destroyed.

(ii) $15.00 for each colony severely damaged.

(iii) $5.50 for each colony moderately damaged.

(iv) $5.50 for each queen nucleus destroyed.

4. Eliminate payment for multiple losses suffered by the same colony during the year. The beekeeper would be permitted to claim the most severe damage suffered by a colony during the year. At present, to qualify for a subsequent loss, at least 4 and 6 weeks must have elapsed following a moderate or severe damage, respectively, and the colony must be restored to normal strength between the losses. Nearly all claims for multiple losses have been in areas subjected to numerous pesticide applications and it is very difficult to determine that colonies in these areas recover nor-

mal strength before the subsequent loss, even after the minimum time between losses has elapsed.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendment to the Deputy Administrator, Programs, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. Each person submitting comments, suggestions, or objections regarding the proposed amendment shall include his name and address and shall give reasons for any suggested changes in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Deputy Administrator, Programs, during regular business hours (8:15 am to 4:45 pm) (7 CFR 1.27 (b)).

All comments received before May 15, 1974, will be considered before final action is taken on this proposal.

It is proposed that §§ 760.100 through 760.118 of 7 CFR Part 760 be revised to read as follows:

Sec.
760.100 Administration.
760.101 Definitions.
760.102 Indemnity payment.
760.103 Requirements for eligibility.
760.104 Application for payment.
760.105 Proving loss of bees.
760.106 Proving utilization of pesticides.
760.107 Proving nonfault.
760.108 Proving reasonable care.
760.109 Computation of payment.
760.110 Appeals.
760.111 Assignments.
760.112 Instructions.
760.113 Limitation of authority.
760.114 Estates and trusts; minors.
760.115 Setoffs.
760.116 Overdisbursement.
760.117 Death, incompetency, or disappearance.
760.118 Records, and inspection thereof.

AUTHORITY: Pub. L. 91-524 (84 Stat. 1382), as amended by Pub. L. 93-86 (87 Stat. 237).

§ 760.100 Administration.

The beekeeper indemnity payment program is administered by the Agricultural Stabilization and Conservation Service under the supervision and direction of the Deputy Administrator, Programs. In this field, the program is carried out by the ASCS State and county committees.

§ 760.101 Definitions.

For the purpose of this subpart, the following terms shall have the meaning specified:

(a) "Apiary" means the place where bees are kept, commonly known as a "bee yard".

(b) "Application period" means any period with respect to which application for payment is made beginning not earlier than January 1, 1974, and ending not later than December 31, 1977.

(c) "ASCS" means the Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(d) "Bee" means the honeybee, Apis mellifera L.

(e) "Beekeeper" means a person who maintains colonies of bees.

(f) "Colony" means a community of bees living together in a hive with a queen.

(g) "Colony destroyed" means a colony in which the kill of bees by pesticides was so severe that the colony will not survive.

(h) "Colony moderately damaged" means a colony so damaged by pesticides as to destroy only the field bees.

(i) "Colony severely damaged" means a colony in which the field bees were killed by pesticides, the colony suffered damage to the brood, but the colony did survive.

(j) "County committee" means the Agricultural Stabilization and Conservation County Committee.

(k) "DAP" means the Deputy Administrator, Programs, ASCS.

(l) "Person" means an individual, partnership, association, corporation, trust, estate, or other legal entity.

(m) "Pesticide" means an economic poison which was registered pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135-135k), and approved for use by the Federal Government.

(n) "Queen nucleus" means a small colony of bees maintained solely for the purpose of producing queen bees.

(o) "Queen nucleus destroyed" means a queen nucleus in which the kill of bees by pesticides was so severe that the queen nucleus did not survive.

(p) "State committee" means the Agricultural Stabilization and Conservation State Committee.

§ 760.102 Indemnity payment.

An indemnity payment computed in accordance with § 760.109 will be made under this subpart to a beekeeper who has suffered a loss of his bees as a result of the application of pesticides and who establishes to the satisfaction of the county committee that he meets all of the requirements of this subpart.

§ 760.103 Requirements for eligibility.

(a) A beekeeper, to be eligible for an indemnity payment, shall file an application for payment with the county committee and establish to the satisfaction of the county committee all of the following:

(1) That during the application period, he suffered a loss of bees;

(2) That the loss of bees was caused solely by the use of pesticides near or adjacent to his apiary, and occurred without his fault;

(3) That if he used pesticides, such use of pesticides in no way contributed to the loss of his bees;

(4) That if he had advance knowledge that pesticides were going to be used near or adjacent to his apiary, he took reasonable precautions to protect his bees from exposure to pesticides, or, if he took no such precautions, that his failure to do so was reasonable under the circumstances;

(5) That after exposure of his bees to pesticides, he took reasonable action to minimize the bee loss to the extent that such action was feasible.

(b) A beekeeper, to be eligible for an indemnity payment shall, no later than July 15 of each such year, submit to the ASCS county office where his headquarters are located a signed statement specifying the number of colonies of bees and queen nuclei maintained at each apiary and the location of each apiary: *Provided, however,* That such statement may be submitted after such date if the county committee determines that the beekeeper's failure to submit the statement by such date was because of illness or other reason beyond his control; *And provided, further,* That an amendment to such statement shall be submitted after such date to reflect any purchase or sale of colonies or queen nuclei after July 15, together with proof of such purchase or sale. The number of colonies and queen nuclei specified in this statement, as amended, shall be the maximum number of colonies and queen nuclei for which the beekeeper will be eligible to receive an indemnity payment.

§ 760.104 Application for payment.

(a) The beekeeper or his legal representative shall complete, sign, and file an application for payment, Form ASCS-448 with the ASCS county office serving the area where the beekeeper's headquarters is located.

(b) Application for payment shall be filed not later than April 1 following the year in which the losses occurred. The application shall be postmarked not later than midnight April 1 of each such year. An application may be filed after the closing date if the county committee determines that the beekeeper was prevented from filing by such date because of illness or other reason beyond his control. The beekeeper should file only one application per year covering all losses occurring during each such calendar year.

(c) The application for payment shall be accompanied by the information required by §§ 760.105-760.109, and such other information as may be reasonably required to enable the county committee to determine the eligibility of the beekeeper to receive an indemnity payment.

§ 760.105 Proving loss of bees.

(a) A beekeeper shall submit to the county committee an executed Form ASCS-448, specifying the number of colonies destroyed, severely damaged and moderately damaged; the number of queen nuclei destroyed; and evidence of the loss of bees specified in paragraph (b) of this section.

(b) Such evidence shall be a written report by a State or county apiary inspector or ASCS personnel who has observed this loss. Any report under this paragraph shall:

(1) Describe the losses of bees which he has observed.

(2) Give full information regarding the loss, including but not limited to the following:

(i) Extent of loss (number of colonies destroyed, severely damaged or moderately damaged and number of queen nuclei destroyed);

(ii) Date of loss;

(iii) Location of apiary.

(3) Be completed, signed, and dated within a reasonable time following the loss as determined by the county committee.

(c) If the report required by paragraph (b) of this section is based on inspections of only a sample of the colonies in an apiary, the following guidelines shall be substantially compiled with in selecting the samples of colonies to be examined:

(1) Count the colonies in the apiary.

(2) Select the colonies to be included in the sample from all areas of the apiary so as to assure that the sample is representative of conditions in the apiary as a whole. Colonies to be inspected should be selected at random to assure an accurate determination of the extent of loss in the apiary.

(3) Open and thoroughly inspect at least the specified number of colonies for the applicable size of apiary.

Apiary of 1–15 colonies, all colonies.
Apiary of 16–75 colonies, 15 colonies.
Apiary of more than 75 colonies, 20 percent of the colonies.

(d) No change in the degree of loss of bees which occurs after November 1 each year will be recognized and no payment will be made for any loss of queen nuclei which occurs between October 1 and December 31 each year.

§ 760.106 Proving utilization of pesticides.

A beekeeper shall submit to the county committee evidence that the loss of his bees occurred as a result of the utilization of pesticides near or adjacent to his apiary. Such evidence may, include, but is not limited to:

(a) Reports of chemical tests performed on the bees which were killed.

(b) Records, signed statements, or official reports of pesticide applicators or farmers who either applied pesticides or contracted for their application within the normal forage range of the beekeeper's bees.

(c) Records, signed statements, or official reports of representatives of local canneries or pesticide vendors who supplied pesticides which were used within the normal forage range of the beekeeper's bees.

(d) Records, signed statements, or official reports of local, State or Federal governmental agencies or colleges and universities having verified information with respect to the application of pesticides in the locality where the beekeeper's apiaries were located.

(e) Certification by the person that inspected the bees for pesticide damage that the loss resulted solely from pesticides and not caused by disease, starvation, or neglect.

§ 760.107 Proving nonfault.

A beekeeper shall submit to the county committee (a) a statement signed by the beekeeper stating whether or not he used pesticides, and (b) if he did use pesticides, evidence that his use thereof in no way contributed to the loss of his bees.

§ 760.108 Proving reasonable care.

A beekeeper shall submit to the county committee evidence that he exercised reasonable care in connection with the use of pesticides by others. Such evidence shall consist of, but is not limited to, written statements signed by the beekeeper:

(a) Stating whether or not he received advance notice that pesticides were going to be applied near or adjacent to his apiary.

(b) Describing what actions he took (if he received such notice) to protect his bees from pesticides, or why there was no suitable action he could take.

(c) Describing what steps he took, after exposure of his bees to pesticides, to improve the condition of his colonies and to reduce the extent of bee loss, or why there were no suitable steps he could take.

§ 760.109 Computation of payment.

(a) The county committee will determine the amount of the indemnity payment due a beekeeper whom it has determined to be in compliance with the terms and conditions of this subpart. Such payment shall be in the amount of the beekeeper's net loss from losses of his bees resulting from application of pesticides, less any indemnification for the loss of his bees or payment of any nature which the beekeeper has received through insurance, legal action, or otherwise. The beekeeper's indemnity payment will be computed on the basis of the following rates for losses which occurred since January 1, 1974:

(1) $22.50 for each colony destroyed.

(2) $15.00 for each colony severely damaged,

(3) $5.50 for each colony moderately damaged, and

(4) $5.50 for each queen nucleus destroyed.

(b) Only one payment will be made on a colony for losses occurring during a given calendar year. If more than one loss is suffered by a colony, the beekeeper may claim payment on the most severe loss suffered.

§ 760.110 Appeals.

The Appeal Regulations issued by the Administrator, ASCS, Part 780 of this chapter, shall be applicable to appeals by beekeepers from determinations made pursuant to the regulations in this subpart.

§ 760.111 Assignments.

A beekeeper shall not assign any indemnity payment due or to come due under the regulations in this subpart.

§ 760.112 Instructions.

DAP shall cause to be prepared such forms and instructions as are necessary for carrying out the regulations in this subpart. Beekeepers may obtain such forms, including the following, from the ASCS county office.

ASCS-448-Beekeeper Indemnity Payment Program Report of Loss on a Colony Basis and Application for Payment.

§ 760.113 Limitation of authority.

(a) County executive directors and State and county committees do not have authority to modify or waive any of the provisions of the regulations in this subpart.

(b) The State committee may take any action authorized or required by the regulations in this subpart to be taken by the county committee when such action has not been taken by the county committee. The State committee may also (1) correct, or require a county committee to correct, any action taken by such county committee which is not in accordance with the regulations in this subpart, or (2) require a county committee to withhold taking any action which is not in accordance with the regulations in this subpart.

(c) No delegation herein to a State or county committee shall preclude DAP or his designee from determining any question arising under the regulations in this subpart or from reversing or modifying any determination made by a State or county committee.

§ 760.114 Estates and trusts; minors.

(a) A receiver of an insolvent debtor's estate and the trustee of a trust estate shall, for the purposes of this subpart, be considered to represent an insolvent beekeeper and the beneficiaries of a trust, respectively, and the honeybee losses of the receiver or trustee shall be considered to be the honeybee losses of the persons he represents. Program documents executed by any such person will be accepted only if such person has authority to sign the applicable documents, and such documents are otherwise legally valid.

(b) A minor who is a beekeeper shall be eligible for indemnity payments only if he meets one of the following requirements; (1) The rights of majority have been conferred on him by court proceedings or by statute; (2) a guardian has been appointed to manage his property and the applicable program documents are signed by the guardian; or (3) a bond is furnished under which the surety guarantees any loss incurred for which the minor would be liable had he been an adult.

§ 760.115 Setoffs.

(a) If any indebtedness of the beekeeper to any agency of the United States is listed on the county claims control record, indemnity payments due the beekeeper under the regulations in this part shall be applied, as provided in the Secretary's Setoff Regulations, Part 13 of this title, to such indebtedness.

(b) Compliance with the provisions of this section shall not deprive the beekeeper of any right he would otherwise have to contest the justness of the indebtedness involved in the setoff action,

either by administrative appeal or by legal action.

§ 760.116 Overdisbursement.

A beekeeper shall be personally liable for repayment of the amount by which any indemnity payment disbursed to him exceeds the amount of such payment authorized under the regulations in this subpart.

§ 760.117 Death, incompetency, or disappearance.

In the case of the death, incompetency, or disappearance of any beekeeper who is entitled to an indemnity payment, such payment may be made to the person or persons specified in the regulations contained in Part 707 of this chapter. The persons requesting such payment shall file Forms ASCS-325, "Application For Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent," as provided in that part.

§ 760.118 Records, and inspection thereof.

The beekeeper, and any other person who furnishes information to such beekeeper or to the county committee to enable the beekeeper to receive an indemnity payment under this subpart, shall maintain any books, records, and accounts supporting any information furnished to the county committee, for 3 years following the end of the year during which the application for payment was filed. The beekeeper or any other person who furnishes such information to the beekeeper or to the county committee shall permit authorized representatives of the Department of Agriculture and the General Accounting Office, during regular business hours, to inspect, examine, and make copies of such books, records, and accounts.

NOTE: The reporting and/or recordkeeping requirement contained herein has been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

Effective date: April 16, 1974.

Signed at Washington, D.C., on April 9, 1974.

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

[FR Doc.74-8687 Filed 4-15-74;8:45 am]

Food and Nutrition Service

[7 CFR Part 215]

SPECIAL MILK PROGRAM

Notice of Proposed Rulemaking

Notice is hereby given that the Food and Nutrition Service, U.S. Department of Agriculture, intends to amend the regulations governing the Special Milk Program to implement Public Law 93-150, approved November 7, 1973, and for other purposes.

Public Law 93-150 requires that "Children that qualify for free lunches under guidelines set forth by the Secretary shall also be eligible for free milk." To implement this provision, three primary changes are proposed:

(1) Eligibility for free milk will be determined and nondiscrimination practices will be required in accordance with the regulations for Determining Eligibility for Free and Reduced Price Meals (7 CFR Part 245 and notice of October 18, 1968, 33 FR 15674).

(2) The amount of milk served free to needy children each day for which reimbursement may be claimed will be limited to one half pint in schools and child-care institutions having a food service program and two half pints if no food service is offered. These limits are imposed because children usually have access to milk at home and are served milk as part of the meal if the school or child-care institution has a food service program. If large amounts of milk are consumed at one time, children may discard other foods which supply essential nutrients. Also they may receive too great a proportion of their calories from fat. Those children who are susceptible to lactose intolerance may experience abdominal discomfort and diarrhea.

(3) Reimbursement for milk served free to eligible children will be based on the average cost of milk purchased from suppliers.

In addition to the changes required by Public Law 93-150, the section governing State-conducted audit programs is revised to facilitate effective monitoring by the Department of Agriculture, the section dealing with reimbursement rates is revised to remove the justification requirement for approval of distribution cost allowances up to 1½ cents per half pint and the requirement that State Agencies remit any interest paid or credited on Federal funds paid to the State Agency is revoked.

Other changes are nonsubstantive and were made for clarification, deletion of obsolete provisions or to provide parallel language to that used in similar sections in the regulations governing the National School Lunch Program (7 CFR Part 210) and the School Breakfast Program (7 CFR Part 220).

Comments, suggestions, or objections are invited. To be assured of consideration, such comments, suggestions, or objections must be delivered by May 16, 1974, to Herbert D. Rorex, Director, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, or submitted by mail postmarked not later than May 16, 1974. Communications should identify the section and paragraph on which comments, etc., are offered. All written submissions received pursuant to this notice will be made available for public inspection in the Office of the Director, Child Nutrition Division, during regular business hours (8:30 a.m. to 5:00 p.m.) (7 CFR 1.27(b)).

The following changes are proposed:

1. The citation of authority to 7 CFR Part 215 is revised to read as follows:

AUTHORITY: Secs. 3 and 10, 80 Stat. 885, 889, as amended, 42 U.S.C. 1772, 1779.

§ 215.1 [Amended]

2. § 215.1 is amended by adding to the quoted statute the following:

Any school or nonprofit child-care institution shall receive the special milk program upon their request. Children that qualify for free lunches under the guidelines set forth by the Secretary shall also be eligible for free milk.

3. In § 215.2, paragraphs (d) and (o) are deleted; paragraphs (e), (m), (n), (s), (v) and (w) are revised and paragraphs (w-1) and (x-1) are added. As amended, § 215.2 reads as follows:

§ 215.2 Definitions.

* * * * *

(d) [Deleted]

(e) "Child-care institution" means any nonprofit nursery school (other than nursery schools falling within the definition of school in this section), child-care center, settlement house, summer camp, service institution participating in the Special Food Service Program for Children pursuant to Part 225 of this chapter or similar nonprofit institution, devoted to the care and training of children. "Child-care institution" as used in this part includes, where applicable, the authorized sponsoring agency which has entered into an agreement under the Program for a child-care institution.

* * * * *

(m) "National School Lunch Program" means the program under which general cash-for-food assistance and special cash assistance are made available to schools pursuant to Part 210 of this chapter.

(n) "Needy children" means: (1) Children who attend schools participating in the Program and who meet the School Food Authority's eligibility standards for free meals approved by the State Agency, or FNSRO where applicable, under Part 245 of this chapter; and (2) children who attend child-care institutions participating in the Program and who meet the eligibility standards for free meals approved by the State Agency, or FNSRO where applicable, in accordance with the regulations of the Department with respect to determining eligibility for free and reduced price meals (notice of October 18, 1968, 33 FR 15674).

(o) [Deleted]

* * * * *

(s) "OA" means the Office of Audit of the U.S. Department of Agriculture.

* * * * *

(v) "School" means an educational unit of high school grade or under operating under public or nonprofit private ownership in a single building or complex of buildings. The term "high school grade or under" includes classes of preprimary grade when they are conducted in a school having classes of primary or higher grade, or when they are recognized as a part of the education system in the State, regardless of whether such preprimary grade classes are conducted in

a school having classes of primary or higher grade.

(w) "School Breakfast Program" means the program authorized by section 4 of the Child Nutrition Act of 1966, as amended.

(w-1) "School Food Authority" means the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a milk program therein. The term "School Food Authority" also includes a nonprofit agency to which such governing body has delegated authority for the operation of a milk program in a school.

* * * * *

(x-1) "Special Food Service Program for Children" means the program authorized by section 13 of the National School Lunch Act, as amended.

* * * * *

4. In § 215.4, paragraph (a) is revised to read as follows:

§ 215.4 Apportionment of funds to States.

(a) As soon as possible after the beginning of each fiscal year, FNS shall apportion 99 percent of the funds made available for Program reimbursement among the States on the basis of the reimbursement payments made under the Program during the preceding fiscal year. FNS shall advise each State agency of the amount of funds which will be available to it. The remaining one percent of the funds shall be held by FNS in an uncommitted reserve to meet unforeseen contingencies.

* * * * *

§ 215.5 [Amended]

5. In § 215.5, the last sentence of paragraph (d) is revoked.

6. In § 215.7, paragraphs (a), (b)(1), (b)(4), (b)(11), the introductory portion of paragraphs (c) and (d)(2) are revised; the second paragraph (e) is redesignated (f) and a new subparagraph (1-a) is added; paragraph (f) is redesignated as (g); paragraph (b)(14) is deleted; and new paragraphs (a-1) and (b)(6-a) are added, as follows:

§ 215.7 Requirements for participation.

(a) Any school or nonprofit child-care institution shall receive the Special Milk Program upon request. Each School Food Authority or child-care institution shall make written application to the State Agency, or FNSRO where applicable, for any school or child-care institution in which it desires to operate the Program, if such school or child-care institution did not participate in the Program in the prior fiscal year.

(a-1) Each School Food Authority or child-care institution shall also submit for approval, either with the application or at the request of the State Agency, or FNSRO where applicable, a free milk policy statement which, if the application is for a school, shall be in accordance with Part 245 of this chapter or, if the application is for a child-care institution, shall be in accordance with the notice of October 18, 1968, 33 FR 15674. For the fiscal year ending June 30, 1974, State Agencies, or FNSROs where applicable, are authorized to amend previously approved free or reduced price policy statements submitted by School Food Authorities or child-care institutions to provide for the service of free milk to eligible children. After receiving notification of the amendment, the subsequent submission of a claim for reimbursement by the School Food Authority or child-care institution shall constitute acknowledgement of and agreement to the provisions of the amendment.

(b) * * *

(1) The name and address of the School Food Authority or child-care institution and of each school and child-care institution in which the Program will be operated;

* * * * *

(4) The estimated total number of persons regularly having access to the milk service, including as separate items the estimated average daily number of (i) needy children, (ii) total children, (iii) adult staff members and employees, (iv) adults enrolled for care and training, and (v) total persons in attendance;

* * * * *

(6-a) If the application is for a child-care institution, whether the child-care institution participates in the Special Food Service Program for Children.

* * * * *

(11) The net delivered cost of milk per half pint (after discount) for each type of milk to be offered in the Program.

* * * * *

(14) [Deleted]

* * * * *

(c) Any School Food Authority or child-care institution may employ a food service management company in the conduct of its feeding operations in one or more of its schools or child-care institutions. A School Food Authority or child-care institution that employs a food service management company shall remain responsible for seeing that the feeding operation is in conformance with its agreement with the State Agency, or FNSRO where applicable. The contract between the School Food Authority or child-care institution and the food service management company shall expressly provide that:

* * * * *

(d) * * *

(2) Maintain food or milk service, such as a snack bar, operated by the students for the benefit of student activities, if:

* * * * *

(f) * * *

(1-a) Serve milk free of charge to children that qualify for free lunches under the guidelines set forth by the Secretary;

* * * * *

7. § 215.8 is revised to read as follows:

§ 215.8 Reimbursement payments.

(a) Reimbursement payments shall be made for milk purchased for service to children by participating School Food Authorities and child-care institutions, except that reimbursement shall not be made for the first half pint of milk served as part of a reimbursed meal served under the National School Lunch Program, the School Breakfast Program or the Special Food Service Program for Children nor will reimbursement be made at the reimbursement rate for free milk for a number of half pints of milk served free to children which exceeds a number determined as follows: (1) For schools and child-care institutions providing a food service program, the lesser of: (i) The product obtained by multiplying the number of days in which milk was served during the month by the number of approved applications on file for free meals; or (ii) if the school participates in the National School Lunch Program, the School Breakfast Program, or is a commodity only school, or if the child-care institution participates in the Special Food Service Program for Children, the number of breakfasts, or lunches or suppers (whichever is the largest number) served free to needy children during the month; and (2) for schools and child-care institutions which do not offer a food service, the product obtained by multiplying the number of days in which milk was served during the month by twice the number of approved applications on file for free milk.

(b) Maximum rates are prescribed as follows:

(1) *Nonpricing programs.* (i) The maximum rate shall be 2 cents per half pint; (ii) no reimbursement shall be paid to School Food Authorities or child-care institutions administering a nonpricing program unless the specific service practices for encouraging milk consumption by children submitted for approval in compliance with § 215.7(b)(13) are in effect.

(2) *Pricing programs.* (i) Except as provided in paragraph (b)(2)(iii) of this section, the maximum rate of reimbursement for milk served in schools that participate in the National School Lunch Program or School Breakfast Program or in child-care institutions that participate in the Special Food Service Program for Children shall be 4 cents per half pint; (ii) except as provided in paragraph (b)(2)(iii) of this section, the maximum rate of reimbursement for milk served in schools which do not participate in the National School Lunch Program or School Breakfast Program or in child-care institutions that do not participate in the Special Food Service Program for Children shall be 3 cents per half pint; (iii) the maximum rate of reimbursement for each half pint of milk served free to needy children shall be equal to the average net delivered cost of milk per half pint (after discount) paid by the School Food Authority or child-care institution to its milk suppliers. However, for the entire period of operation, total

reimbursement for free milk shall not exceed the total cost of the milk served free.

(c) Schools and child-care institutions having pricing programs shall make maximum use of the reimbursement payments received under the Program to reduce the price of milk to children. The full amount of the payments shall be reflected in reduced prices to children except that such payments may be used by the School Food Authorities or child-care institutions to defray distribution costs of milk other than free milk. The allowance for distribution costs may not exceed, on an annual basis 1½ cents per half pint.

(d) Within the maximum rates, the assigned rate of reimbursement for milk, for which an allowance for distribution costs is permitted, shall depend on the cost of the milk paid to the milk supplier and the charge to the child. The relationship should be such that the assigned rates of reimbursement plus the per half pint charge to the child equals the per half pint cost of the milk plus distribution costs not to exceed 1½ cents per half pint. When milk is purchased from the milk supplier at more than one cost, or when milk is sold to children at different prices, the assigned rate of reimbursement may be based on the relationship between the simple average of the costs of milk paid to the milk supplier and the simple average of the prices of milk charged to the children. However, for the entire period of operation, total reimbursement payments for milk served, other than free milk, shall not exceed the difference between (1) the total net delivered cost (after discount) of the milk served, other than free milk, and (2) the sum of total children's payments plus the product obtained by multiplying the total number of half pints served, other than free milk, by 1½ cents. In the case of a school or child-care institution other than one participating in a summer program under the Special Food Service Program for Children, the period of operation shall be the fiscal year, and in the case of a child-care institution participating in a summer program under the Special Food Service Program for Children, the period of operation shall be the approved period of operation between May 15 and September 15 of the calendar year.

§ 215.9 [Amended]

8. § 215.9 is amended by deleting the term "school" wherever it appears and inserting in lieu thereof the term "School Food Authority".

9. In § 215.10, paragraph (a) is amended by deleting the terms "schools" and "school" and inserting in lieu thereof the terms "School Food Authorities" and "School Food Authority" respectively; the first sentence of paragraph (b) is amended by deleting the term "school" and inserting in lieu thereof the term "School Food Authority" and by deleting the phrase "paragraphs (b) and (c) of"; subparagraph (b)(3) is amended by deleting the phrase "for service to children"; subparagraph (b)(7) is amended by deleting the term "school" and inserting in lieu thereof the term "School Food Authority"; paragraph (c) is amended by deleting the term "school" in the first sentence and inserting in lieu thereof the term "School Food Authority" and by deleting the term "its" in the second sentence and inserting in lieu thereof the term "the"; paragraphs (d)(1) and (d)(2) are amended by deleting the term "schools" the first time that it appears in each paragraph and inserting in leiu thereof the phrase "School Food Authorities of schools"; paragraph (e) is amended by deleting the term "school" wherever it appears and inserting in lieu thereof the term "School Food Authority"; paragraphs (g) and (h) are amended by deleting the first word of each paragraph and inserting in lieu thereof the phrase "Except as provided in § 215.8(a) of this part, School Food Authorities of schools which participate"; and paragraphs (b)(1), (b)(4), (b)(5), (b)(6), (b)(8), (b)(9), and (b)(11) and paragraph (i) are revised to read as follows:

§ 215.10 Reimbursement procedure.

* * * * *

(b) * * *

(1) The name and address of the School Food Authority or child-care institution and the name and address of each school or child-care institution in which the Program was operated:

* * * * *

(4) The total number of half pints of milk purchased not eligible for Program reimbursement, i.e., (i) the first half pint of milk served as part of a Type A lunch under the National School Lunch Program or as part of a reimbursed breakfast under the School Breakfast Program or as part of a reimbursed meal under the Special Food Service Program for Children and (ii) milk served as a beverage to adult staff members and employees or adults enrolled for care and training, as determined by the School Food Authority or child-care institution pursuant to paragraph (d) of this section;

(5) The total number of half pints of milk eligible for Program reimbursement (paragraph (b)(3) minus paragraph (b)(4));

(6) For schools and child-care institutions operating pricing programs, the number of half pints of milk which were served free to needy children;

* * * * *

(8) The per half pint average net cost of milk purchased;

(9) The total amount of Program reimbursement computed as follows:

(i) for nonpricing programs, the product obtained by multiplying the total number of half pints eligible for Program reimbursement by the assigned reimbursement rate (paragraph (b)(5) times paragraph (b)(7)); and (ii) for pricing programs, the sum of the following two numbers: (A) The product obtained by multiplying the number of half pints served to children except for milk served free to needy children (the difference between paragraphs (b)(5) and (b)(6)) by the assigned reimbursement rate (paragraph (b)(7)); and (B) the product obtained by multiplying the number of half pints served free to needy children (paragraph (b)(6)) by the per half pint average cost of milk purchased (paragraph (b)(8));

* * * * *

(11) In the case of pricing programs, (i) the number of approved applications for free meals which the school or child-care institution has on file, (ii) the number of days of operation for the period covered by the report, (iii) the number of needy children to whom milk was served free, (iv) if the school participates in the National School Lunch Program, the School Breakfast Program or is a commodity only school or if the child-care institution participates in the Special Food Service Program for Children, the number of breakfasts, or lunches or suppers (whichever is the largest number), and (v) the average daily number of half pints served free per needy child;

* * * * *

(i) School Food Authorities administering pricing programs in more than one school may be regarded by the State Agency, or FNSRO where applicable, as a single school or as individual schools for reimbursement purposes. If regarded as a single school, reimbursement shall not be made at a rate in excess of 3 cents per half pint for any school unless all schools participate in either the National School Lunch Program or the School Breakfast Program. If the schools are regarded as individual schools, the State Agency, or FNSRO where applicable, may assign reimbursement at a rate not in excess of 4 cents per half pint to those units that are participating in the National School Lunch Program or in the School Breakfast Program, and distribution costs may be approved pursuant to paragraph (c) of § 215.8, (1) on an individual unit basis, or (2) on a schoolwide basis.

10. In § 215.11, paragraph (c) is amended by deleting the term "schools" and inserting in lieu thereof the term "School Food Authorities", and paragraph (b) is revised to read as follows:

§ 215.11 Special responsibilities of State Agencies.

* * * * *

(b) *State-conducted audit programs.* (1) A State Agency may submit for approval by the Department a plan whereby it will provide for the conduct of audits of the Program in schools and child-care institutions. State agencies shall request OA Regional Offices (32 FR 8822, as amended by 34 FR 2139) to assist in the development of these plans, which shall incorporate provisions for organization, financing, direction and coordination of the State audit functions. Audits performed under the plan may be conducted by the State Agencies; by the

State Auditor, Office of State Controller, or comparable State Audit Staff; or by Certified Public Accountants, or State Licensed Public Accountants. All approved State audit plans shall be updated and be resubmitted for approval by the Department every third year from the anniversary date of the last such approval, except that any State Agency plan approved prior to July 1, 1974, must be resubmitted for approval by the Department in accordance with this paragraph prior to July 1, 1975.

(2) An audit guide furnished by OA, and as amended by OA from time to time, shall be used in the State Agency sponsored audits of schools. The audits shall be performed in accordance with audit standards, guidelines and procedures prescribed by OA in the audit guide, and shall be reviewed by OA to the extent necessary to determine compliance therewith.

(3) While OA shall reply to the fullest extent feasible on State-conducted audits, it shall have the right, whenever considered necessary, to (i) make audits on a statewide basis, (ii) perform on-site test audits of schools and child-care institutions, and (iii) review audit reports and related working papers of audits performed by or for the State Agencies. With respect to State-conducted audits, OA shall also have the rights available to it under the provisions of § 215.13.

* * * * *

§ 215.12 [Amended]

11. In § 215.12, paragraphs (a), (b) and (f) are amended by deleting the term "school" wherever it appears and inserting in lieu thereof the term "School Food Authority"; paragraph (d) is amended by deleting the term "OIG" wherever it appears and inserting in lieu thereof the term "OA"; and paragraph (g) is amended by deleting the term "schools" the second and third times that it occurs and inserting in lieu thereof the term "School Food Authorities".

12. § 215.13 is revised to read as follows:

§ 215.13 Administrative analyses and audits.

(a) Each State Agency shall provide FNS with full opportunity to conduct administrative analyses (including visits to schools and child-care institutions) of all operations of the State Agency under the Program and shall provide OA with full opportunity to conduct audits of all operations of the State Agency under the Program. Each State Agency shall make available its records, including records of the receipt and expenditure of funds under such programs, upon a reasonable request by FNS or OA. OA shall also have the right to make audits of the records and operations of any school or child-care institution.

(b) In making administrative analyses or audits for any fiscal year, the State Agency, or OA, may disregard any overpayment which does not exceed $5 or, in the case of State Agency administered programs, does not exceed the amount established under State law, regulations, or procedure as a minimum amount for which claim will be made for State losses generally: *Provided, however,* That no overpayment shall be disregarded where there are unpaid claims of the same fiscal year from which the overpayment can be deducted, or where there is evidence of violation of Federal or State statutes.

13. § 215.14 is revised to read as follows:

§ 215.4 Nondiscrimination.

The Department's regulations on nondiscrimination in federally assisted programs are set forth in Part 15 of this title. The Department's agreements with State Agencies, the State Agencies' agreements with School Food Authorities and child-care institutions and the FNSRO agreements with School Food Authorities administering nonprofit private schools and with child-care institutions shall contain the assurances required by such regulations. When different types of milk are served to children, a uniform price for each type of milk served shall be charged to all children in the school or child-care institution who purchase milk.

§ 215.15 [Amended]

14. § 215.15 is amended by deleting the terms "school", "nonprofit private school" and "nonprofit private schools" wherever they appear and inserting in lieu thereof the term "School Food Authority" and the terms "School Food Authority of a nonprofit private school" and "School Food Authorities of nonprofit private schools" respectively therefor.

§ 215.16 [Amended]

15. § 215.16 is amended by deleting the term "schools" and inserting in lieu thereof the term "School Food Authorities".

(Catalog of Federal Domestic Assistance Program No. 10.552, National Archives Reference Services).

Dated: April 11, 1974.

CLAYTON YEUTTER,
Assistant Secretary.

[FR Doc.74-8707 Filed 4-15-74;8:45 am]

Soil Conservation Service

[7 CFR Part 663]

EQUIPMENT GRANTS TO CONSERVATION DISTRICTS

Notice of Proposed Rulemaking

The Soil Conservation Service (SCS) plans to codify its policy and procedures for the granting of equipment and materials to soil, water and other conservation districts.

Interested persons may participate in the proposed rulemaking by submitting written data, views, or arguments as they may desire. All communications received on or before May 24, 1974, will be considered before action is taken on the proposed policy and procedures. The proposal contained in this notice may be changed in the light of comments received.

The policy and procedures are proposed under the authority of Section I of the Soil Conservation Act of 1935 (Pub. L. 74-46, 49 Stat. 163, (16 U.S.C. 590a (3)))

NORMAN A. BERG,
Acting Admnistrator.

Dated: April 9, 1974.

Accordingly, it is proposed to amend 7 CFR Chapter VI, Subchapter G, by adding Part 663 to read as follows:

PART 663—EQUIPMENT GRANTS TO CONSERVATION DISTRICTS

Sec.
663.1 Purpose and policy.
663.2 Conditions and requirements of equipment and material grants.
663.3 Grantable items.
663.4 Nongrantable items.

AUTHORITY: Pub. L. 74-46, 49 Stat. 163 (16 U.S.C. 590a(3)).

§ 663.1 Purpose and policy.

This part sets forth Soil Conservation Service (SCS) policy and procedures for the granting of equipment and materials to soil and water and other conservation districts (districts). SCS encourages districts and their cooperating landusers to deal directly with independent contractors in applying soil and water conservation measures requiring the use of heavy equipment and materials. If districts choose to acquire and operate equipment to install soil and water conservation measures, the SCS may grant equipment and materials to districts for this purpose if at least one of the following conditions exists: (a) Qualified contractors are not available; or (b) local contractors are not interested in performing soil and water conservation work; or (c) there is not a sufficient number of local contractors available at a reasonable cost.

§ 663.2 Conditions and requirements for equipment and material grants.

(a) SCS will grant only equipment and materials that are available from federal excess property sources at no cost to SCS. Handling, packing, loading, transporting, servicing, repairing, and reconditioning expenses associated with equipment and materials granted must be borne by the district.

(b) A request from a district for grant of equipment and materials must be submitted in writing to the SCS state conservationist and include the following:

(1) Identify the specific items of equipment or materials requested and describe the type of work for which the items will be used.

(2) Certify that at least one of the conditions specified in § 663.1 exists.

(3) Agree to pay all handling, packing, loading, transporting, servicing, repairing, and reconditioning expenses that may be involved.

(c) The state conservationist shall determine if the request meets the conditions and requirements of this part and, as applicable, give due consideration to the equipment grant policies of the state soil conservation districts in making this determination. If the state conservationist determines that the dis-

trict request meets the grant requirements, he shall make a grant eligibility determination in writing and cause the determination evidencing the proposed grant to be published in the FEDERAL REGISTER as a general notice document.

(d) Prior to the grant and as a condition thereof, the district must enter into a grant agreement with SCS which Provides, That:

(1) The purpose of the grant is to enable the district to carry out soil and water conservation work more effectively, and the district will use the granted property only for this purpose on lands under cooperative or working agreement with the district or on lands otherwise under control of the district.

(2) The property is granted by title transfer, and the district intends to retain the granted property throughout the remainder of its economic life or until it is no longer needed for the purpose for which it was granted, except that during the first year after date of grant, with the written concurrence of the state conservationist, it may be disposed of by:

(i) trade-in or sale with proceeds applied on the acquisitition of other grantable type items of property named in § 663.3 to be used to accomplish soil and water conservation work; or

(ii) Transfer of title to another district which SCS is assisting to be used to accomplish soil and water conservation work; or

(iii) Other methods that are mutually satisfactory to the district and the state conservationist. After the first year, the district may dispose of the granted property by informing the state conservationist in writing at least 30 days prior to making disposal.

(3) The district will maintain the granted property in good operating condition, properly service it, and make necessary repairs.

(4) The property is to be used only for the installation of soil and water conservation measures, and will not be used in other work or leased or otherwise made available to contractors, units of state or local governments, or public authorities or districts, except in cases of emergencies.

(5) The district will comply with the nondiscrimination provision required by the Civil Rights Act of 1964 (Secs. 601, 602, Pub. L. 88-352, 78 Stat. 252 (42 U.S.C. 2000d, 2000d-1)).

(6) Noncompliance with the terms and conditions of the grant agreement will make the district ineligible for further grants of property until district policy is revised to conform to the requirements of this part.

§ 663.3 Grantable items.

Only the types of equipment or materials that are used to install soil and water conservation measures, and are not generally owned or otherwise available to landusers within a district at a reasonable cost, may be granted to districts. This category includes those items which are usually considered as "heavy field equipment and materials" in the construction trade. This category is illustrated as follows:

(a) Motorized equipment such as crane-shovels, draglines, shovels, backhoes, ditching machines, motorized road scrapers, motorized road graders, crawler tractors, wheeled type industrial tractors, semitractor trailers, and dump and other types of trucks, 1½-ton or larger.

(b) Heavy construction equipment such as trailer-mounted air compressors and concrete mixers, towed-type ditchers, earth borers and drilling equipment, road towed type graders, land levelers, subsoil plows, dewatering pumps, rippers, towed sheepsfoot rollers, earth moving towed type scrapers, low bed semitrailers, tilt bed trailers, terracers, and trailer-mounted electric welders.

(c) Materials such as cable and anchor chain used for streambank stabilization and brush clearing.

(d) Miscellaneous equipment such as bulldozer and angledozer blades, crane booms, dragline and clamshell buckets, crane fairleads, power control units, and similar attachments for tractors, cranes, etc.

§ 663.4 Nongrantable items.

The following types of property shall not be granted to districts: Buildings, office furniture, fixtures, machines and supplies, scientific and engineering instruments and equipment, agricultural machinery and implements that are generally owned or otherwise available at reasonable cost to landusers in the district, passenger motor vehicles, pickups and other types of trucks of less than 1½-ton capacity, repair parts and assemblies, and operation and maintenance materials and supplies for grantable and nongrantable types of property identified in this part.

[FR Doc.74-8072 Filed 4-15-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 51]

CANNED GREEN BEANS AND CANNED WAXED BEANS

Standards of Identity and Quality and Establishment of Fill of Container Standards

Correction

In the document correcting FR Doc. 74-2139 (39 FR 3560; Jan. 28, 1974) and appearing on page 9992 in the issue for Friday, March 15, 1974, paragraphs (5) and (6) should read as follows:

(5) On page 3564, in the first column, in paragraph 1. under the heading "Fill of Container—Proposed Course of Action", the word "filed" should read "filled".

(6) In the third column on page 3565, the word "weight" in line 4 of paragraph (7) should read "weighted".

[21 CFR Part 121]

FOOD ADDITIVES

Hydrogenated 4,4'-Isopropylidenediphenol-Phosphite Ester Resins; Proposed Revocation

An order published in the FEDERAL REGISTER of January 17, 1968 (33 FR 569) amended § 121.2566 (21 CFR 121.2566) to provide for the use of hydrogenated 4,4'-isopropylidenediphenol-phosphite ester resins in polyvinyl chloride resins used in the manufacture of rigid polyvinyl chloride bottles intended for contact with edible oils and all types of dressings for salads. The regulation was amended by an order published in the FEDERAL REGISTER of August 8, 1969 (34 FR 12885) to provide for the additional use of the additive in the manufacture of rigid polyvinyl chloride bottles intended for contact with dry foods of types VIII and IX as described in table 1 of § 121.2526(c). The regulation was further amended by an order published in the FEDERAL REGISTER of November 18, 1969 (34 FR 18303) to provide for the additional use of the additive in vinyl chloride copolymers complying with § 121.2521 (21 CFR 121.2521).

When the additive was first authorized for use under § 121.2566, and when the regulations were amended to provide for additional uses, available data indicated that the proposed uses would be safe. Data have since become available to the Commissioner of Food and Drugs showing that the feeding at a high level of a related compound (4,4'-isopropylidene dicyclohexanyl pentaerythrityl diphosphite) to dogs resulted in neurological hindquarter paralysis. There is a close chemical similarily between the related compounds. However, it is not known exactly what common component of the two compounds, or what breakdown products thereof, or what contaminants that might be present, could be responsible for the adverse effect. So that all due caution is exercised in favor of the consumer, the Commissioner concludes that authorization for use of the subject additive should be revoked.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 701(a), 52 Stat. 1055, 72 Stat. 1785-1788 as amended; (21 U.S.C. 348, 371(a))) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Part 121 in § 121.2566(b) by deleting the item, "Hydrogenated 4,4'-isopropylidene-diphenol-phosphite ester resins * * *" from the List of substances.

Interested persons may, on or before June 17, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may

be seen in the above office during working hours, Monday through Friday.

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8658 Filed 4-15-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-SO-39]

TRANSITION AREA

Proposed Designation

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

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before May 16, 1974, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writting in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

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

The Cartersville transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Cartersville Airport (latitude 34°07'30" N., longitude 84°51'00" W.).

The proposed designation is required to provide controlled airspace protection for IFR operations at Cartersville Airport. A prescribed instrument approach procedure to this airport, utilizing the Rome, Ga. VOR, is proposed in conjunction with the designation of this transition area.

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

Issued in East Point, Ga., on April 8, 1974.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.74-8669 Filed 4-15-74;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Parts 2, 50]

RULES OF PRACTICE; LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Licensing of Duplicate Nuclear Power Plants; Review of Standard Nuclear Power Plant Designs

The Atomic Energy Act of 1954, as amended, requires a license issued by the Commission for the transfer or receipt in interstate commerce, manufacture, production, transfer, acquisition, possession, use, import or export of any production or utilization facility such as a nuclear power reactor. Such licensing, carried out pursuant to the Commission's regulations in 10 CFR Part 50, Licensing of Production and Utilization Facilities, and its rules of practice in 10 CFR Part 2, typically involves the issuance of a permit to construct the nuclear power reactor at an identified site, followed by the issuance of a license to operate the facility after construction is completed. The license applicants have sought authority to construct and operate single or multiple reactors at a single site. The reactor designs described in such applications have been "non-standard" in the sense that they are, in major respects, unique to the site on which they will be constructed and operated.

On April 28, 1972, the Commission issued a policy statement, which pointed out the contributions that standardization could make to higher operating reliability, maintenance and improvement of protection to public health and safety and environmental vaules, concentration of safety-related research and development efforts into fewer areas, and greater efficiency in AEC reviews of plant design. Industry was encouraged to explore possible means of achieving greater standardization. A subsequent statement on the subject of standardization was issued by the Commission on March 5, 1973. The statement described three acceptable approaches to standardization: (1) The "Reference System" concept under which an entire facility design or major fraction thereof can be identified as a standard design to be used in multiple applications; (2) the 'Duplicate Plant" concept under which simultaneous AEC staff review of the safety-related parameters of duplicate plants to be constructed by a utility or a group of utilities may be conducted; and (3) the "License to Manufacture" concept under which the manufacture of standard plants at a location different from the locations at which the plants are to be operated would be the subject of licensing.

The Commission has already published regulations concerning one of these three approaches to standardization—the "License to Manufacture" concept—by the adoption of amendments to 10 CFR Parts 2, 50 and 170 (38 FR 30251, November 2, 1973) and has under consideration the further amendment of its regulations concerning the two other approaches identified in the Commission's March 5, 1973 statement—the "Duplicate Plant" concept and the "Reference System" concept.

THE "DUPLICATE PLANT" CONCEPT

The proposed amendments to 10 CFR Parts 2 and 50 which follow contemplate, in implementation of the "duplicate plant" approach referred to above, that one or more utilities would submit individual construction permit applications which would reference, for the technical information pertaining to design specified in § 50.34 of Part 50, a single document describing the design of the reactors which are to be constructed and operated at the various sites and the postulated site parameters for the design. To the maximum extent practicable, the design so specified would be identical for the various plants covered by the individual applications.[1] Each applicant would be required to submit an environmental report for each individual site. The environmental report would discuss the environmental effects of construction and operation of the proposed reactor at the actual site where it would be located. However, since the design would be essentially the same for all reactors, it is expected that certain basic assumptions concerning the release of radioactive materials during both normal operation and postulated accident conditions would be the same for each of the reactors. The environmental effects of such releases would be individually assessed for each individual site.

The proposed amendments relating to the "Duplicate Plant" concept which follow necessarily provide a degree of flexibility in the hearing process since proceedings on some of the applications involved may be contested, while others may be uncontested. Further, the environmental review may be completed before the radiological health and safety review in the case of some application, while the reverse may be true for others: Though each application will involve a separate proceeding, the required construction permit hearings could, as appropriate, be comprised of two (or more) phases, the sequence of those phases depending on the circumstances, and for any of the phases the hearing sessions could be consolidated to consider common issues relating to all or some of the applications involved.

Thus, for example, in one phase a consolidated construction permit hearing could be convened to consider the radiological health and safety aspects of the nuclear reactors of the proposed design in the context of the postulated site parameters. Following such a consolidated hearing, a partial initial decision could be rendered by the presiding officer which would be appealable in accordance with the existing provisions of the Commission's Rules of Practice, 10 CFR Part 2. No construction permit could, of course, be issued for any facility until

[1] If the designs were not identical in any particular application, that application might not be processed under the proposed amendments.

the completion of the other phase(s) of the hearing on that facility and the resolution of all issues under the Atomic Energy Act of 1954 and the National Environmental Policy Act of 1969 (NEPA). It is expected that antitrust issues would be considered, as now, at separate hearing sessions.

At another phase of the hearings, matters more directly related to an individual application, such as issues under NEPA, the technical and financial qualifications of the applicant, and common defense and security, could be considered separately for each applicant.

In order for an application to be considered as provided in the proposed amendments, it would, of necessity, have to be filed at the same time as other applications that reference the same design or at least within a time sufficient to permit consideration in a manner and in a time frame consistent wth the proposed amendments.

A similar procedure for consolidated hearings and separate phases for such standardized reactors would be available at the operating license stage.

One of the major purposes of the proposed amendments is to assure that there is no unnecessary duplication in the review and hearing process. Accordingly, the amendments would provide that matters reserved for consideration in one phase of the hearings would, in general, not be considered at another phase. Such matters could, however, be considered on the basis of significant new information which substantially affects the conclusions reached at the other phase or other good cause. For example, if the radiological health and safety phase had been concluded first, consideration of such matters at a later phase could be restricted to the question whether a given site fell within the postulated site parameters for the design reference in the application. Depending on the circumstances, including the number of applications involved, one atomic safety and licensing board could preside over all hearing sessions or a number of boards could be designated.

In connection with the proposed amendments which follow, it should be noted that the Commission's regulations in 10 CFR Part 2 presently provide for the holding of hearings on particular issues separately from other issues involved in hearings in licensing proceedings, and for the consolidation of the presentations of parties in adjudicatory proceedings.

THE "REFERENCE SYSTEM" CONCEPT

The proposed amendments to Parts 2 and 50 in implementation of the "Reference System" concept would specifically provide for submittals of either preliminary or final designs for an entire reactor facility or a major portion thereof for review by the Commission's regulatory staff. In lieu of the specific site information required to be submitted in a safety analysis report for an entire reactor design, postulated site parameters for the design would be submitted.

The submittal would be reviewed by the regulatory staff and referred to the Advisory Committee on Reactor Safeguards. If the design is found acceptable, a determination to that effect would be published in the FEDERAL REGISTER and the approved design would be relied on by the staff and the ACRS in their reviews of individual license applications which referenced the approved design, unless there existed significant new information that substantially affects the earlier conclusions or other good cause. Such a design approval would not constitute a commitment to issue a permit or a license, or in any way bind the presiding officers, the Atomic Safety and Licensing Appeal Boards or the Commission in adjudicatory proceedings. However, the Commission could approve a standardized design in a rule making proceeding and, in that event, the design could be challenged only as provided in § 2.758 of the Commission's rules of practice in 10 CFR Part 2. Such approval of a design through a rule making proceeding may require preparation of an environmental impact statement in accordance with § 51.5 of 10 CFR Part 51.

Notice of receipt of a submittal for review of a standard design would be published in the FEDERAL REGISTER, inviting comments by interested persons. The submittal and documents pertaining thereto would be placed in the Public Document Room pursuant to § 2.790.

Consideration is being given to appropriate amendments to 10 CFR Part 170 to reflect the amendments proposed in this notice.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendments of 10 CFR Parts 2 and 50 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, by May 30, 1974.

Copies of comments received may be examined at the Commission's Public Document Room, 1717 H. Street, N.W., Washington, D.C.

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. New Appendices N and O are added to 10 CFR Part 50 to read as follows:

APPENDIX N—STANDARDIZATION OF NUCLEAR POWER PLANT DESIGNS; LICENSES TO CONSTRUCT AND OPERATE NUCLEAR POWER REACTORS OF DUPLICATE DESIGN AT MULTIPLE SITES

Section 101 of the Atomic Energy Act of 1954, as amended, and § 50.10 of this part require a Commission license to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import or export any production or utilization facility. The regulations in this part require the issuance of a construction permit by the Commission before commencement of construction of a production or utilization facility, and the issuance of an operating license before operation of the facility.

The Commission's regulations in Part 2 of this chapter specifically provide for the holding of hearings on particular issues separately from other issues involved in hearings in licensing proceedings (Appendix A, section I(c)), and for the consolidation of adjudicatory proceedings and of the presentations of parties in adjudicatory proceedings such as licensing proceedings (§§ 2.715a, 2.716).

This Appendix sets out the particular requirements and provisions applicable to situations in which applications are filed by one or more applicants for licenses to construct and operate nuclear power reactors of essentially the same design to be located at different sites.[1]

1. Except as otherwise specified in this Appendix or as the context otherwise indicates, the provisions of this part applicable to construction permits and operating licenses, including the requirement in § 50.58 for review of the application by the Advisory Committee on Reactor Safeguards and the holding of public hearings, apply to construction permits and operating licenses subject to this Appendix N.

2. Applications for construction permits submitted pursuant to this Appendix N shall include the information required by §§ 50.33, 50.33a, 50.34(a) and 50.34a(a) and (b). The applicant shall also submit the information required by § 51.20 of this chapter.

For the technical information required by §§ 50.34(a) (1)–(9) and 50.34a (a) and (b), reference may be made to a single preliminary safety analysis of the design[2] which, for the purposes of § 50.34(a)(1), includes one set of site parameters postulated for the design of the reactors, and an analysis and evaluation of the reactors in terms of such postulated site parameters. Such safety analysis shall also include information pertaining to design features of the proposed reactors that affect plans for coping with emergencies in the operation of the reactors, and shall describe the quality assurance programs with respect to design, fabrication, procurement and construction of the reactors.

3. Applications for operating licenses submitted pursuant to this Appendix N shall include the information required by §§ 50.33, 50.33a, 50.34 (b) and (c), and 50.34a(c). The applicant shall also submit the information required by § 51.21 of this chapter. For the technical information required by §§ 50.34 (b)(2)–(5), 50.34(c) and 50.34a(c), reference may be made to a single final safety analysis of the design.

APPENDIX O—STANDARDIZATION OF DESIGN; STAFF REVIEW OF STANDARD DESIGNS

This appendix sets out procedures for the filing, staff review and referral to the Advisory Committee on Reactor Safeguards of standard designs for a nuclear power reactor of the type described in § 50.22 or major portions thereof.

1. Any person may submit a proposed preliminary or final standard design for a nuclear power reactor of the type described in § 50.22 to the regulatory staff for its review. Such a submittal may consist of either the preliminary or final design for the entire reactor facility or the preliminary or final design of major portions thereof.

[1] If the design for the power reactor(s) proposed in a particular application is not identical to the others, that application may not be processed under this appendix and Subpart D of Part 2 of this chapter.

[2] As used in this Appendix, the design of a nuclear power reactor included in a single referenced safety analysis report means the design of those structures, systems and components important to radiological health and safety and the common defense and security.

2. The submittal for review of the standard design shall be made in the same manner and in the same number of copies as provided in § 50.30(a), (c) (1) and (3) for license applications.

3. The submittal for review of the standard design shall include the information described in § 50.33(a)–(d) and the applicable technical information required by §§ 50.34 (a) and (b), as appropriate, and 50.34a (other than that required by §§ 50.34(a) (6) and (10), 50.34(b) (6) (i), (ii), (iii), (iv), and (v) and 50.34(b) (7)). The submittal shall also include a description, analysis and evaluation of the interfaces between the submitted design and the balance of the nuclear power plant. With respect to the requirements of §§ 50.34(a) (1), the submittal for review of a standard design shall include the site parameters postulated for the design, and an analysis and evaluation of the design in terms of such postulated site parameters. The information submitted pursuant to § 50.34(a) (7) shall be limited to the quality assurance program to be applied to the design, procurement and fabrication of the structures, systems, and components for which design review has been requested and the information submitted pursuant to § 50.34(a) (9) shall be limited to the qualifications of the person submitting the standard design to design the reactor or major portion thereof. The submittal shall also include information pertaining to design features that affect plans for coping with emergencies in the operation of the reactor or major portion thereof and information pertaining to design features required by § 50.34

4. Once the regulatory staff has initiated a technical review of a submittal under this Appendix, the submittal will be referred to the Advisory Committee on Reactor Safeguards (ACRS) for a review and report.

5. Upon completion of their review of a submittal under this Appendix, the regulatory staff shall publish in the FEDERAL REGISTER a determination as to whether or not the preliminary or final design is acceptable, subject to such conditions as may be appropriate, and make available in the Public Document Room an analysis of the design in the form of a report. An approved design shall be utilized by and relied upon by the regulatory staff and the ACRS in their review of any individual facility license application which incorporates by reference a design approved in accordance with this paragraph unless there exists significant new information which substantially affects the earlier determination or other good cause.

6. The determination and report by the regulatory staff shall not constitute a commitment to issue a permit or license, or in any way affect the authority of the Commission, Atomic Safety and Licensing Appeal Board, atomic safety and licensing boards, and other presiding officers in any proceeding under Subpart G of Part 2 of this chapter.

7. The Commission may, on its own initiative or in response to a petition for rulemaking, approve the design in a rulemaking proceeding and in that event, the approved design will be subject to challenge only as provided in § 2.758 of this chapter. An environmental impact statement may be prepared for such a rulemaking action in accordance with § 51.5 of this chapter. If an vironmental impact statement may be prepared, the Commission may require the petitioner for rulemaking to submit information to the Commission to aid the Commission in the preparation of the environmental impact appraisal.

PART 2—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

2. A new § 2.110 is added to 10 CFR Part 2 to read as follows:

§ 2.110 Filing and administrative action on submittals for design review.

(a) A submittal pursuant to Appendix O of Part 50 of this chapter shall be subject to §§ 2.101(a) and 2.790 to the same extent as if it were an application for a permit or license.

(b) Upon initiation of review of such a submittal by the regulatory staff, the Director of Regulation shall publish in the FEDERAL REGISTER a notice of receipt of the submittal, inviting comments from interested persons within 60 days of publication or such other time as may be specified, for consideration by the staff and ACRS in their review.

(c) Upon completion of review of such a submittal by the regulatory staff and the ACRS, the Director of Regulation shall publish in the FEDERAL REGISTER a determination as to whether or not the design is acceptable, subject to such conditions as may be appropriate, and place in the Public Document Room an analysis of the design in the form of a report.

3. A new Subpart D is added to 10 CFR Part 2 to read as follows:

Subpart D—Additional Procedures Applicable to Proceedings for the Issuance of Licenses to Construct or Operate Nuclear Power Plants of Duplicate Design at Multiple Sites

Sec.
2.400 Scope of part.
2.401 Notice of hearing on applications pursuant to Appendix N of Part 50 for construction permits.
2.402 Separate hearings on separate issues; consolidation of proceedings.
2.403 Notice of proposed action on applications for operating licenses pursuant to Appendix N of Part 50.
2.404 Hearings on applications for operating licenses pursuant to Appendix N of Part 50.
2.405 Initial decisions in consolidated hearings.
2.406 Finality of decisions on separate issues.
2.407 Applicability of other sections.

§ 2.400 Scope of subpart.

This subpart prescribes procedures applicable to licensing proceedings which involve the consideration in hearings of a number of applications, filed by one or more applicants pursuant to Appendix N of Part 50 of this chapter, for licenses to construct and operate nuclear power reactors of essentially the same design to be located at different sites.

§ 2.401 Notice of hearing on applications pursuant to Appendix N of Part 50 for construction permits.

(a) In the case of applications pursuant to Appendix N of Part 50 of this Chapter for construction permits for nuclear power reactors of the type described in § 50.22 of this chapter, the Secretary will issue notices of hearing pursuant to § 2.104.

(b) The notice of hearing will also state the time and place of the hearings on any separate phase of the proceeding.

§ 2.402 Separate hearings on separate issues; consolidation of proceedings.

(a) In the case of applications pursuant to Appendix N of Part 50 of this chapter for construction permits for nuclear power reactors of a type described in § 50.22 of this chapter, the Commission or the presiding officer may order separate hearings on particular phases of the proceeding, such as matters related to the acceptability of the design of the reactor, in the context of the site parameters postulated for the design; environmental matters; or antitrust aspects of the application.

(b) If a separate hearing is held on a particular phase of the proceeding, the Commission may, pursuant to § 2.716, consolidate for hearing on that phase two or more proceedings to consider common issues relating to the applications involved in the proceedings, if it finds that such action will be conducive to the proper dispatch of its business and to the ends of justice. In fixing the place of any such consolidated hearing due regard will be given to the convenience and necessity of the parties, petitioners for leave to intervene and the attorneys or representatives of such persons, and the public interest.

§ 2.403 Notice of proposed action on applications for operating licenses pursuant to Appendix N of Part 50.

In the case of applications pursuant to Appendix N of Part 50 of this chapter for operating licenses for nuclear power reactors, if the Commission has not found that a hearing is in the public interest, the Director of Regulation will, prior to acting thereon, cause to be published in the FEDERAL REGISTER, pursuant to § 2.105, a notice of proposed action with respect to each application as soon as practicable after the applications have been docketed.

§ 2.404 Hearings on applications for operating licenses pursuant to Appendix N of Part 50.

If a request for a hearing and/or petition for leave to intervene is filed within the time prescribed in the notice of proposed action on an application for an operating license pursuant to Appendix N of Part 50 of this chapter with respect to a specific reactor(s) at a specific site and the Commission or an atomic safety and licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel has issued a notice of hearing or other appropriate order, the Commission or the atomic safety and licensing board may order separate hearings on particular phases of the proceeding and/or consolidate for hearing two or more proceedings in the manner described in § 2.402.

§ 2.405 Initial decisions in consolidated hearings.

At the conclusion of any hearing held pursuant to this subpart, the presiding officer will render a partial initial decision which may be appealed pursuant to § 2.762. No construction permit or full power operating license will be issued until an initial decision has been issued on all phases of the hearing and all issues under the Act and the National Environmental Policy Act of 1969 appropriate to the proceeding have been resolved.

§ 2.406 Finality of decisions on separate issues.

Notwithstanding any other provision of this chapter, in a proceeding conducted pursuant to this subpart and Appendix N of Part 50 of this chapter, no matter which has been reserved for consideration in one phase of the hearing shall be considered at another phase of the hearing except on the basis of a significant new information that substantially affects the conclusion(s) reached at the other phase or other good cause.

§ 2.407 Applicability of other sections.

The provisions of Subparts A and G relating to construction permits and operating licenses apply, respectively, to construction permits and operating licenses subject to this subpart, except as qualified by the provisions of this subpart.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 USC 2201)).

Dated at Germantown, Maryland, this 9th day of April, 1974.

For the Atomic Energy Commission.

GORDON M. GRANT,
Acting Secretary of the Commission.

[FR Doc.74-8636 Filed 4-15-74;8:45 am]

[10 CFR Part 20]

STANDARDS FOR PROTECTION AGAINST RADIATION

Special Curie Definitions and Concentration Values in Air and Water for Uranium and Thorium

The Atomic Energy Commission has under consideration amendments to its regulations which would discontinue the use in 10 CFR Part 20 of the special curie definitions for natural uranium and natural thorium in § 20.5(c)(1), and would amend associated concentration and quantity values in 10 CFR Part 20, Appendices B and C accordingly. These amendments are proposed in response to a petition for rulemaking (PRM-20-3) filed with the Commission by the General Electric Company on October 30, 1972. A notice of filing of the petition was published in the FEDERAL REGISTER on November 18, 1972 (37 FR 24697). In addition to these changes, the Commission is also proposing deletion of the values for the equivalence between gravimetric and curie units in § 20.5(c)(2).

The Commission considers that the special curie definitions are unncessary, that they have led to confusion, and that they are no longer regarded as useful by the scientific community. The equivalence between gravimetric and curie units for natural uranium would appear in Appendix B to Part 20. No necessity for use of this equivalence for natural thorium is occasioned by Part 20. Therefore, the Commission is considering the deletion of § 20.5(c)(2).

Although the proposed concentrations provided in Appendix B for natural uranium and natural thorium would be higher numerically by a factor of approximately two than the present values, there would be essentially no change in the actual quantity permitted per milliliter of air or water. The numerical increase is counter-balanced by the change in the curie definition, which is reduced by the same factor. For natural uranium, the proposed concentrations for soluble compounds would be the same as those proposed for insoluble compounds. This opportunity for simplification is due to arithmetic rounding of the calculated results.

A new footnote 3 to Appendix B would provide a warning that the chemically toxic properties of uranium should be considered for certain mixtures of the naturally occurring uranium isotopes. For occupational exposure to these mixtures, this footnote would establish 0.2 milligrams uranium per cubic meter of air as the appropriate concentration value. This concentration value was adopted by the American Conference of Governmental Industrial Hygienists in 1971; it is approximately equivalent to 0.7×10^{-10} microcuries per milliter (μCi/ml) for depleted uranium, 1.4×10^{-10} μCi/ml for natural uranium, and 4.6×10^{-10} μCi/ml for uranium enriched to 5 percent by weight in the uranium-235 isotope. The footnote would also provide a limit for the weekly intake of any mixture of uranium-238, uranium-235 and uranium-234. The principal impact of the footnote would be to assure, where necessary, that air sample results are evaluated according to the uranium mass concentration and to help assure that the effects of uranium as a chemical, as well as a radiological toxicant are considered in the implementation of protection programs.

Note 4 to Appendix B presently provides alternative concentration values where exposure to uranium ore dust is encountered prior to chemical processing. These values are given in both activity and gravimetric units. The proposed amendments would numerically increase the concentration values that are given in activity units, but would make no actual change in the values since the curie definition would be decreased proportionately. The values given in gravimetric units would remain unchanged.

In Appendix C the quantity of 50 microcuries would be increased numerically to 100 microcuries, for both natural thorium and natural uranium, but elimination of the special curie definition would leave the actual quantities of material unchanged. The proposed addition in Appendix C of a footnote to the natural thorium value would specify that thorium-230 be included in the 100-microcurie measurement; the present quantity is restricted by the special curie definition to thorium-232 and thorium-228. Since thorium-230 may be a major constituent from the standpoint of radiation protection, and since it has a very long halflife, the measurement of this isotope would be required in the determination of the natural thorium quantity. This footnote would also clarify questions which have arisen as to whether emissions from thorium daughter products and other thorium isotopes, i.e., emissions from nuclides other than thorium-232, thorium-228 and thorium-230 are to be counted. A similar footnote is proposed for the natural uranium value in Appendix C, for the same reason.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 20 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, by May 31, 1974. Copies of comments received on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

§ 20.5 [Amended]

1. Paragraph (c) of § 20.5 is deleted.

APPENDIX B

2. In Appendix B, the air and water concentrations for U natural and Th natural are revised, and a new footnote 3 for U-234 S, U-235 S, U-238 S, and U natural S, is added, and paragraphs (a) and (b) of note 4 are revised to read as follows:

Element (atomic number)	Isotope [3]		Table I Column 1 Air (μCi/ml)	Table I Column 2 Water (μCi/ml)	Table II Column 1 Air (μCi/ml)	Table II Column 2 Water (μCi/ml)
* * *	* * *		* * *	* * *	* * *	* * *
* * *	* * *		* * *	* * *	* * *	* * *
Thorium (90)	Th natural	S	6×10^{-11}	6×10^{-5}	2×10^{-12}	2×10^{-6}
		I	6×10^{-11}	6×10^{-4}	2×10^{-12}	2×10^{-5}
* * *	* * *		* * *	* * *	* * *	* * *
* * *	* * *		* * *	* * *	* * *	* * *
Uranium (92)	U 234 [3]	S	6×10^{-10}	9×10^{-4}	2×10^{-11}	3×10^{-5}
	* * *		* * *	* * *	* * *	* * *
	U 235 [3]	S	5×10^{-10}	8×10^{-4}	2×10^{-11}	3×10^{-5}
	* * *		* * *	* * *	* * *	* * *
	U 238 [3]	S	7×10^{-11}	1×10^{-3}	3×10^{-12}	4×10^{-5}
	* * *		* * *	* * *	* * *	* * *
	U natural [3]	S	1×10^{-10}	1×10^{-3}	5×10^{-12}	3×10^{-5}
		I	1×10^{-10}	1×10^{-3}	5×10^{-12}	3×10^{-5}
	* * *		* * *	* * *	* * *	* * *

* * * * *

3. For soluble mixtures of U^{235}, U^{234} and U^{235} in air chemical toxicity may be the limiting factor. If the percent by weight (enrichment) of U^{235} is less than 5, the concentration value for a 40-hour workweek, Table I, is 0.2 milligrams uranium per cubic meter of air average. For any enrichment, the product of the average concentration and time of exposure during a 40-hour workweek shall not exceed 8×10^{-3} SA μCi-hr/ml, where SA is the specific activity of the uranium inhaled. The concentration value for Table II is 0.007 milligrams uranium per cubic meter of air. The specific activity for natural uranium is 6.77×10^{-7} curies per gram U. The specific activity for other mixtures of U^{235}, U^{235} and U^{234}, if not known, shall be:

$SA=3.6\times10^{-7}$ curies/gram U — U-depleted

$SA=(0.4+0.38\ E+0.0034\ E^2)$ — $E\geq0.72$

where E is the percentage by weight of U^{235}, expressed as percent.

3. In the Note to Appendix B, paragraphs 4(a) and 4(b) are revised to read as follows:

NOTE: * * *

4. * * *

a. For purposes of Table I, Col. 1—1×10^{-10} μCi/ml gross alpha activity; or 5×10^{-11} μCi/ml natural uranium; or 75 micrograms per cubic meter of air natural uranium.

b. For purposes of Table II, Col. 1—3×10^{-12} μCi/ml gross alpha activity; or 2×10^{-12} μCi/ml natural uranium; or 3 micrograms per cubic meter of air natural uranium.

APPENDIX C

4. In Appendix C, the microcurie values for Thorium (natural) and Uranium (natural) in the Microcurie column are changed, and footnotes 1 and 2 are added to read as follows:

Material	*Microcuries*
* * * *	*
Thorium (natural) [1]	100
* * * *	*
Uranium (natural) [2]	100
* * * *	*

[1] Based on alpha disintegration rate of Th-232, Th-230 and their daughter products.

[2] Based on alpha disintegration rate of U-238, U-234 and U-235.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Washington, D.C. this 11th day of April 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-8805 Filed 4-15-74;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 288, 399]

[Docket No. 26598]

EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Notice of Proposed Rule Making

APRIL 10, 1974.

Notice is hereby given that the Civil Aeronautics Board proposes to amend Part 288 of its Economic Regulations (14 CFR Part 288) and Part 399 of its Statements of General Policy (14 CFR Part 399) with respect to certain air transportation services performed for the Department of Defense (DOD). The purpose of the proposed amendment is explained in the attached Explanatory Statement, and the proposed amendment is set forth in the proposed rule. As discussed in the Explanatory Statement, the Board proposes to amend the interim final minimum rates for the carriage of Category A and Category Z military traffic [1] by providing for a 7.64 percent increase in those rates to cover added operating costs due to increased commercial fuel prices, to be effective prospectively upon adoption of the final rule. The amendments are proposed under the authority of sections 204, 403 and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 758 and 771, as amended; 49 U.S.C. 1324, 1373 and 1386).

Interested persons may participate in the proposed rule making through submission of 12 copies of written data, views or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material in communications received on or before April 25, 1974, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue, NW, Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[1] Established in ER-819 and PS-53, August 28, 1973.

EXPLANATORY STATEMENT

By ER-819 and PS-53, adopted August 28, 1973, the Board amended Part 288 of its Economic Regulations (14 CFR Part 288) and Part 399 of its Statements of General Policy (14 CFR Part 399) by establishing interim final minimum MAC rates for overseas and foreign air transportation performed for the Military Airlift Command, effective on and after August 28, 1973. Included in this action was a provision for prospective rate adjustments, either upward or downward, to reflect future fluctuations in the price of fuels obtained from DOD sources in connection with those services. By EDR-265, dated March 27, 1974, the Board is proposing to further amend Part 288 by providing a 7.64 percent surcharge to the long-range Category B minimum rates, effective on and after March 27, 1974, to cover increased commercial fuel costs as of February 1, 1974.[1] This surcharge applies to the plane-load military charters generally performed between domestic and overseas military bases, but not to the Category A and Z traffic carried on scheduled flights between commercial terminals.

Historically, although Category A and Z rates apply to military traffic carried on scheduled services, the rates are derived from the international long-range Category B one-way charter rate determinations. In view of the recent proposal to increase existing long-range Category B minimum rates by 7.64 percent to cover increased fuel costs, the Board is tentatively of the view that it is appropriate to propose a similar increase in the Category A and Z rates, in order to maintain the present relationships with Category B rates. An added consideration is the fact that the present fuel situation has resulted in even greater percentage increases in the rates

[1] Commercial fuel represents about fifty percent of total fuel purchased for MAC long-range operations.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*		*	*	*	*
Wyoming	Hotsprings	Thermopolis, town of.	H 55 017 0630 01	Wyoming Director and Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82001.	Building Committee, City Hall, Thermopolis, Wyo. 82443.	Do.
Do.	Laramie	Pine Bluffs, town of.	H 55 021 0640 01 through H 55 021 0640 02	do.	Mayor, Pine Bluffs, Wyo. 82082.	Do.
Do.	Platte	Wheatland, town of.	H 55 031 0530 01	do.	Mayor, City Hall, Wheatland, Wyo. 82201.	Do.

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

Issued: April 5, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-8558 Filed 4-15-74;8:45 am]

Title 32—National Defense

CHAPTER XIV—RENEGOTIATION BOARD

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

MISCELLANEOUS AMENDMENTS TO CHAPTER

The Renegotiation Board hereby adopts the proposed amendments to Parts 1472, 1473, 1474, 1475, 1477 and 1480 which were published on January 18, 1974 (39 FR 2276-2278), certain changes having been made therein.

In adopting these regulations, the Board has endeavored to provide contractors with more information regarding the basis for its findings and final determinations in renegotiation proceedings. The new regulations provide for the issuance of three new types of documents. A Final Opinion, stating the basis for a final determination of excessive profits, if any, and a Regional Board Opinion, stating the basis for a final recommendation of excessive profits, if any, will be furnished to the contractor at the time the Board or the Regional Board, as the case may be, takes its final action in a renegotiation proceeding. Final Opinions and Regional Board Opinions, as well as concurrences and dissents thereto, will be made available for public inspection and copying in the Board's public information library. A Proposed Opinion, stating the basis for an unagreed to finding of excessive profits, will be issued to the contractor before the entry of a final determination or recommendation of excessive profits to assist the Board or the Regional Board, as the case may be, in reaching an agreement with the contractor.

The new regulations, as adopted, read as set forth below.

Dated: April 11, 1974.

W. S. WHITEHEAD,
Chairman.

PART 1472—CONDUCT OF RENEGOTIATION

§ 1472.2 [Amended]

Paragraph (c) of § 1472.2 *Procedure in special circumstances* is amended by adding at the end thereof the following reference: "(See 1475.2)"

§ 1472.3 [Amended]

Section 1472.3 *Conduct of renegotiation by Regional Board* is amended as follows:

1. Paragraph (h) is amended by deleting the second and third sentences in their entirety and inserting in lieu thereof the following:

"If the Regional Board approves the Clearance Recommendation or the Clearance Notice Report and finds that the contractor did not realize any excessive profits, the clearance procedure set forth in Part 1473 of this chapter will be followed."

2. Paragraph (k) (4) (i) is amended by deleting the first, second and third sentences in their entirety and inserting in lieu thereof the following:

"If within the time fixed therefor the contractor does not request a meeting with a panel, the Regional Board will make a finding with respect to the amount, if any, of excessive profits realized by the contractor in the fiscal year under review."

3. Paragraph (k) (4) (iii) is amended by deleting the first sentence in its entirety and inserting in lieu thereof the following:

"If the finding of the Regional Board is that the contractor realized excessive profits, the Regional Board will notify the contractor by registered mail of such finding and, at the same time, will furnish the contractor with a Proposed Opinion, pursuant to § 1477.3 of this chapter. The contractor will be afforded a reasonable time, to be fixed by the Regional Board, to notify the Regional Board, whether it is or is not willing to enter into a refund agreement."

4. Paragaph (m) (1) is amended by changing the comma after the word "review" in the third sentence to a period and deleting that portion of such sentence which follows such comma.

5. Paragraph (m) (3) is amended by deleting the first sentence in its entirety and inserting in lieu thereof the following:

"If the finding of the Regional Board is that the contractor realized excessive profits, the Regional Board will notify the contractor by registered mail of such finding and, at the same time, will furnish the contractor with a Proposed Opinion, pursuant to § 1477.3 of this chapter. The contractor will be afforded a reasonable time, to be fixed by the Regional Board, to notify the Regional Board whether it is or is not willing to enter into a refund agreement."

§ 1472.4 [Amended]

Section 1472.4 *Conduct of renegotiation by Board* is amended as follows:

1. Paragraph (c) (1) is amended by changing the comma after the word "review" in the fourth sentence to a period and deleting that portion of such sentence which follows such comma.

2. Paragraph (c) (3) is amended by deleting the first sentence in its entirety and inserting in lieu thereof the following:

"If the finding of the Board is that the contractor realized excessive profits, the Board will notify the contractor by registered mail of such finding and, at the same time, will furnish the contractor with a Proposed Opinion, pursuant to § 1477.3 of this chapter. The contractor will be afforded a reasonable time, to be fixed by the Board, to notify the Board whether it is or is not willing to enter into a refund agreement."

§ 1472.5 [Amended]

Section 1472.5 *Notice of Points for Presentation* is amended by deleting the second sentence of paragraph (d) in its entirety.

PART 1473—CLEARANCE PROCEDURE

§ 1473.2 [Amended]

Section 1473.2 *Procedure in Regional Board* is amended as follows:

1. Paragraph (a) is amended by deleting from the second sentence the words "by the Regional Board" and inserting in lieu thereof the following:

"* * * by registered mail and, at the same time, will furnish the contractor with a Regional Board opinion, pursuant to § 1477.3 of this chapter."

2. Paragraph (b) is amended by inserting before the period at the end thereof the following:

" * * * and, at the same time, will furnish the contractor with a Final Opinion, pursuant to § 1477.3 of this chapter.

§ 1473.3 [Amended]

Section 1473.3 *Procedure in Board* is amended by inserting before the period at the end thereof the following:

"* * * and, at the same time, will furnish the contractor with a Final Opinion, pursuant to § 1477.3 of this chapter."

PART 1474—AGREEMENT PROCEDURE

§ 1474.3 [Amended]

Section 1474.3 *Procedure in Regional Board* is amended as follows:

1. Paragraph (b) is amended by inserting between the present first and second sentences the following:

"The Regional Board will notify the contractor, in writing, of the action taken and, at the same time, will furnish the contractor with a Regional Board Opinion, pursuant to § 1477.3 of this chapter."

2. Paragraph (b) is further amended by inserting immediately before the last sentence the following:

"The Board will notify the contractor, in writing, of such execution and, at the same time, will furnish the contractor with a Final Opinion, pursuant to § 1477.3 of this chapter."

3. Paragraph (c) is amended by adding at the end thereof the following:

"The Regional Board will notify the contractor, in writing, of such execution and, at the same time, will furnish the contractor with a Final Opinion, pursuant to § 1477.3 of this chapter."

§ 1474.4 [Amended]

Section 1474.4 *Procedure in Board* is amended by adding at the end thereof the following:

"In every case, the Board will notify the contractor, in writing, of the Government's execution of the agreement and, at the same time, will furnish the contractor with a Final Opinion, pursuant to § 1477.3 of this chapter."

PART 1475—UNILATERAL ORDER PROCEDURE

§ 1475.2 [Amended]

Section 1475.2 *When unilateral order procedure used* is amended by changing the period at the end thereof to a colon and adding the following:

"*Provided,* That in cases in which the procedures set forth in Part 1472 of this chapter have been combined, accelerated or otherwise modified pursuant to § 1472.2(c) thereof the Board or the Regional Board may waive or otherwise modify the requirements of this Part 1475 relating to Final Opinions and Regional Board Opinions issued pursuant to § 1477.3 of this chapter."

§ 1475.3 [Amended]

Section 1475.3 *Procedure in Regional Board* is amended by inserting between the present first and second sentences the following:

"The Regional Board will notify the contractor by registered mail of the action taken and, at the same time, will furnish the contractor with a Regional Board Opinion, pursuant to § 1477.3 of this chapter."

§ 1475.4 [Amended]

Section 1475.4 *Procedure in Board* is amended by changing the period at the end thereof to a semicolon and adding the following:

"* * * at the same time, the Board will furnish the contractor with a Final Opinion, pursuant to § 1477.3 of this chapter."

PART 1477—STATEMENTS TO CONTRACTORS

Section 1477.3 is revised to read as follows:

§ 1477.3 Furnishing of other statements.

(a) *Proposed Opinion.* A Proposed Opinion, stating the basis for a finding of excessive profits by the Board or a Regional Board, as the case may be, will be issued as provided in §§ 1472.3 and 1472.4 of this chapter.

(b) *Final Opinion.* A Final Opinion, stating the basis for a final determination of excessive profits, if any, will be issued by the Board or, in cases concluded pursuant to its delegated authority, by a Regional Board as provided in §§ 1473.2(b), 1473.3, 1474.3(b) and (c), 1474.4, 1475.2, and 1475.4 of this chapter.

(c) *Regional Board Opinion.* A Regional Board Opinion stating the basis for a final recommendation of excessive profits, if any, will be issued by a Regional Board as provided in §§ 1473.2(a), 1474.3(b), 1475.2 and 1475.3 of this chapter.

(d) *Concurring Opinions and Dissenting Opinions.* Concurring Opinions and Dissenting Opinions, expressing the individual views of one or more Board Members, or one or more Regional Board Members, as the case may be, if any have been prepared, will be deemed a part of, and furnished at the same time as, the related Final Opinion or Regional Board Opinion.

PART 1480—AVAILABILITY AND CONTROL OF RENEGOTIATION RECORDS AND INFORMATION

§ 1480.5 [Amended]

Section 1480.5 *Public inspection of records; index* is amended by deleting the last sentence of paragraph (a) and inserting in lieu thereof the following:

(16) Summaries of Facts and Reasons.
(17) Final Opinions.
(18) Regional Board Opinions.

As a part of the documents referred to in paragraphs (a) (3), (15), (16), (17), and (18) of this section, (a), the Board will also make available concurrences and dissents thereto.

(Sec. 109, 65 Stat. 22; 50 U.S.C.A., App. Sec. 1219)

[FR Doc.74-8652 Filed 4-15-74;8:45 am]

Title 35—Panama Canal

CHAPTER I—CANAL ZONE REGULATIONS

SUBCHAPTER E—EMPLOYMENT AND COMPENSATION IN THE CANAL ZONE

PART 253—REGULATIONS OF THE SECRETARY OF THE ARMY

Subpart D—Compensation and Allowances

TROPICAL DIFFERENTIAL

Effective at the beginning of the first pay period after publication in the FEDERAL REGISTER, paragraph (b) of § 253.-135 is amended to read as follows:

§ 253.135 Tropical differential.

* * * * *

(b) The tropical differential shall be paid to employees who are U.S. citizens except as provided in the following subparagraphs:

(1) When a U.S. citizen employee is married to another U.S. citizen employee, the differential may be paid to one spouse only.

(2) The U.S. citizen employee whose spouse is a member of a U.S. military service stationed in the area may be paid the differential only to the extent the amount of the differential otherwise payable exceeds the amount of the total housing allowance (BAQ plus the housing portion of the station allowance) established for Panama City, Republic of Panama for a military member having the same rank and family size as the employee's military spouse. The U.S. citizen employee whose spouse, by reason of U.S. Government employment in the Republic of Panama, is eligible under the Department of State Standardized Regulations (Government Civilians, Foreign Areas) (DSSR) for a living quarters allowance (LQA) may be paid the differential only to the extent the amount of the differential otherwise payable exceeds the amount of LQA established for Panama City, Republic of Panama by sections 920 and 932.22 of the DSSR for one in the same quarters group and with the same family size as the employee's spouse.

(3) A child or stepchild of a resident of the Canal Zone or the Republic of

and fares applicable to the scheduled services on which Category A and Z traffic are carried, and an equitable distribution of the impact of rising fuel prices requires that all traffic moving on scheduled services bear some of the cost increases.[2]

However, whereas EDR-265 proposes an automatic monthly re-opening of the fuel surcharge rate to permit retroactive adjustments reflecting the most recent fuel price data, the Board does not believe that such a procedure could be practically applied to the individually ticketed or waybilled Category A and Z services.[3] Accordingly, we propose to amend the Category A and Z minimum rates prospectively only, by providing for a fuel surcharge effective upon adoption of the final rule, subject in the case of Category Z traffic to an expiration date[4] which will permit review of the surcharge rate in the light of subsequent fuel price developments.

We are, therefore, proposing to amend the interim final MAC rate provisions by increasing the current minimum Category A and Z rates set out in ER-819 and PS-53 by a surcharge of 7.64 percent. Also, we will require that the tariffs filed to implement the Category Z surcharge bear an expiration date of June 30, 1974.

It is proposed to amend Part 288 of the Economic Regulations and Part 399, Statements of General Policy (14 CFR Parts 288 and 399), as follows:

1. Amend § 288.7(d)(1) and (2) to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(d) For Category A transportation services on and after August 28, 1973:

(1) Passengers, 3.842 cents per passenger-mile.

(2) Cargo, 15.534 cents per ton-mile.

Provided, however, That effective _____, through June 30, 1974, the total minimum compensation for Category A transportation, pursuant to the rates specified above, shall be increased by a surcharge of 7.64 percent.

2. Amend § 399.16(b) to read as follows:

§ 399.16 Military Exemptions.

* * * * *

(b) The minimum charge considered fair and reasonable for the transportation of Category Z individually ticketed passengers in foreign and overseas transportation and in air transportation between the 48 contiguous states on the one hand and Hawaii or Alaska on the other, effective on and after August 28, 1973, will be 3.842 cents per passenger-mile applied to the shortest mileage between the commercial air carrier points as set forth in the current IATA Mileage Manual to compute point-to-point passenger fares; *Provided, however*, That effective _____, through June 30, 1974, the total minimum compensation for Category Z transportation, shall be increased by a surcharge of 7.64 percent.

[FR Doc.74-8719 Filed 4-15-74;8:45 am]

[2] See e.g. Orders 74-3-63, March 13, 1974; 74-2-126, February 28, 1974; 74-1-152, January 30, 1974; and 73-12-77, December 19, 1973.

[3] Particularly in view of the tariff filing requirements for Category Z rates.

[4] We are proposing that tariffs implementing the fuel surcharge provision expire June 30, 1974.

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Ohio; Secondary Standards for Particulate Matter

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator granted an 18-month extension for submission of a plan to attain and maintain secondary standards for particulate matter in the Greater Metropolitan Cleveland Intrastate Region (Cleveland) and the Ohio portions of the Steubenville-Weirton-Wheeling (Steubenville) and Northwest Pennsylvania-Youngstown (Youngstown) Intrastate Regions in the State of Ohio. On January 25, 1974, the Governor of Ohio submitted the required plan. The plan had been adopted by the Ohio Environmental Protection Agency following a public hearing held on January 8, 1974 in Youngstown, Ohio.

To assist in the development of the control strategy, the Environmental Protection Agency funded studies in the Cleveland, Youngstown and Steubenville Regions to better define the emission sources which contribute to ambient concentrations of suspended particulate. The additional and more precise data obtained through these studies were utilized in a diffusion model for the Cleveland and Youngstown regions (rather than the less sophisticated rollback calculations previously utilized) with the predicted results that the secondary standards for particulate matter would be achieved in these regions by May 31, 1975 by applying emission limitation measures already approved in the Ohio Implementation Plan. Similarly in the Steubenville Region an updated rollback calculation (diffusion modeling is unavailable because of the irregular terrain) based on the new emission inventories demonstrated that enforcement of the approved Ohio plan for achieving primary particulate standards in that Region would produce adequate emission reductions to achieve and maintain the secondary particulate standards as well.

The currently approved Ohio regulations which are proposed to achieve the secondary particulate standards in the Cleveland, Youngstown and Steubenville Regions are: AP-3-01, Definitions; AP-3-06, Classification of Regions: AP-3-07, Control of Visible Air Contaminants from Stationary Sources; AP-3-08, Open Burning Prohibited; AP-3-09, Restriction of Emission of Fugitive Dust and Gases; AP-3-10, Restriction on Emissions from Incinerators; AP-3-11, Restriction on Emission of Particulate Matter from Fuel Burning Equipment; AP-3-12, Restriction of Emission of Particulate Matter from Industrial Processes.

The Administrator is hereby setting forth the Ohio plan to attain and maintain secondary particulate standards in the Cleveland, Youngstown and Steubenville Regions as proposed rulemaking and is providing opportunity for public comment on whether the plan as proposed should be approved pursuant to section 110 of the Clean Air Act, as amended. The Administrator's decision to approve or disapprove the plan will be based on whether the strategies meet the requirements of section 110(a)(2)(A)-(H) of the Clean Air Act and 40 CFR Part 51.

Copies of this plan are available for public inspection during normal business hours at the U.S. EPA, Program Support Branch, Division of Air & Water Programs, Region V, 1 North Wacker Drive, Chicago, Illinois 60606. Relevant comments received on or before May 16, 1974 will be considered. Comments received will be available during normal working hours at the Region V office. All relevant matter presented shall be evaluated and the Agency will incorporate in the rules adopted a concise general statement of their basis and purpose.

AUTHORITY: Sec. 110(a) of the Clean Air Act, as amended, 42 U.S.C. 1857c-5(a).

Dated: April 8, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-8649 Filed 4-15-74;8:45 am]

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Utah

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act, as amended, and 40 CFR Part 51, the Administrator of the Environmental Protection Agency approved, with specific exceptions, a plan for implementation of the national ambient air quality standards submitted by Utah. On July 27, 1972 (37 FR 15094), the Administrator proposed regulations to correct deficiencies in the regulatory provisions of the Utah plan. The proposed regulations included emissions limitations for sulfur oxides from the Kennecott Copper Corp. copper smelter near Magna, Utah, and for particulate matter from process sources, fuel combustion, incineration and coke ovens in the Wasatch Front Intrastate Region.

Public hearings on the proposed regulations were conducted in Salt Lake City

by the Environmental Protection Agency on September 14, 1972, and November 9, 1972. Interested parties presented their comments at these hearings and through the mail. Consideration of this information and further review of the proposed regulations led to only minor revisions. The particulate matter regulations were promulgated on May 14, 1973 (38 FR 12696).

This publication proposes amendments to the particulate matter regulations applicable to process sources (§ 52.2330(c)(1)) and byproduct coke ovens (§ 52.2330(c)(4)) and to the Federal Compliance Schedule (§ 52.2327(b)).

AMENDMENTS AFFECTING UNITED STATES STEEL CORPORATION'S GENEVA PLANT

Following the promulgation of the particulate matter regulations for the Wasatch Front Intrastate Region on May 14, 1973, United States Steel Corp. filed a "Petition for Reconsideration, for Clarification, for Modification and for Supplemental Hearing at which New Evidence may be Submitted" with the Environmental Protection Agency on June 11, 1973. On August 21, 1973, a meeting was held in Denver, Colorado, between representatives of United States Steel Corp. and the Environmental Protection Agency at which the spokesmen for the Corporation presented new evidence as requested in the Petition. Agency representatives visited the Corporation's Geneva Works near Provo, Utah, on September 11–12, 1973, to observe the plant operations and discuss technical aspects of the Corporation's presentations in Denver. Following a detailed review of the new data, as well as related testimony at the public hearings on the proposed regulations, the Administrator has determined that a revision of the process source regulation and a modification of the byproduct coke oven regulation would clarify the operating and maintenance responsibilities of the Corporation and simplify the Agency's surveillance and enforcement activities. The regulatory changes proposed below will not interfere with the attainment of the national standards for particulate matter in the vicinity of the Geneva Works. The proposed modifications would (1) establish specific emission limitations for the open hearth furnaces (0.022 gr/scf) and the sintering plant (0.035 gr/scf); (2) replace the present opacity restrictions on visible emissions from the coke oven pushing and charging operations with a 35-second limitation of visible emissions from each of these operations; and (3) replace the present opacity restrictions on visible emissions from coke ovens with a regulation prohibiting any visible emissions from more than 5 percent of the coke oven doors, chuckdoors, charging hole covers, standpipes, and elbow covers.

AMENDMENTS AFFECTING KENNECOTT COPPER CORPORATION'S UTAH SMELTER

On June 8, 1973, Kennecott Copper Corp. filed a "Petition for Reconsideration" with the Agency requesting a revision in the federal compliance schedule which required all process sources subject to the particulate matter regulations promulgated on May 14, 1973 (§ 52.2330(c)(1)) to demonstrate final compliance no later than July 31, 1975. At meetings with Environmental Protection Agency representatives on July 10, November 5 and November 13, 1973, Kennecott officials presented the results of fluorescent particle tracer studies and diffusion modeling which indicated that the Corporation could not attain the national standards for particulate matter in the vicinity of the Magna copper smelter by achieving compliance with the process weight rate table promulgated by the Agency. The data gathered by the Corporation in its field studies, and supported by diffusion model results, indicated that violations of the national standards near the plant were principally caused by low-level fugitive emissions which were not subject to the process weight regulation. In order to control particulate matter emissions to levels which would not result in violations of the national standards, the present smelter would require major modifications costing approximately $30 million and requiring until mid-1976 for completion, according to the Corporation's best estimates.

The Corporation plans to construct a new smelting process, in part to comply with national standards for sulfur oxides and particulate matter, by May 1, 1977, and has indicated that efforts to achieve compliance with the process weight rate table on the existing facility by July 31, 1975, would interfere with the timetable for the new process. The Corporation has notified the Agency that it is investigating three alternative smelting processes with the primary emphasis on the Noranda Mines Limited continuous reactor which produces blister copper. The other systems being considered consist of a Noranda reactor producing copper matte and a flash furnace also producing copper matte. Both of these latter options would replace the present reverberatory furnaces while retaining the existing converters. All options would employ best available control technology for the capture of fugitive particulate matter emissions.

Based on an evaluation of the information developed by the Corporation, the Administrator has determined that the existing regulations should be revised to require best available control of fugitive emissions and to specify the allowable particulate matter stack emissions from the smelting operations. Since these revisions will impose greater demands on the Corporation than is presently the case, the Administrator has also determined that a two-year extension is required for the attainment of the national standards for particulate matter in the Wasatch Front Intrastate Region. The federal compliance schedule applicable to the smelting operation will require the Corporation to comply with the revised regulation as expeditiously as practicable, but no later than July 31, 1977. The revised schedule in no way relieves the Corporation of its responsibility to comply with applicable portions of the present particulate matter regulations at its lime plant, molybdenite dryers, and power plant as expeditiously as practicable, but no later than July 31, 1975.

If the Corporation should decide to abandon or modify its plans to construct a new smelting process, the provisions of the revised regulation, including best available control of fugitive particulate matter emissions, will apply to the existing smelter.

A public hearing on these proposed amendments will be held on May 10, 1974, at the State Auditorium, 203 State Capitol Building, Salt Lake City beginning at 9:00 a.m. Copies of the revised regulations and the supporting technical documentation are available for inspection at the Region VIII Office, Environmental Protection Agency, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203; and the Freedom of Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

Interested persons may also participate in this rulemaking by submitting written comments, preferably in triplicate, to the Regional Administrator, Environmental Protection Agency, Region VIII, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203. All relevant comments received on or before May 10, 1974, will be considered. Comments received will be available for public inspection during normal business hours at the EPA Region VIII Office and the Freedom of Information Center.

This notice of proposed rulemaking is issued under the authority of sections 110(c), 110(e), and 301(a) of the Clean Air Act. 42 U.S.C. 1857 et seq.

Dated: April 10, 1974.

JOHN QUARLES,
Acting Administrator.

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

Subpart TT—Utah

1. Section 52.2322 is amended by adding paragraph (f) as follows:

§ 52.2322 Extensions.

* * * * *

(f) The Administrator hereby extends for 2 years the attainment date for the primary standards for particulate matter in the Wasatch Front Intrastate Region.

2. In § 52.2327, paragraph (b) is revised to read as follows:

§ 52.2327 Compliance schedules.

* * * * *

(b) *Federal compliance schedule.* (1) Except as provided in paragraph (b)(2) of this section, the owner or operator of any stationary source subject to § 52.2330(c) shall comply with such regulation on or before January 31, 1974. The owner or operator of the source subject to § 52.2330(b) of this chapter shall comply with such regulation at initial startup of

such source unless a compliance schedule has been submitted pursuant to paragraph (b)(2) of this section.

(i) Any owner or operator in compliance with § 52.2325(c) or § 52.2330(c) on the effective date of this regulation shall certify such compliance to the Administrator no later than 120 days following the effective date of this paragraph.

(ii) Any owner or operator who achieves compliance with § 52.2325(c) or § 52.2330 (b) or (c) after the effective date of this regulation shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(2) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section may, no later than 120 days following the effective date of this paragraph, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with § 52,2330(b) or (c)(1)(i) as expeditiously as practicable but no later than July 31, 1975, or with § 52.2325(c) as expeditiously as practicable but no later than July 31, 1977.

(3) The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Submittal of the final control plan to the Administrator; letting of necessary contracts for construction or process change, or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of on-site construction or installation of emission control equipment or process modification; and final compliance.

(4) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

3. In § 52.2330, paragraphs (c)(1) and (c)(4) are revised to read as follows:

§ 52.2330 Rules and regulations: Particulate matter.

* * * * *

(c) *Replacement for section 3.5 (Wasatch Front Intrastate Region)*—(1) *Regulation for control of process sources.* (i) No owner or operator of any process source, except open hearth furnaces, sintering plants, copper smelting operations (reverberatory furnaces and converters) and byproduct coke ovens, in the Wasatch Front Intrastate Region (§ 81.52 of this chapter) shall discharge or cause the discharge of particulate matter into the atmosphere in excess of the hourly rate shown in the following table for the process weight rate identified for each source:

POUNDS PER HOUR

Process weight rate	*Emission rate*	*Process weight rate*	*Emission rate*
100	0.551	60,000	40.00
200	0.877	80,000	42.60
600	1.830	120,000	46.30
1,000	2.560	160,000	49.00
5,000	7.580	200,000	51.20
10,000	12.00	1,000,000	69.00
20,000	19.20	2,000,000	77.60

(A) Interpolation of the data in the table for process weight rates up to 60,000 lb/h shall be accomplished by use of the equation:

$$E=4.10P^{0.67} \text{ for } P\leq 30 \text{ tons/h}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb/h shall be accomplished by use of the equation:

$$E=55.0P^{0.11}-40 \text{ for } P>30 \text{ tons/h}$$

Where:

E=Emissions in pounds per hour.
P=Process weight in tons per hour.

(B) Process weight is the total weight of all materials and solid fuels introduced into any specific process. Liquid and gaseous fuels and combustion air will not be considered as part of the process weight. For a cyclical or batch operation, the process weight per hour will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle. For a continuous operation, the process weight per hour will be derived by dividing the process weight for a given period of time by the number of hours in that period.

(ii) No owner or operator of any open hearth furnace in the Wasatch Front Intrastate Region shall discharge or cause the discharge of particulate matter into the atmosphere from such furnaces in excess of 0.022 grains per standard cubic foot of exhaust gas, maximum 4-hour average.

(A) The owner or operator of any open hearth furnace subject to paragraph (c)(1)(ii) of this section shall comply with the compliance schedule specified below:

(*1*) June 1, 1974—Submit a control plan to the Administrator for meeting the requirements of paragraph (c)(1)(iii) of this section. Such plan shall be subject to approval by the Administrator.

(2) August 1, 1974—Let contracts or issue purchase orders for emission control systems and/or process modifications.

(3) October 1, 1974—Initiate on-site construction and/or installation of emission control equipment or process change.

(*4*) January 1, 1975—Complete on-site construction and/or installation of emission control system or process change.

(5) March 1, 1975—Achieve final compliance with requirements of paragraph (c)(1)(ii) of this section.

(B) The owner or operator of any open hearth furnace subject to this paragraph may submit to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after July 31, 1975. If approved by the Administrator, such schedule shall satisfy the compliance schedule requirements of this paragraph for the affected source.

(iii) No owner or operator of any sintering plant in the Wasatch Front Intrastate Region shall discharge or cause the discharge of particulate matter into the atmosphere from such plant in excess of 0.035 grains per standard cubic foot of exhaust gas, maximum 2-hour average.

(A) The owner or operator of any sintering plant subject to this paragraph shall comply with the requirements of paragraph (c)(1)(iii) within 30 days after the promulgation of this regulation.

(B) If the owner or operator of any sintering plant subject to this paragraph cannot comply within 30 days, he may submit to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed compliance schedule. No such compliance schedule may provide for final compliance after July 31, 1975. If approved by the Administrator, such schedule shall satisfy the compliance schedule requirements of this paragraph for the affected source.

(iv) No owner or operator of any copper smelting operation in the Wasatch Front Intrastate Region shall discharge or cause the discharge of particulate matter into the atmosphere from the stack or stacks serving the reverberatory and converter operations in excess of 137 pounds per hour, or allow the escape of any fugitive particulate matter emissions which can be captured and controlled using best available engineering techniques.

(A) The owner or operator of any smelter subject to this paragraph shall comply with the compliance schedule specified below:

(*1*) June 1, 1974—Submit a final plan to the Administrator for meeting the requirements of paragraph (c)(1)(iv) of this section. Such a plan shall be subject to approval by the Administrator.

(2) June 1, 1975—Apply any reasonably available interim measures of control to reduce the impact of such source on public health.

(3) October 1, 1974—Let contracts or issue purchase orders for emission control systems and/or process modifications.

(4) April 1, 1975—Initiate on-site construction and/or installation of emission control equipment or process change.

(5) March 1, 1977—Complete on-site construction and/or installation of emission control system or process change.

(6) May 1, 1977—Achieve final compliance with the requirements of paragraph (c)(1)(iv) of this section.

(B) The owner or operator of any smelter subject to this paragraph may submit to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after July 1, 1977. If approved by the Administrator such schedule shall satisfy the compliance schedule requirements of this paragraph for the affected source.

* * * * *

(4) *Byproduct coke ovens.* No owner or operator of any byproduct coke oven in the Wasatch Front Intrastate Region (§ 81.52 of this chapter) shall operate any coke oven during the pushing and charging operations in such a manner as to cause, permit or allow the emissions of visible particulate matter except that visible emissions shall be allowed for a period or periods aggregating no more than 35 seconds for each pushing and each charging operation.

(i) No owner or operator of any coke oven subject to paragraph (c)(4) of this section shall discharge or cause the discharge into the atmosphere of any visible emissions except non-smoking flame, from more than 5 percent of the units of each source category in any battery. For the purposes of this regulation, coke oven doors, chuckdoors, charging hole covers, standpipes, and elbow covers shall be considered as separate source categories.

(ii) The owner or operator of any coke oven subject to paragraph (c)(4) of this section shall maintain equipment in good condition. Self-sealing coke oven doors, chuckdoors, charging hole covers, standpipes and elbow covers found to be discharging visible emissions into the atmosphere 30 minutes or more after an oven is charged, shall be adjusted, repaired or replaced prior to the next coking cycle. Luted doors found to be discharging visible emissions into the atmosphere shall be reluted immediately.

(iii) No owner or operator of any coke oven subject to paragraph (c)(4) of this section shall operate a coke quenching tower unless such quenching tower is equipped with interior baffles.

(iv) The owner or operator of any coke oven subject to this paragraph shall comply with the requirements of paragraph (c)(4) of this section within 30 days after the promulgation of this regulation.

(v) If any owner or operator of the coke oven subject to this paragraph can not comply within 30 days after promulgation of this regulation, he may submit to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed compliance schedule. No such compliance schedule may provide for final compliance after July 31, 1975. If approved by the Administrator, such schedule shall satisfy the compliance schedule requirements of this paragraph for the affected source.

4. Section 52.2331 is revised to read as follows:

§ 52.2331 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Utah's plan, except where noted.

Attainment dates for national standards

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Wasatch Front Intrastate.	*July 1977*	*July 1977*	*July 1977*	*July 1977*	*July 1975*	*August 1976*	*July 1976*
Four Corners Interstate.	*July 1975*	*July 1975*	(a)	(a)	*July 1975*	(a)	(a)
Utah Intrastate	(a)	(a)	(a)	(a)	(a)	(a)	(a)

[a] Air quality levels presently below secondary standards.

NOTE.—Dates or footnotes which are italic are prescribed by the Administrator because the plan does not provide a specific date, or the date provided is not acceptable.

[FR Doc.74-8641 Filed 4-15-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 43]

[Docket No. 19986; FCC 74-293]

RADIOTELEGRAPH, OCEAN-CABLE, AND WIRE TELEGRAPH COMMON CARRIERS

Proposed ADP System and Revision of FCC Forms 903 and 905

In the Matter of Amendment of FCC Form 903 and Form 905, conversion of these forms to computer format and related amendment of Part 43 of the Commission's rules.

1. Notice is hereby given of proposed rulemaking in the above entitled matter.

2. As part of the Commission's plan to utilize an Automatic Data Processing (ADP) system of facilitate the compilation and publication of statistical information submitted by the carriers, the Commission is proposing in this rule making proceeding to amend its rules to require Radiotelegraph, Ocean-Cable, and Wire-Telegraph common carriers which had operating revenues for the preceding year in excess of $250,000 to file monthly reports of financial, operating, and statistical information on ADP media (punched cards) and to revise FCC Form 903 and FCC Form 905 to provide instructions for reporting on ADP media.[1] These instructions are set forth in Appendix A. At present, Radiotelegraph and Ocean-Cable carriers file manually prepared monthly reports on FCC Form 903, and Wire-Telegraph carriers file on FCC Form 905. It is believed that the adoption of the ADP system report format for these carriers will provide for more efficient collection and dissemination of financial data and economic study results to both the Commission and the general public without imposing any major new information burden upon these carriers.

3. It is proposed further that the data prescribed for submission on Form 903 be expanded to include plant, depreciation reserve, revenue, and expense data with respect to satellite earth stations. Presently, this information is being interlined on the manually prepared monthly report form by those subject carriers which have interests in earth stations, as requested in the Commission's letter of December 27, 1967. It is also proposed to require the reporting of selected message volume data on Form 905. It is believed that the proposed changes will be beneficial to the Commission in discharging its regulatory responsibilities and will not create an additional hardship on the carriers, because the information can be generated from data already maintained by them.

4. To facilitate the changeover it is contemplated that parallel reporting on ADP media (punched cards) and on manually prepared report forms will be required for a reasonable period. In this regard, the adoption of the proposed ADP system has been informally discussed with representatives of the carriers involved, and it is felt an efficient workable computer oriented system can be put into effect with parallel reporting for a period not to exceed twelve months. During this period of parallel reporting, the carriers should utilize the revised Form 903 or Form 905 for reporting the manually prepared monthly data. It is proposed that the manually prepared report be discontinued after the conversion period.

[1] By Report and Order released June 28, 1972 in Docket No. 19402, these changes were adopted for telephone common carriers with operating revenues in excess of $1 million reporting on Form 901, Monthly Report of Revenues, Expenses and Other Items—Telephone Companies.

Panama who is under 21 years of age and unmarried is not eligible.

* * * * *

(2CZC 142, 155, 76A Stat 16, 19; 35 CFR 251.2)

HOWARD H. CALLAWAY,
Secretary of the Army.

Dated: April 8, 1974.

[FR Doc.74-8665 Filed 4-15-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Approval of Plan Revision for State of Connecticut

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act, the Administrator approved a plan to implement National Ambient Air Quality Standards for the State of Connecticut. This publication contains the Administrator's approval of a revision to that plan.

On October 15, 1973 in a letter to the Governor of Connecticut and thirteen other states, the Administrator advised that the responsible state agencies expeditiously initiate plans for coping with a possible shortage of low sulfur fuels during this winter, while at the same time minimizing the resulting air pollution effects. The Administrator recommended several measures which included (a) an energy conservation program to minimize the need for variances from the existing air pollution regulations; (b) expedited procedures for handling variances; (c) encouraging the routing of necessary high sulfur fuels to areas where their impact on air quality will be most tolerable while diverting existing low sulfur fuels to areas where ambient air quality provides little latitude for additional emissions.

The Administrator described the procedures for the Governors' submission of such variances to the Environmental Protection Agency for approval as revisions to the implementation plans. The criteria for such approval would be as follows:

1. Compliance with EPA procedural requirements.
2. A demonstration (a) that fuel with a sulfur content low enough to enable compliance with the applicable regulation is in fact unavailable to the source; (b) that the variance requires the use of the lowest sulfur content fuel that is available; and (c) that the time period involved reflects the reasonably predicted period of shortage.
3. A demonstration that low sulfur fuel that might have been available to the source involved (a) no longer is available; or (b) has either because of air quality considerations or because of a Federally imposed allocation plan.

On January 10, 1974, the State of Connecticut submitted to the Administrator for approval a revision to the plan in the form of a variance from regulations Nos. 19-508-18(a) and (d), "Control of Particulate Emissions" and 19-508-19(a), "Control of Sulfur Compound Emissions", allowing the Connecticut Light and Power Company and the Hartford Electric Light Company to burn at all their plants fuel oil with a sulfur content no greater than 2.5 percent by weight, dry basis, and at selected plants, coal if needed, with an average sulfur content no greater than 2.5 percent by weight, and a maximum of 3.5 percent by weight.

After holding the required hearings, the State of Connecticut has approved the variance for 120 days starting December 3, 1973 with a number of conditions to be met by the Companies. These are that the Companies shall:

1. Strive to obtain fuel containing the lowest possible sulfur. A report of their efforts and of the sulfur content of fuels burned shall be made weekly to the Commissioner.
2. Before December 6, 1973 rank their fuel burning facilities in order of preference for the burning of high sulfur fuels to minimize disruptions to schedules and effects on ambient air quality.
3. Install a monitoring network for SO_2 and particulates, in consultation with DEP.
4. Maintain, if practicable, a five-day supply of conforming fuel to be used in case of an air pollution episode.
5. Extend their energy conservation programs.
6. Fund research to evaluate stack gas cleaning devices and processes.
7. Remain responsible to act in accordance with their submitted plan for Emergency Episodes.
8. Summit, if requested, a survey of their existing facilities to consider their suitability for installation of stack gas cleaning devices.
9. High sulfur coal shall be allowed at Middletown (units 1 and 2) and Montville (unit 5) facilities if their fuel supply falls below 25 days and cannot be restored to 25 day level within 7 days.
10. Should the Companies be able to obtain conforming fuel in sufficient quantities, the variance will terminate on receipt of such.
11. An emergency variance is also granted to Amerada Hess Corporation to supply the non-conforming fuel necessary for the period of this variance.

An EPA study, which was submitted as an attachment to the letter to the Governor, shows that certain facilities on the East Coast could burn high sulfur fuels and probably not exceed the ambient air quality standards. The Middletown (2.4 percent sulfur in oil maximum) and the Devon (3.0 percent sulfur in oil maximum) facilities were included in this study and were ranked as the preferred plants in the AQCR for burning high sulfur fuel.

The State has performed a study of the impact on air quality resulting from conversion of selected Northeast Utilities plants to coal burning. The study concluded that those plants with the most tolerable impact would be Middletown (units 1 and 2) Montville (units 1 and 2), and Montville (unit 5) in order of increasing impact.

After a careful study of the state's submittals, the Administrator has determined that the request for the plan revision meets the previously mentioned criteria. Accordingly, it is approved, with the additional conditions that the proposed ambient air quality monitoring network, the ranking of the plants per (2) above, and any previous studies related to (8) above be submitted to EPA for review.

Since variances are temporary solutions to short term problems, no control equipment is being required. Should the source find it necessary to apply for a variance beyond the expiration date of this variance, plans and a schedule for installation of control equipment to meet Connecticut emission limitations must accompany any new application for a variance from sulfur content requirements.

The State's submittal is available for public inspection during normal business hours at the following addresses: Department of Environmental Protection, State Office Building, Hartford, Connecticut 06115 and EPA, Region I, John F. Kennedy Federal Building, Boston, Massachusetts 02203. In addition, EPA's evaluation of the State's submittal is available during normal business hours at the EPA address listed above.

The Agency finds that good cause exists for not publishing the actions as a notice of proposed rulemaking and for making it effective immediately upon publication (April 16, 1974) for the following reasons:

1. The emergency nature of the current fuel shortage requires that the affected source know immediately the fuel restrictions which are applicable to it so that it may make arrangements to obtain the appropriate fuel.
2. The implementation plan revision was adopted in accordance with procedural requirements of State and Federal laws, which provided for an adequate public hearing and comment; further participation would be impracticable.

Dated: April 10, 1974.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

Part 52 of 40 CFR Chapter I, Title 40 is amended as follows:

Subpart H—Connecticut

1. Section 52.375 is amended by adding new lines to the table as follows:

§ 52.375 Compliance schedules.

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Hartford Electric Light Co.	Middletown (units 1 and 2).	19-508-18(a)	Nov. 30, 1973	Dec. 3, 1973	Apr. 1, 1974
		19-508-18(d)			Do.
Do.	All facilities	19-508-19	do	do	Do.
Connecticut Light & Power Co.	Montville (unit 5).	19-508-18(a)	do	do	Do.
		19-508-18(d)			
Do.	All facilities	19-508-19	do	do	Do.
Supplier of oil to Connecticut Light & Power Co. and Hartford Electric Co.	Throughout State.	19-508-19	do	do	Do.

[FR Doc.74-8639 Filed 4-15-74;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 124—FINANCIAL ASSISTANCE FOR DEMONSTRATION PROJECTS FOR REDUCING SCHOOL DROPOUTS

Notice of proposed rulemaking was published in the FEDERAL REGISTER on August 13, 1973 (38 FR 21788), setting forth requirements and guidelines for projects under the Dropout Prevention Program, title VIII, section 807, of the Elementary and Secondary Education Act of 1965, as amended by title I of the Education Amendments of 1970, Pub. L. 91-230, (20 U.S.C. 887). Pursuant to section 503 of the Education Amendments of 1972, Pub. L. 92-318, a public hearing on the proposed regulations was held October 2, 1973 in Washington, D.C. In addition, written comments were received and considered.

A. *Summary of comments; changes in the regulations.* The following comments were submitted to the Office of Education regarding the proposed regulations, either at the public hearing held on October 2, 1973, or in writing. After the summary of each comment, a response is set forth indicating changes which have been made in the regulations, or the reasons why no change is deemed necessary. The comments are arranged in the order of the sections of the final regulations. No comments were received regarding the proposed guidelines, and no changes have been made therein.

1. § 124.5 *Project proposal requirements.*

Comment. A commenter suggested that requiring a program to be designed and implemented by the local educational agency which has the problem might limit the objectivity of the assessment of the problem and the effectiveness of the program designed to meet the problem.

Response. The requirement in § 124.5 that a project be designed and implemented by the recipient local educational agency is mandated by the legislation authorizing the program, thus precluding the use of an outside agency for such project activities. (20 U.S.C. 887(a) and (b)). Section 124.5(d) of the regulation requires an independent review of the educational program evaluation of the project to be conducted by qualified persons not associated with the applicant. The procedures employed in satisfying this requirement should serve to address the concern expressed by the commenter with regard to objective assessments. No change has been made in the regulation.

Comment. A commenter raised the question of whether the low-income factor requirement of § 124.5(a)(2) necessarily precludes dropout prevention assistance in areas with a higher income level and a rapidly increasing dropout rate.

Response. Section 124.5(a)(2), which is based on legislative requirements, should be read with § 124.15(c), which establishes a priority for proposals where projects will be undertaken in schools in which at least 44 percent of the children are from families with incomes not exceeding the low-income factor. This priority would not preclude providing assistance to school districts with a lesser percentage of such children, after eligible areas of outstanding need have received full consideration. No change has been made in the regulation.

2. § 124.15 *Evaluation criteria.*

Comment. A commenter objected to the requirement in § 124.15(c)(2) that priority be given to project proposals to serve schools with a dropout rate of at least 7 percent annually, fearing that this annual rate might be interpreted to be a cumulative rate, i.e., that an applicant would have to have a dropout rate of 84 percent over a twelve year span (7% × 12 years) to be eligible to participate. The priority is for applicants with a dropout rate of 7 percent each year, not cumulatively, and § 124.15(c)(2) has been amended to indicate this more clearly.

3. § 124.16 *Dissemination of information.*

Comment. A commenter raised the question of whether printed and audiovisual materials produced in connection with approved projects must be submitted to the Office of Education for approval prior to use or dissemination by the applicant.

Response. The purpose of § 124.16(b) is to ensure that the Office of Education has sufficient material on hand with which to determine the effectiveness of approved dropout prevention projects as demonstration projects, and thus there is a need to examine materials produced and disseminated in connection with approved projects. Only those materials actually utilized by grantees can provide the basis for such a determination by the Office of Education, and the regulation has been amended to clearly indicate that materials submitted pursuant to § 124.16(b) are those which already have been produced and disseminated in connection with approved projects.

Comment. A commenter took issue with the requirement in § 124.16(b) that specified numbers of copies of disseminated printed and audiovisual materials be submitted to the Office of Education, since this can create a major expense for a school district.

Response. It is very important that materials disseminated in connection with approved dropout prevention projects be available to Office of Education personnel, in order to determine the effectiveness of funded projects. For this reason, the cost of submitting these materials to the Office of Education may be charged to the project grant, pursuant to § 124.16(a), to the extent authorized in the grant award document. The regulation has been amended to indicate this more clearly. In addition the number of copies of printed disseminated materials required to be submitted to the Office of Education has been reduced from three to one, to lower costs and to simplify the submission requirement of § 124.16(b). The regulation has been amended accordingly.

B. *Other changes.* Minor changes have been made to correct typographical errors or to effect solely technical matters.

Assistance provided under this program is subject to the provisions in the governing legislation as well as the provisions in this Part. Assistance under this program also is subject to the applicable provisions of Subchapter A of this chapter (45 CFR Part 100a, published at 38 FR 30654, 30662; November 6, 1973).

After consideration of all comments, 45 CFR Part 124 is amended to read as set forth below.

Effective date. Pursuant to section 503 (d) of the Education Amendments of 1972 (Pub. L. 92-318), these regulations become effective May 17, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.410, Dropout Prevention)

Dated: March 14, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: April 9, 1974.

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

Subpart A—Scope; Definitions

Sec.
124.1 Scope.
124.2 Definitions.

Subpart B—Preapplication and Project Proposal Requirements

124.3 Preapplications.
124.4 Eligibility.
124.5 Project proposal requirements.
124.6 Adequacy of facilities.

Subpart C—Approval of Project Proposals

124.15 Criteria for evaluation of project proposals.
124.16 Dissemination of information.

AUTHORITY: Sec. 807, Pub. L. 89-10 as amended, 81 Stat. 806 (20 U.S.C. 887), unless otherwise noted.

Subpart A—Scope; Definitions

§ 124.1 Scope.

(a) Financial assistance may be provided under section 807 of the Act for the carrying out of promising demonstration projects involving the use of innovative methods, systems, materials, or programs, designed to reduce the number of children who do not complete their education in elementary and secondary schools.

(20 U.S.C. 887(a))

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

(20 U.S.C. 887)

§ 124.2 Definitions.

As used in this part:

"Act" means the Elementary and Secondary Education Act of 1965, Pub. L. 89-10, as amended.

"Dropout" means a pupil who leaves elementary or secondary school, for any reason, before he graduates. The term designates those elementary and secondary school pupils who have been in membership during the regular school term and who withdraw from membership before graduating from secondary school (as defined in § 100.1 of this chapter) or before completing equivalent programs

5. In view of the foregoing, it is proposed to amend FCC Form 903 and Form 905 as set forth in Appendix B. In this regard, it should be noted that provision is not being made in the instructions for reporting on ADP media of figures for the immediately preceding month or the corresponding month one year earlier. However, comparative figures as presently provided for on the manually prepared forms shall continue to be reported on the revised manually prepared forms.

6. No change is proposed in § 1.786 of Part 1 of the rules since we plan to continue to designate the report formats as FCC Form 903 and FCC Form 905.

7. It is proposed to amend § 43.31 of Part 43, Reports of Communication Common Carriers and Certain Affiliates, of the Commission's rules so as to provide for the filing of monthly reports of financial and operating data by Ocean-Cable, Radiotelegraph, and Wire-Telegraph common carriers on computer media (punch cards).

8. Since the proposed reporting format will require few, if any, additional records to be maintained, it is proposed that any amendment made as a result of this proceeding will be made effective for the reporting month beginning January 1, 1974.

9. The proposed amendment of Part 43 of the Commission's rules is set forth in Appendix C.

10. This notice of proposed Rulemaking is issued under authority of sections 4(i), 201, 219, and 220 of the Communications Act of 1934, as amended.

11. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before May 14, 1974, and reply comments on or before May 23, 1974. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this matter, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice. Comments in response to this Notice will will be available for inspection in the Commission's Broadcast and Dockets Reference Room.

12. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs shall be furnished to the Commission.

Adopted: March 28, 1974.

Released: April 5, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS, *Secretary.*

APPENDIX A—PART I

FCC FORM 903 (ADP)
January 1974

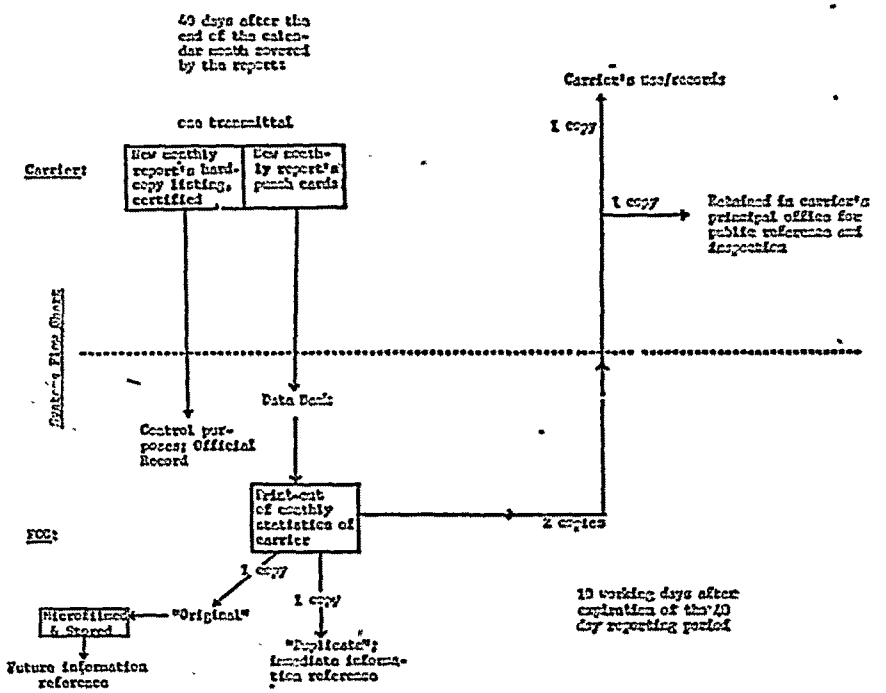
REPORTING INSTRUCTIONS FOR MONTHLY REPORT OF REVENUES, EXPENSES, AND OTHER ITEMS

Radiotelegraph and Ocean-Cable Companies

1. *Reporting System.* In fulfillment of the monthly reporting requirement (Section 43.31 of the FCC Rules and Regulations) carriers designated as Class A radiotelegraph and ocean-cable companies which had operating revenues for the preceding year in excess of $250,000 shall prepare and transmit to the Commission the required information in punch card format (eighty column; punched and printed or interpreted) as provided for in these instructions within forty days after the end of the calendar month covered by the report. In addition, a separate hard-copy listing or printout of the data card deck shall be enclosed. This listing shall be certified to be true and correct (and, in fact, a copy of the carrier's monthly report). This certification shall read as follows: "I certify that the reported monthly data, a copy of which is provided on this listing, submitted in compliance with Section 43.31 of the Commission's Rules is true and correct to the best of my knowledge and belief."

Date	Signature
	Title

This certified listing of the monthly data shall become the official public record. Within ten working days after the expiration of the 40 day reporting period, the FCC will prepare and forward to the carrier a printout (two copies) of the monthly statistics of that carrier compiled from the data certified by the carrier on its monthly 903 report. This printout will be retained by the carrier in its principal office and made available for public reference and inspection. See the systems flow chart on page 2.



2. *Data formats and footnoting.* Three basic data card formats are used: the Header Card, the Basic Data Cards—"A" through "C", and the Footnoted Explanation Card—"Z". (See page 8.) The last two types, the information transmittal formats, allow for uniform identification and information to be provided in columns 1 through 12. See pages 9 through 13 for the key punching instructions and associated codes to be used.

The Basic Data Cards—"A" through "C" format shall be used to transmit all the monthly financial and accounting data. The use of different (A, B or C) symbols as Card Type Codes will indicate the type of financial or operating data being transmitted on that particular card. (See page 14.) All data of that particular category shall be transmitted by the use of "trail" cards, numbered consecutively (columns 2-3) within each category. (See pages 24 through 28.) The information shall be entered in blocked data fields as outlined on the attached sheet, *Data Transmittal Order* (pages 24 through 28). Each data item field is provided with a column immediately preceding it which can be used to indicate whether the information has any specific footnoted remarks of explanation, e.g., column 13 will indicate this for the data in columns 14 through 24. See *Item Note Codes* for indicating Specific Footnotes (pages 22 through 23). When a specific footnoted explanation is to be provided for any item data field, the appropriate code symbol shall be punched in the Note column for that item. The actual footnote or remark shall be placed on a separate Footnoted Explanation Card—"Z" (indicated in column 1 of the "Z" card). Columns 4 through 12 of the "Z" card shall be identical to those columns of the "A" through "C" card on which the footnoted data appear. Column 13 of the "Z" card shall contain the same alpha symbol code that was used to indicate the footnote in the Note column on the "A" through "C" card. Columns 14-15 of the "Z" card shall indicate the sequential order of cards for any particular footnote. Thus a footnote may run to completion on more than one card by using "trailing" "Z" cards which have columns 1-13 identical to the first "Z" card for the particular footnote and columns 14-15 indicating the sequence of the particular card in the footnote's transmittal. Columns 16 through 80 are provided for the alpha/numeric footnote. If footnoted explanation of a *general* nature (not related to any specific item being transmitted) is desired, a numeric coded (see page 21) symbol shall be placed in the Note Code column (column 13) of the "Z" card indicating a *General* Footnoted Explanation.

A Header Card format (see page 9) has been provided to ensure accuracy and facility in handling.

3. *Regular monthly transmittal.* Regular monthly transmittal of data, under this in-

struction, shall consist of and be submitted in the following order:

A. Letter of transmittal.

B. *Certified* listing of the current reporting monthly data (see page 1).

C. Current reporting month punch cards:

(1) "Header" card;

(2) Basic Data Cards "A" through "C", by card number sequence;

(3) Footnoted Explanation Cards "Z"

(a) General footnotes;

(b) Specific footnotes;

—by Note Code symbol order in the sequential order of Note Card number.

In *no* case should *revision* cards be included in the regular transmittal of monthly data.

4. *Corrections/alterations/additions.* Previously submitted data can be corrected or modified by a simple procedure. A new card and the certified listing or printout can be submitted, at any time after the original report, under a letter of transmittal and authorization. The certification procedure for the corrected or revised report shall be implemented as with a regular report (see Page 1). Revised printouts for all subsequently affected reports, as issued from the Commission in the 903 format, shall be re-issued in order to provide the carrier with acknowledgement of the receipt of such revised data and to update the carrier's principal office records, thus ensuring that the newly revised data and reports are readily available for reference and inspection. The correction card shall have identical identification codes as the originally submitted card (for an "A" through "C" card, columns 1 through 7 and 9 through 12); (for a "Z" card, columns 1 through 7 and 9 through 15). Column 8 of the correction card shall contain the alpha code "C" (indicating a correction transaction). The entire data area (for an "A" through "C" card, columns 13 through 72; for a "Z" card, columns 16 through 80) should be revised to reflect the card as it should have been submitted originally. In other words, in order to correct/alter any previously submitted card, resubmit the card as it should correctly "read" and place the alpha code "C" in column 8. The new corrected card will supersede the entire originally submitted card. If an item is to be completely deleted, zero(s) shall be inserted in the entire data field to be eliminated.

In the case of data which was entirely omitted (e.g., additional footnoting necessary) in the regular monthly transmittal, additional information may be provided simply by submitting the data as it originally should have been transmitted (following the normal sequential order of the report it supplements), *and* by placing the alpha code "C" in column 8. If this additional information is a new (not previously submitted) Specific Footnoted Explanation, a corrected Basic Data Card "A" through "C" on which the item to be footnoted appears also must be submitted with the appropriate Item Note Code in the Note column for that Item.

Data revision transmittals shall consist of and be submitted in the following order:

A. Letter of transmittal.

B. Certified listing (see page 1).

C. Punch Cards:

(1) "Header" Card;

(2) Revision Cards—in the normal sequence that they would have been placed in the regular transmittal

(a) Revised Basic Data Cards—"A" through "C" in alphabetic-numeric sequential order,

(b) Revised Footnoted Explanation Cards—"Z"

(1) General footnotes;

(2) Specific footnotes.

In *no* case should *revision* cards be included in the *regular* transmittal of monthly data.

5. *General Reporting Instructions.* A. All alpha and/or numeric characters will be right justified with leading "blanks" (except for the Hollerith footnoting of columns 16 through 80 of the "Z" card). Items without entries to be reported shall be left blank.

B. Please note that data contained in each monthly report will be amounts for the *reported month only.* "Cumulative for the year" and "Previous year" figures shall not be reported.

C. All amounts will be shown to the nearest dollar, adjusted to accord with footings. Entries of a reverse or contrary character shall be indicated by the placing of an "11" (Minus) punch in the column *immediately* preceding the numeric data. Standard accounting procedures will apply in determining the nature of any entry.

D. If any amount for the current month differs materially from that for the previous month or the corresponding month of the preceding year and the difference is not self-explanatory but was caused by unusual circumstances that have not been explained in a previous report, appropriately annotate the item and explain the occasioning facts on a "Z" card. (See page 3.)

E. All items of a report transmittal or subsequent correction transaction shall be securely wrapped to prevent damage during shipment and addressed to:

Federal Communications Commission
Washington, D.C. 20554

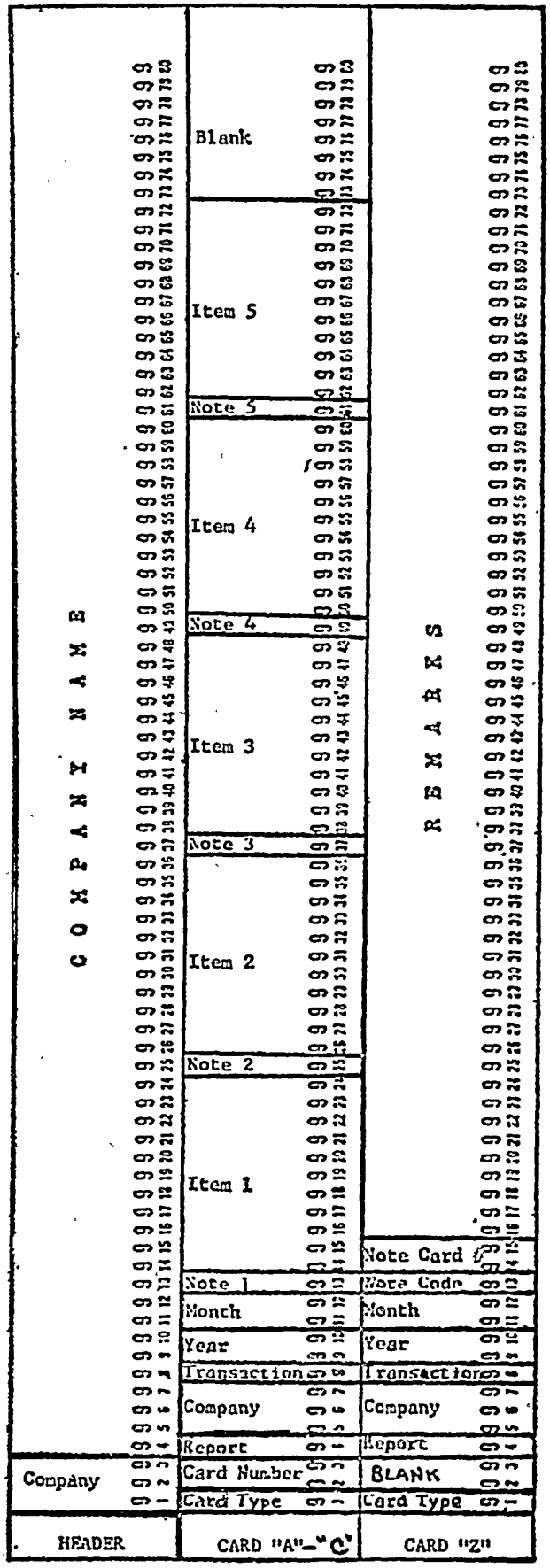
Attention: Economic Studies Division
Common Carrier Bureau

F. All questions concerning problems arising out of the operation or procedure of this system or requests for waiver from this reporting requirement should be directed to:

Chief, Common Carrier Bureau
Federal Communications Commission
Washington, D.C. 20554

Attention: Economic Studies Division

CARD FORMATS


COMPANY NAME
Company
HEADER
Blank
Item 5
Note 5
Item 4
Note 4
Item 3
Note 3
Item 2
Note 2
Item 1
Note 1
Month
Year
Transaction
Company
Report
Card Number
Card Type
CARD "A"–"C"
REMARKS
Note Card
Note Code
Month
Year
Transaction
Company
Report
BLANK
Card Type
CARD "Z"

FCC monthly report form 903 (ADP)

Key Punching Instructions

Header Card

(see page 3)

Card column	Item	Instructions
1-3	Company	Punch appropriate numeric code "000" through "999". See pages 15 through 19.
4-80	Company name	Punch alpha characters (left justified) of exact name of respondent (if sufficient space is not provided use of standard abbreviations is acceptable).

Basic Data Card—"A" through "C" (see page 3)

1	Card type	Punch appropriate alpha Card Type Code "A" through "C" corresponding to the type of data being transmitted. See pages 14; 24 through 28.
2-3	Card number	Punch numeric code "01" through "99" (as required) corresponding to the order of the card in the report transmittal of data. See pages 24 through 28 for explanation.
4	Report	Punch "3".
5-7	Company	Punch appropriate numeric code "000" through "999". See pages 15 through 19.
8	Transaction	*Skip*, if card is part of a regular or original data transmittal; or Punch alpha code "C", if card is a correction or modification to previously submitted data. See page 3.
9-10	Year (covered by report).	Punch numeric code "00" through "99" corresponding to the last two digits of the reporting calendar year.
11-12	Month (covered by report).	Punch numeric code "01" through "12". See page 20.
13, 25, 37, 49 and 61.	Note	Punch the appropriate Item Note Codes (for indicating *specific* footnotes); (see pages 22 through 23). These columns are provided to indicate that additional information about entries in columns 14-24, 26-36, 38-48, 50-60, and 62-72, respectively has been provided in *specific* footnoted explanations (see page 3).
14-24, 26-36, 38-48, 50-60, and 62-72.	Item	Punch the appropriate amount for the data requested (pages 24 through 28). Figures should be right justified with leading "blanks". Entries of a contrary or reverse character shall be indicated as such by placing an "11" (minus) punch in the column immediately preceding the numeric data.
73-80	Blank	*Skip*.

Footnoted Explanation Card—"Z" (see page 3)

1	Card type	Punch "Z".
2-3	Blank	*Skip*.
4	Report	Punch "3".
5-7	Company	Punch appropriate numeric code "000" through "999". See pages 15 through 19.
8	Transaction	*Skip*, if card is part of a regular or original data transmittal; or Punch alpha code "C", if card is a correction or modification to previously submitted data. See page 3.
9-10	Year (covered by report)	Punch numeric code "00" through "99" corresponding to the last two digits of the reporting calendar year.
11-12	Month (covered by report)	Punch numeric code "01" through "12". See page 20.
13	Note code	Punch the identical symbol from the appropriate Note Column (column 13, 25, 37, 49, or 61) of the "A" through "C" card which is to be explained by the footnoted entry of columns 16 through 80, if card is a *specific* footnoted explanation; or Punch the appropriate Item Note Code (for indicating *General* footnotes); see page 21, if card is a *general* footnoted explanation.
14-15	Note code number	Punch numeric code "01" through "99" (as required) corresponding to the order of the specific card in the sequence of cards which when combined will provide the entire footnote.
16-80	Remarks	Punch the appropriate alpha or numeric symbols to provide the remarks or explanation required. This shall be in Hollerith code, thus it does not require right justification.

CARD TYPE CODES

(Column 1)

Basic Data Cards (See p. 3)
- A—Operating Revenues
- B—Selected Income Items
- C—Selected Balance Sheet Items
- Z—Footnoted Explanation Card

COMPANY IDENTIFIER CODES

(Not all carriers listed herein are subject to this instruction)

(Columns 5-7)

Bell System

Bell System (not including Cincinnati Bell, Inc., or the Southern New England Telephone Co.) ---- 000
American Telephone & Telegraph Co ---- 001
Long Lines Department ---- 002
General Department ---- 003
Bell Telephone Co. of Nevada ---- 006
Bell Telephone Co. of Pennsylvania, The ---- 009
Chesapeake & Potomac Telephone Co., The ---- 012
Chesapeake & Potomac Telephone Co. of Maryland, The ---- 015
Chesapeake & Potomac Telephone Co. of Virginia, The ---- 018
Chesapeake & Potomac Telephone Co. of West Virginia, The ---- 021
Cincinnati Bell, Inc ---- 024
Diamond State Telephone Co., The ---- 027
Illinois Bell Telephone Co ---- 030
Indiana Bell Telephone Co., Inc ---- 033
Michigan Bell Telephone Co ---- 036
Mountain States Telephone & Telegraph Co., The ---- 039
New England Telephone & Telegraph Co ---- 042
New Jersey Bell Telephone Co ---- 045
New York Telephone Co ---- 048
Northwestern Bell Telephone Co ---- 051
Ohio Bell Telephone Co., The ---- 054
Pacific Northwest Bell Telephone Co ---- 057
Pacific Telephone & Telegraph Co., The ---- 060
South Central Bell Telephone Co ---- 063
Southern Bell Telephone & Telegraph Co. ---- 066
Southern Bell Telephone & Telegraph Co ---- 066
The ---- 069
Southwestern Bell Telephone Co ---- 072
Wisconsin Telephone Co ---- 075

Non-Bell Holding Companies, Telephone, Telegraph, and Satellite Carriers

All America Cables & Radio, Inc ---- 105
American Cable & Radio Corp ---- 110
Cable & Wireless Western Union International, Inc ---- 115
Carolina Telephone & Telegraph Co ---- 120
Central Radio Telegraph Co ---- 125
Central Telephone & Utilities Corp ---- 130
Central Telephone Co ---- 135
Central Telephone Co. of Illinois ---- 140
Citizens Utilities Co ---- 145
Citizens Utilities Co. of California ---- 150
Commonwealth Telephone Co ---- 155
Communications Satellite Corp ---- 160
Continental Telephone Corp ---- 165
Continental Telephone Co. of California ---- 170
Cuban American Telephone & Telegraph Co ---- 175
Delaware Valley Telephone Co ---- 177
Florida Telephone Corp ---- 180
French Cable Co., The ---- 185
General Telephone & Electronics Corp ---- 190
General Telephone Co. of Alaska ---- 195
General Telephone Co. of California ---- 200
General Telephone Co. of Florida ---- 205
General Telephone Co. of Illinois ---- 210
General Telephone Co. of Indiana, Inc ---- 215
General Telephone Co. of Kentucky ---- 220
General Telephone Co. of Michigan ---- 225
General Telephone Co. of the Midwest ---- 230
General Telephone Co. of the Northwest, Inc ---- 235
General Telephone Co. of Ohio ---- 240
General Telephone Co. of Pennsylvania ---- 245
General Telephone Co. of the Southeast ---- 250
General Telephone Co. of the Southwest ---- 255
General Telephone Co. of Upstate New York, Inc ---- 260
General Telephone Co. of Wisconsin ---- 265
Genova Telephone Co ---- 270
Golden West Telephone Co ---- 275
Grand River Mutual Telephone Corp ---- 280
Hawaiian Telephone Co ---- 285
Idaho Telephone Co ---- 288
International Telephone & Telegraph Corp ---- 290
ITT Communications, Inc.—Virgin Islands ---- 295
ITT World Communications, Inc ---- 300
Lee Telephone Co ---- 305
Lincoln Telephone & Telegraph Co., The ---- 310
Lorain Electronics Corp ---- 315
Lorain Telephone Co., The ---- 320
Louisiana Offshore Telephone Co ---- 325
Malheur Home Telephone Co ---- 330
Mid Continent Telephone Corp ---- 333
Mid Penn Telephone Corp ---- 334
Navajo Communications Co., Inc ---- 335
Nemont Telephone Cooperative, Inc ---- 338
Norfolk & Carolina Telephone & Telegraph Co., The ---- 340
Norfolk & Carolina Telephone & Telegraph Co. of Virginia, The ---- 345
Northern Ohio Telephone Co ---- 350
Northern States Power Co ---- 355
Press Wireless, Inc ---- 360
Puerto Rico Telephone Co ---- 365
Radio Corp. of America ---- 370
RCA Alaska Communications, Inc ---- 375
RCA Global Communication, Inc ---- 380
Rochester Telephone Corp ---- 385
South Penn Telephone Co ---- 390
Southeastern Telephone Co ---- 395
TRT Telecommunications Corp ---- 400
United Brands Co ---- 405
United Inter-Mountain Telephone Co ---- 410

U.S. Telephone & Telegraph Corp	415
United States-Liberia Radio Corp	420
United Telephone Co. of Florida	425
United Telephone Co. of Indiana, Inc	430
United Telephone Co. of Missouri	435
United Telephone Co. of the Northwest	440
United Telephone Co. of Ohio	445
United Telephone Co. of Pennsylvania	450
United Telephone Co. of the West	455
United Utilities, Inc	460
Virgin Islands Telephone Corp	465
Virginia Telephone & Telegraph Co	470
Warner & Tamble Radio Service, Inc	475
West Coast Telephone Co. of California	480
Westco Telephone Co	485
Western California Telephone Co	490
Western Carolina Telephone Co	495
Western Union Corp	500
Western Union International, Inc	505
Western Union Telegraph Co., The	510
Woodbury Telephone Co	515
WUI, Inc	518
York Telephone & Telegraph Co	520

MONTH CODES

(Columns 11–12)

01	January	07	July
02	February	08	August
03	March	09	September
04	April	10	October
05	May	11	November
06	June	12	December

Item note codes

[For indicating general footnotes]

Character symbol	Card code	Instructions
1	1	The use of these symbols will indicate general footnoted explanations. (See page 3.) These symbols are to be used in the indicated sequence. *No* symbol shall be reused in the same monthly report. *One* entire footnote, however, may have more than one "Z" card, each having the same Item Note Code in column 13 but different Note Code Numbers in columns 14 through 15, indicating the sequential order of that specific card in the particular footnote.
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	

IMPORTANT: The *controlling* uniform factor for the *Item Note Codes* (pages 21 through 23) is the Card Code; the symbol characters were given only for general information. Thus, when using this code make sure that the punch card code (i.e., the hole punch) sequence is followed.

Item note codes

[For indicating specific footnotes]

Character symbol	Card code	Meaning
Space	Blank	"Numeric data, not footnoted;" reuse of this symbol is permissible.
A	12-1	The use of these symbols will indicate "numeric data, with footnoted explanation following." These symbols are to be used in the indicated sequence. No symbol shall be reused in the same monthly report to indicate different specific footnotes. In the case of a repetitive specific footnote to be used in explaining several different data fields, instead of "rewriting" the footnote each time it is required, the same Item Note Code shall be used in the Note Column for each of those data fields on the Basic Data "A" through "Q" cards to reference the common footnote.
B	12-2	
C	12-3	
D	12-4	
E	12-5	
F	12-6	
G	12-7	
H	12-8	
I	12-9	
J	11-1	
K	11-2	
L	11-3	
M	11-4	
N	11-5	
O	11-6	
P	11-7	
Q	11-8	
R	11-9	
S	0-2	
T	0-3	
U	0-4	
V	0-5	
W	0-6	
X	0-7	
Y	0-8	
Z	0-9	

IMPORTANT: The *controlling* uniform factor for the *Item Note Codes* (pages 21 through 23) is the Card Code; the symbol characters were given only for general information. Thus, when using this code make sure that the punch card code (i.e., the hole punch) sequence is followed.

Special character codes

Character symbol	Card code	Meaning
)	12-4-8	The use of these symbols within the specific and general footnotes should adhere to the associated card code (i.e., the hole punch) sequence.
—	11	
+	12	
<	12-0-8	
=	3-8	
>	0-8	
(	2-8	
$	11-3-8	
*	11-4-8	
(	0-4-8	
%	0-5-8	
:	5-8	
?	12-0	
[	11-0	
, (comma)	0-3-8	
]	0-6-8	
' (apostrophe)	4-8	
;	11-6-8	
/	0-1	
.	12-3-8	

Data transmittal order and codes

Card type	Card Number	Item field number		Item—Operating revenues
				Domestic Message Revenue
A	1	1	1	Public message revenue §31.3110.
A	1	2	2	Government message revenue §31.3116.
A	1	3	3	Press message revenue §31.3125.
A	1	4	4	Domestic transmission of transoceanic and marine messages § 31.3160.
A	1	5	5	Wire-telegraph revenue on cable and radio messages § 31.3160.
A	2	1	6	Other message revenue §31.3199.
A	2	2	7	Total.
				Transoceanic Message Revenue
A	2	3	8	Public message revenue §§31.3210 and 35.3210.
A	2	4	9	Government message revenue §§31.3216 and 35.3216.
A	2	5	10	Press message revenue §§31.3225 and 35.3225.
A	3	1	11	Other commuted-rate message revenue §§31.3220 and 35.3220.
A	3	2	12	Other message revenue §§31.3299 and 35.3299.
A	3	3	13	Total.
				Marine Message Revenue
A	3	4	14	Public message revenue §31.3310.
A	3	5	15	Government message revenue §31.3316.
A	4	1	16	Press message revenue §31.3325.
A	4	2	17	Other commuted-rate message revenue §31.3320.
A	4	3	18	Ship station revenue §31.3370.
A	4	4	19	Other message revenue §31.3399.
A	4	5	20	Total.
A	5	1	21	Total message revenue (Items 7, 13, 20).
				Other Transmission Revenue
A	5	2	22	Scheduled transmission service revenue §§31.3765 and 35.3765.
A	5	3		22.1 Telex service revenue.
A	5	4		22.2 Telex service revenue (ship to shore or marine operations).
A	5	5		22.3 Datel service.
A	6	1		22.4 Scheduled press transmission and reception service.
				Selected income items
B	1	1	1	Operating revenues (2000).
				Operating Revenue Deductions
				Operating expenses:
B	1	2	2	Maintenance expenses (4101–4199).
B	1	3	3	Conducting operations expenses (4211–4299).
B	1	4	4	Relief and pensions (4327).
B	1	5	5	Administrative expenses (4410–4499).
B	2	1	6	General expenses (4311–4325, 4341–4399).
B	2	2	7	Total operating expenses (4000) (Items 2–6).
B	2	3	8	Depreciation (4010).
B	2	4	9	Operating taxes (4031, 4032).
B	2	5	10	Uncollectible revenues (4735).
B	3	1	11	All other operating revenue deductions (4015–4025, 4045–4099).
B	3	2	12	Total operating revenue deductions (Items 7–11).
B	3	3	13	Net operating revenues (Item 1 less 12).
				Other Income Items
B	3	4	14	Other communication income (5010–5099).
B	3	5	15	Operating income (Items 13, 14).
B	4	1	16	Noncommunication income (5110–5199).
B	4	2	17	Gross ordinary income (Items 15, 16).
B	4	3	18	Interest on long-term debt (5210).
B	4	4	19	Interest on indebtedness to affiliates (5215).
B	4	5	20	Interest charged to construction—Cr. (5220).
B	5	1	21	Other deductions from ordinary income (5205, 5220, 5220–5299);
B	5	2	22	Net ordinary income (Items 17, 20 less 18, 19, 21).
B	5	3	23	Extraordinary and delayed income—Net (6110–6220, and any amounts in account 7099).
B	5	4	24	Net income before income taxes (Items 22, 23);
B	5	5	25	Income taxes (7010).
B	6	1	26	Investment credits—Net (7009).
B	6	2	27	Net income transferred to retained earnings (Items 24 less 25, 26);

Card type	Card Number	Item field number		*Item*—Operating revenues
				Selected balance sheet items
C	1	1	1	Operated plant in service (1000).
C	1	2		1.1 Research and development (85).
C	1	3	2	Operated plant leased to others (1100).
C	1	4	3	Improvements and replacements of operated plant leased from others (1200).
				Selected income items
B	1	1	1	Operating revenues §§ 34.3000 and 35.3000.
				Operating Revenue Deductions
				Operating expenses:
B	1	2	2	Maintenance §§ 34.4110–4199 and 35.4101–4199.
B	1	3	3	Conducting operations §§ 34.4210–4299 and 35.4211–4299.
B	1	4	4	Administrative expenses §§ 34.4310–4399 and 35.4410–4499.
B	1	5	5	General expenses §§ 34.4410–4430, 4445–4499 and 35.4311–4325, 4341–4399.
B	2	1	6	Relief and pensions §§ 34.4435 and 35.4327.
B	2	2	7	Total §§ 34.4000 and 35.4000 (Items 2–6, inclusive).
B	2	3	8	Depreciation §§ 34.4910 and 35.4910.
B	2	4	9	Amortization §§ 34.4915, 4920 and 35.4914, 4920.
B	2	5	10	Extraordinary plant losses §§ 34.4925 and 35.4925.
B	3	1	11	Operating taxes §§ 34.4931–4932 and 35.4931–4932.
B	3	2	12	Uncollectible revenues §§ 34.4935 and 35.4935.
B	3	3	13	Rent for lease of operated plant § 34.4940.
B	3	4	14	Telephone, wire telegraph, and ocean cable operating revenue deductions §§ 34.4945 and 35.4945.
B	3	5	15	All other operating revenue deductions §§ 34.4999 and 35.4999.
B	4	1	16	Earth station expenses §§ 34.4946 and 35.4946.
B	4	2		16.1 Earth station expenses §§ 34.4946 and 35.4946.
B	4	3		16.2 Earth station depreciation §§ 34.4946 and 35.4946.
B	4	4	17	Total operating-revenue deductions (Items 7 to 16 inclusive).
B	4	5	18	Net operating revenues (Item 1 less item 17).
				Other Income Items
B	5	1	19	Other communication income §§ 34.5010–5099 and 35.5010–5099.
B	5	2	20	Operating Income (Item 18 plus item 19).
B	5	3	21	Noncommunication income §§ 34.5110–5199 and 35.5110–5199.
B	5	4	22	Gross ordinary income (Item 20 plus item 21).
B	5	5	23	Interest §§ 34.5210, 5220, 5230 and 35.5210, 5220, 5230.
B	6	1		23.1 Interest on long term debt §§ 34.5210 and 35.5210.
B	6	2		23.2 Amortization of debt discount §§ 34.5220 and 35.5220.
B	6	3		23.3 Amortization of debt premium-Cr. §§ 34.5230 and 35.5230.
B	6	4	24	Interest on indebtedness to affiliates §§ 34.5215 and 35.5215.
B	6	5	25	Interest charged to construction-Cr. §§ 34.5225 and 35.5225.
B	7	1	26	Other deductions from ordinary income §§ 34.5235–5299 and 35.5205, 35.5233–5299.
B	7	2	27	Net ordinary income (Items 22, 25 less items 23, 24, 26).
B	7	3	28	Extraordinary and delayed income-Net §§ 34.6110–6299 and 35.6110–6220; and any amounts in account 7099.
B	7	4		28.1 Credits §§ 34.6110–6199 and 35.6110 and 6210.
B	7	5		28.2 Charges §§34.6210–6299 and 35.6120–6220.
B	8	1		28.3 Other deductions from net income §§ 34.7099 and 35.7099.
B	8	2	29	Net income before income taxes (Item 27 plus item 28).
B	8	3	30	Income taxes §§ 34.7010 and 35.7010.
B	8	4	31	Net income transferred to earned surplus (Item 29 less item 30).
				Selected balance sheet items
C	1	1	1.1	Operated plant in service §§ 34.1000 and 35.1000.
C	1	2	1.2	Operated plant leased to others §§ 34.1100 and 35.1100.
C	1	3	1.3	Improvements and replacements of operated plant leased from others §§ 34.1200 and 35.1200.
C	1	4	1.4	Plant under construction §§ 34.1300 and 35.1300.
C	1	5	1.5	Plant held for future communication use §§ 34.1400 and 35.1400.
C	2	1	1.6	Plant acquisition adjustments §§ 34.1510 and 35.1510
C	2	2	1.7	Total of items 1.1 through 1.6.
C	2	3	2.1	Allowance for depreciation; radiotelegraph, wire-telegraph and ocean cable plant §§ 34.1515 and 35.1515.
C	2	4	2.2	Allowance for amortization; radiotelegraph, wire-telegraph and ocean cable plant §§ 34.1520 and 35.1520.
C	2	5	3.1	Telephone and radiotelegraph plant §§ 34.1530 and 35.1530.
C	3	1	3.2	Allowance for depreciation and amortization telephone and radiotelegraph plant §§ 34.1535 and 35.1535.
C	3	2	4.0	Satellite Earth stations §§ 34.1500 and 35.1500.
C	3	3	4.1	Earth station depreciation and amortization reserve §§ 34.1521 and 35.1521.
C	3	4	5	Net communication plant (1.7, 3.1, 4.0 less 2.1, 2.2, 3.2, 4.1).
C	3	5	6	Other plant accounts §§ 34.1599 and 35.1540–1599.
C	4	1	7	Miscellaneous physical property and allowance for depreciation §§ 34.1610 less 34.1615 and 35.1610 less 35.1615.
C	4	2	8	Other investment and fund accounts §§ 34.1620–1699 and 35.1620–1699.
C	4	3	9	Current assets §§ 34.1710–1799 and 35.1710–1799.
C	4	4	10	Other deferred charges §§ 34.1910–1999 and 35.1910–1999.
C	4	5	11	Current liabilities §§ 34.2110–2199 and 35.2101–2199.
C	5	1	12	Long term debt §§ 34.2010–2099 and 35.2010–2099.
C	5	2	13	Deferred credits §§ 34.2310–2399 and 35.2310–2399.
C	5	3	14	Capital stock §§ 34.2410–2425 and 35.2410–2425.
C	5	4	15	Retained earnings §§ 34.2510–2599, 2610–2699 and 35.2510–2599, 2610–2699.
C	5	5		15.1 Capital §§ 34.2510–2599 and 35.2510–2599.
C	6	1		15.2 Retained earnings §§ 34.2610–2699 and 35.2610–2699.

APPENDIX A—PART 2

FCC FORM 905 (ADP)

January 1974

REPORTING INSTRUCTIONS FOR MONTHLY REPORT OF REVENUES, EXPENSES, AND OTHER ITEMS

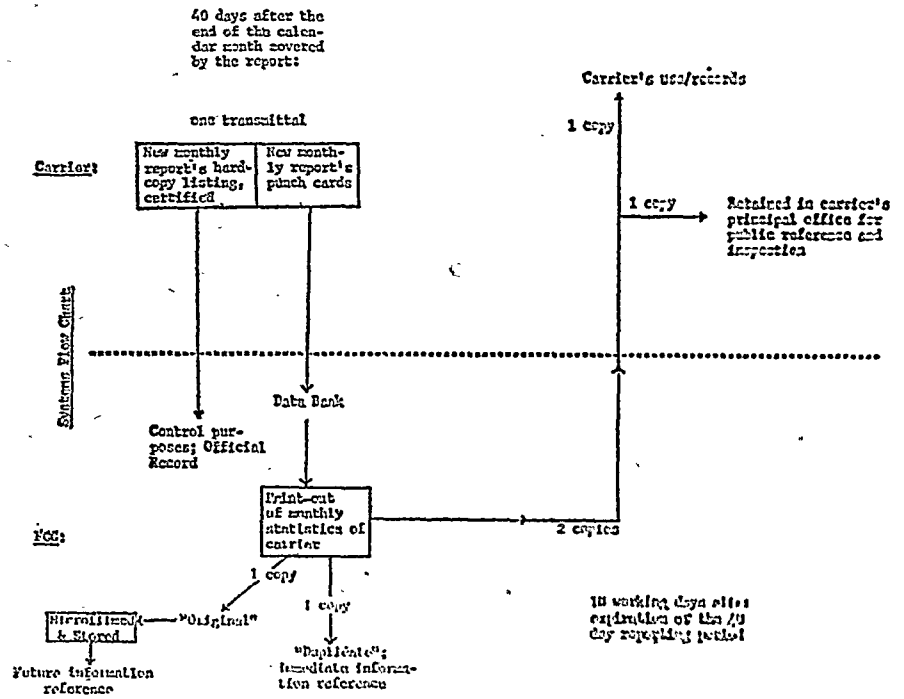
Wire-Telegraph Companies

1. *Reporting System.* In fulfillment of the monthly reporting requirement (Section 43.31 of the FCC Rules and Regulations) carriers designated as Class A wire-telegraph companies which had operating revenues for the preceding year in excess of $250,000 shall prepare and transmit to the Commission the required information in punch card format (eighty column; punched and printed or interpreted) as provided for in these instructions within forty days after the end of the calendar month covered by the report. In addition, a separate hard-copy listing or printout of the data card deck shall be enclosed. This listing shall be certified to be true and correct (and, in fact, a copy of the carrier's monthly report). This certification shall read as follows: "I certify that the reported monthly data, a copy of which is provided on this listing, submitted in compliance with Section 43.31 of the Commission's Rules is true and correct to the best of my knowledge and belief."

--- ---
Date Signature

Title

This certified listing of the monthly data shall become the official public record. Within ten working days after the expiration of the 40 day reporting period, the FCC will prepare and forward to the carrier a printout (two copies) of the monthly statistics of that carrier compiled from the data certified by the carrier on its monthly 905 report. This printout will be retained by the carrier in its principal office and made available for public reference and inspection. See the systems flow chart on page 2.



2. *Data formats and footnoting.* Three basic data card formats are used: the Header Card, the Basic Data Cards—"A" through "D", and the Footnoted Explanation Card—"Z". (See page 8.) The last two types, the information transmittal formats, allow for uniform identification and information to be provided in columns 1 through 12. See pages 9 through 13 for the key punching instructions and associated codes to be used.

The Basic Data Cards—"A" through "D" format shall be used to transmit all the monthly financial and accounting data. The use of different (A,B,C or D) symbols as Card Type Codes will indicate the type of financial or operating data being transmitted on that particular card. (See page 14.) All data of that particular category shall be transmitted by the use of "trail" cards, numbered consecutively (columns 2-3) within each category. (See pages 24 through 26.) The information shall be entered in blocked data fields as outlined on the attached sheet, *Data Transmittal Order* (pages 24 through 26). Each data item field is provided with a column immediately preceding it which can be used to indicate whether the information has any specific footnoted remarks of explanation, e.g., column 13 will indicate this for the data in columns 14 through 24. See *Item Note Cards* for indicating Specific Footnotes (pages 22 through 23). When a specific footnoted explanation is to be provided for any item data field, the appropriate code symbol shall be punched in the Note column for that item. The actual footnote or remark shall be placed on a separate Footnoted Explanation Card—"Z" (indicated in column 1 of the "Z" card). Columns 4 through 12 of the "Z" card shall be identical to those columns of the "A" through "D" card on which the footnoted data appear. Column 13 of the "Z" card shall contain the same alpha symbol code that was used to indicate the footnote in the Note column on the "A" through "D" card. Columns 14-15 of the "Z" card shall indicate the sequential order of cards for any particular footnote. Thus a footnote may run to completion on more than one card by using "trailing" "Z" cards which have columns 1-13 identical to the first "Z" card for the particular footnote and columns 14-15 indicating the sequence of the particular card in the footnote's transmittal. Columns 16 through 80 are provided for the alpha/numeric footnote. If footnoted explanation of a *general* nature (not related to any specific item being transmitted) is desired, a numeric coded (see page 21) symbol shall be placed in the Note Code column (column 13) of the "Z" card indicating a *General* Footnoted Explanation.

A Header Card format (see page 9) has been provided to ensure accuracy and facility in handling.

3. *Regular monthly transmittal.* Regular monthly transmittal of data, under this instruction, shall consist of and be submitted in the following order:

A. Letter of transmittal.

B. *Certified* listing of the current reporting monthly data (see page 1).

C. Current reporting month punch cards:

(1) "Header" cards;

(2) Basic Data Cards "A" through "D", by card number sequence;

(3) Footnoted Explanation Cards "Z"

(a) General footnotes;

(b) Specific footnotes;

—by Note Code symbol order in the sequential order of Note Card number.

In *no* case should *revision* cards be included in the regular transmittal of monthly data.

4. *Corrections/alterations/additions.* Previously submitted data can be corrected or modified by a simple procedure. A new card and the certified listing or printout can be submitted, at any time after the original report, under a letter of transmittal and authorization. The certification procedure for the corrected or revised report shall be implemented as with a regular report (see page 1). Revised printouts for all subsequently affected reports, as issued from the Commission in the 905 format, shall be re-issued in order to provide the carrier with acknowledgement of the receipt of such revised data and to update the carrier's principal office records, thus ensuring that the newly revised data and reports are readily available for reference and inspection. The correction card shall have identical identification codes as the originally submitted card (for an "A" through "D" card, columns 1 through 7 and 9 through 12); (for a "Z" card, columns 1 through 7 and 9 through 15). Column 8 of the correction card shall contain the alpha code "C" (indicating a correction transaction).

The entire data area (for an "A" through "D" card, columns 13 through 72; for a "Z" card, columns 16 through 80) should be revised to reflect the card as it should have been submited originally. In other words, in order to correct/alter any previously sub-

mitted card, resubmit the card as it should correctly "read" and place the alpha code "C" in column 8. The new corrected card will supersede the entire originally submitted card. If an item is to be completely deleted, zero(s) shall be inserted in the entire data field to be eliminated.

In the case of data which was entirely omitted (e.g., additional footnoting necessary) in the regular monthly transmittal, additional information may be provided simply by submitting the data as it originally should have been transmitted (following the normal sequential order of the report it supplements), *and* by placing the alpha code "C" in column 8. If this additional information is a new (not previously submitted) Specific Footnoted Explanation, a corrected Basic Data Card "A" through "D" on which the item to be footnoted appears also must be submitted with the appropriate Item Note Code in the Note column for that Item.

Data revision transmittals shall consist of and be submitted in the following order:

A. Letter of transmittal.

B. Certified listing (see page 1).

C. Punch Cards:

(1) "Header" Card;

(2) Revision Cards—in the normal sequence that they would have been placed in the regular transmittal

(a) Revised Basic Data Cards—"A" through "D" in alphabetic-numeric sequential order,

(b) Revised Footnoted Explanation Cards—"Z"

(1) General footnotes;

(2) Specific footnotes.

In *no* case should *revision* cards be included in the *regular* transmittal of monthly data.

5. *General Reporting Instructions.* A. All alpha and/or numeric characters will be *right* justified with leading "blanks" (except for the Hollerith footnoting of columns 16 through 80 of the "Z" card). Items without entries to be reported shall be left blank.

B. Please note that data contained in each monthly report will be amounts for the *reported month only.* "Cumulative for the year" and "Previous year" figures shall not be reported.

C. All amounts will be shown to the nearest dollar, adjusted to accord with footings. Entries of a reverse or contrary character shall be indicated by the placing of an "11" (Minus) punch in the column *immediately* preceding the numeric data. Standard accounting procedures will apply in determining the nature of any entry.

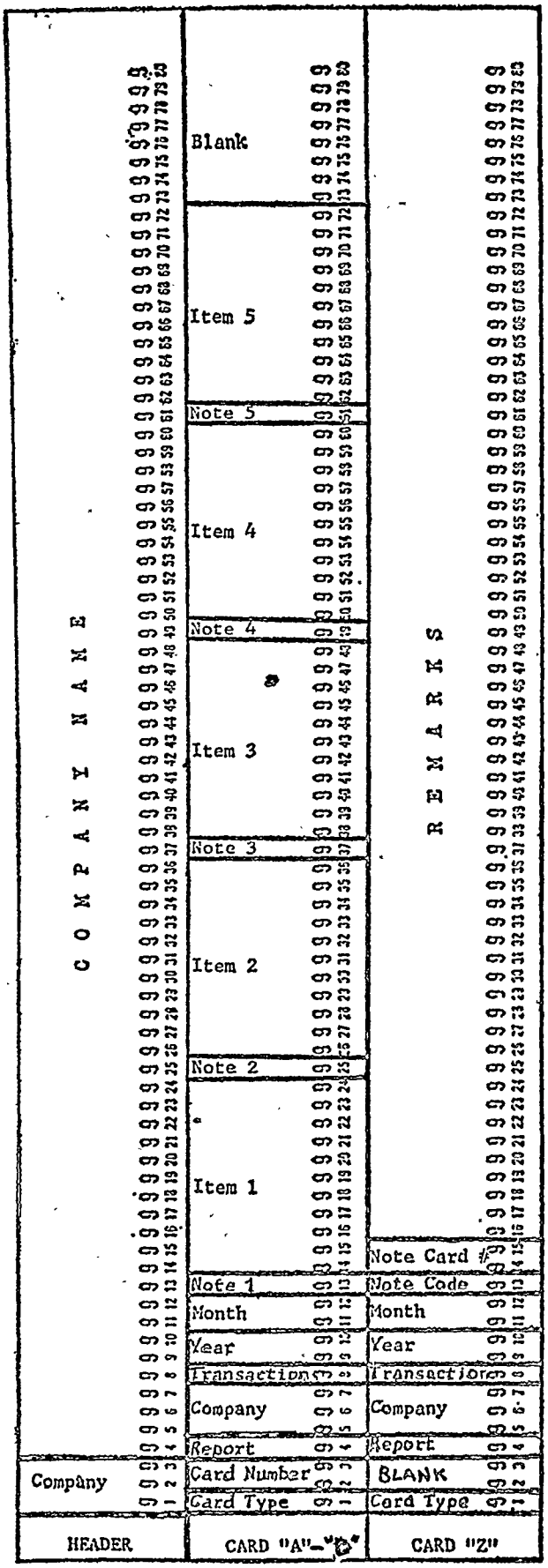
D. If any amount for the current month differs materially from that for the previous month or the corresponding month of the preceding year and the difference is not self-explanatory but was caused by unusual circumstances that have not been explained in a previous report, appropriately annotate the item and explain the occasioning facts on a "Z" card(s). (See page 3.)

E. All items of a report transmittal or subsequent correction transaction shall be securely wrapped to prevent damage during shipment and addressed to:

Federal Communications Commission
Washington, D.C. 20554

Attention: Economic Studies Division
Common Carrier Bureau

F. All questions concerning problems arising out of the operation or procedure of this system or requests for waiver from this reporting requirement should be directed to:
Chief, Common Carrier Bureau
Federal Communications Commission
Washington, D.C. 20554
Attention: Economic Studies Division



CARD FORMATS

FCC monthly report form 995 (ADP)
Key Punching Instructions
Header Card (see page 3)

Card column	Item	Instructions
1-3	Company	Punch appropriate numeric code "000" through "999". See pages 15 through 19.
4-80	Company name	Punch alpha characters (left justified) of exact name of respondent (if sufficient space is not provided use of standard abbreviations is acceptable).

Basic Data Card—"A" through "D" (see page 3)

1	Card type	Punch appropriate alpha Card Type Code "A" through "D" corresponding to the type of data being transmitted. See pages 14; 24 through 29.
2-3	Card number	Punch numeric code "01" through "99" (as required) corresponding to the order of the card in the report transmittal of data. See pages 24 through 29 for explanation.
4	Report	Punch "5".
5-7	Company	Punch appropriate numeric code "000" through "999". See pages 15 through 19.
8	Transaction	*Skip*, if card is part of a regular or original data transmittal; or Punch alpha code "C", if card is a correction or modification to previously submitted data. See page 3.
9-10	Year (covered by report)	Punch numeric code "00" through "99" corresponding to the last two digits of the reporting calendar year.
11-12	Month (covered by report)	Punch numeric code "01" through "12". See page 29.
13, 25, 37, 49 and 61	Note	Punch the appropriate Item Note Codes (for indicating *specific* footnotes); see pages 22 through 23. These columns are provided to indicate that additional information about entries in columns 14-24, 26-36, 38-48, 50-60, and 62-72, respectively has been provided in *specific* footnoted explanations (see page 3).
14-24, 26-36, 38-48, 50-60, and 62-72.	Item	Punch the appropriate amount for the data requested (pages 24 through 29). Figures should be right justified with leading "blanks". Entries of a contrary or reverse character shall be indicated as such by placing an "11" (minus) punch in the column immediately preceding the numeric data.
73-80	Blank	*Skip*.

Footnoted Explanation Card—"Z" (see page 3)

1	Card type	Punch "Z".
2-3	Blank	*Skip*.
4	Report	Punch "5".
5-7	Company	Punch appropriate numeric code "000" through "999". See pages 15 through 19.
8	Transaction	*Skip*, if card is part of a regular or original data transmittal; or Punch alpha code "C", if card is a correction or modification to previously submitted data. See page 3.
9-10	Year (covered by report).	Punch numeric code "00" through "99" corresponding to the last two digits of the reporting calendar year.
11-12	Month (covered by report).	Punch numeric code "01" through "12". See page 29.
13	Note Code	Punch the identical symbol from the appropriate Note Column (column 13, 25, 37, 49, or 61) of the "A" through "D" card which is to be explained by the footnoted entry of columns 16 through 80, if card is a *Specific* footnoted explanation; or Punch the appropriate Item Note Code (for indicating *General* footnotes); see page 21, if card is a *General* footnoted explanation.
14-15	Note code number.	Punch numeric code "01" through "99" (as required) corresponding to the order of the specific card in the sequence of cards which when combined will provide the entire footnote.
16-80	Remarks	Punch the appropriate alpha or numeric symbols to provide the remarks or explanation required. This shall be in Hollerith code, thus it does not require right justification.

CARD TYPE CODES

(Column 1)

Basic Data Cards (See p. 3)
- A—Operating Revenues
- B—Selected Income Items
- C—Selected Balance Sheet Items
- D—Message Volumes

Z—Footnoted Explanation Card

COMPANY IDENTIFIER CODES

(Not all carriers listed herein are subject to this instruction)

(Columns 5-7)

Bell System

Bell System (not including Cincinnati Bell, Inc., or the Southern New England Telephone Co.) ---- 000
American Telephone & Telegraph Co ---- 001
Long Lines Department ---- 002
General Department ---- 003
Bell Telephone Co. of Nevada ---- 006
Bell Telephone Co. of Pennsylvania, The 009
Chesapeake & Potomac Telephone Co., The ---- 012
Chesapeake & Potomac Telephone Co. of Maryland, The ---- 015
Chesapeake & Potomac Telephone Co. of Virginia, The ---- 018
Chesapeake & Potomac Telephone Co. of West Virginia, The ---- 021
Cincinnati Bell, Inc ---- 024
Diamond State Telephone Co., The ---- 027
Illinois Bell Telephone Co ---- 030
Indiana Bell Telephone Co., Inc ---- 033
Michigan Bell Telephone Co ---- 036
Mountain States Telephone & Telegraph Co., The ---- 039
New England Telephone & Telegraph Co. 042
New Jersey Bell Telephone Co ---- 045
New York Telephone Co ---- 048
Northwestern Bell Telephone Co ---- 051
Ohio Bell Telephone Co., The ---- 054
Pacific Northwest Bell Telephone Co ---- 057
Pacific Telephone & Telegraph Co., The 060
South Central Bell Telephone Co ---- 063
Southern Bell Telephone & Telegraph Co ---- 066
Southern New England Telephone Co., The ---- 069
Southwestern Bell Telephone Co ---- 072
Wisconsin Telephone Co ---- 075

Non-Bell Holding Companies, Telephone, Telegraph and Satellite Carriers

All America Cables and Radio, Inc ---- 105
American Cable & Radio Corp ---- 110
Cable & Wireless/Western Union International, Inc ---- 115
Carolina Telephone & Telegraph Co ---- 120
Central Radio Telegraph Co ---- 125
Central Telephone & Utilities Corp ---- 130
Central Telephone Co ---- 135
Central Telephone Co of Ill ---- 140
Citizens Utilities Co ---- 145
Citizens Utilities Co. of California ---- 150
Commonwealth Telephone Co ---- 155
Communications Satellite Corp ---- 160
Continental Telephone Corp ---- 165
Continental Telephone Co. of California 170
Cuban American Telephone & Telegraph Co ---- 175
Delaware Valley Telephone Co ---- 177
Florida Telephone Corp ---- 180
French Cable Co., The ---- 185
General Telephone & Electronics Corp ---- 190
General Telephone Co. of Alaska ---- 195
General Telephone Co. of California ---- 200
General Telephone Co. of Florida ---- 205
General Telephone Co. of Illinois ---- 210
General Telephone Co. of Indiana, Inc ---- 215
General Telephone Co. of Kentucky ---- 220
General Telephone Co. of Michigan ---- 225
General Telephone Co. of the Midwest ---- 230
General Telephone Co. of the Northwest, Inc ---- 235
General Telephone Co. of Ohio ---- 240
General Telephone Co. of Pennsylvania ---- 245
General Telephone Co. of the Southeast ---- 250
General Telephone Co. of the Southwest ---- 255
General Telephone Co. of Upstate New York, Inc ---- 260
General Telephone Co. of Wisconsin ---- 265
Geneva Telephone Co ---- 270
Golden West Telephone Co ---- 275
Grand River Mutual Telephone Corp ---- 280
Hawaiian Telephone Co ---- 285
Idaho Telephone Co ---- 288
International Telephone & Telegraph Corp. ---- 290
ITT Communications, Inc.—Virgin Islands ---- 295
ITT World Communications, Inc ---- 300
Leo Telephone Co ---- 305
Lincoln Telephone & Telegraph Co., The ---- 310
Lorain Electronics Corp ---- 315
Lorain Telephone Co., The ---- 320
Louisiana Offshore Telephone Co ---- 325
Malheur Home Telephone Co ---- 330
Mid Continent Telephone Corp ---- 333
Mid Penn Telephone Corp ---- 334
Navajo Communications Co., Inc ---- 335
Nemont Telephone Cooperative, Inc ---- 338
Norfolk & Carolina Telephone & Telegraph Co., The ---- 340
Norfolk & Carolina Telephone & Telegraph Co. of Virginia, The ---- 345
Northern Ohio Telephone Co ---- 350
Northern States Power Co ---- 355
Press Wireless, Inc ---- 360
Puerto Rico Telephone Co ---- 365
Radio Corp. of America ---- 370
RCA Alaska Communications, Inc ---- 375
RCA Global Communications, Inc ---- 380
Rochester Telephone Corp ---- 385
South Penn Telephone Co ---- 390
Southeastern Telephone Co ---- 395
TRT Telecommunications Corp ---- 400
United Brands Co ---- 405
United Inter-Mountain Telephone Co ---- 410
U.S. Telephone & Telegraph Corp ---- 415
United States-Liberia Radio Corp ---- 420
United Telephone Co. of Florida ---- 425
United Telephone Co. of Indiana, Inc ---- 430
United Telephone Co. of Missouri ---- 435
United Telephone Co. of the Northwest ---- 440

United Telephone Co. of Ohio	445
United Telephone Co. of Pennsylvania	450
United Telephone Co. of the West	455
United Utilities, Inc	460
Virgin Islands Telephone Corp	465
Virginia Telephone & Telegraph Co	470
Warner & Tamble Radio Service, Inc	475
West Coast Telephone Co. of California	480
Westco Telephone Co	485
Western California Telephone Co	490
Western Carolina Telephone Co	495
Western Union Corp	500
Western Union International, Inc	505
Western Union Telegraph Co., The	510
Woodbury Telephone Co	515
WUI, Inc	518
York Telephone & Telegraph Co	520

MONTH CODES

(Columns 11–12)

01	January	07	July
02	February	08	August
03	March	09	September
04	April	10	October
05	May	11	November
06	June	12	December

Item note codes

[For indicating general footnotes]

Character symbol	Card code	Instructions
1	1	The use of these symbols will indicate general footnoted explanations. (See page 3.) These symbols are to be used in the indicated sequence. *No* symbol shall be reused in the same monthly report. *One* entire footnote, however, may have more than one "Z" card, each having the same Item Note Code in column 13 but different Note Code Numbers in columns 14 through 15, indicating the sequential order of that specific card in the particular footnote.
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	

IMPORTANT: The *controlling* uniform factor for the *Item Note Codes* (pages 21 through 23) is the Card Code; the symbol characters were given only for general information. Thus, when using this code make sure that the punch card code (i.e., the hole punch) sequence is followed.

Item note codes

[For Indicating specific footnotes]

Character Symbol	Card Code	Meaning
Space	Blank	"Numeric data, not footnoted;" reuse of this symbol is permissible.
A	12-1	The use of these symbols will indicate "numeric data, with footnoted explanation following." These symbols are to be used in the indicated sequence. *No* symbol shall be reused in the same monthly report to indicate *different* specific footnotes. In the case of a repetitive specific footnote to be used in explaining several different data fields, instead of "rewriting" the footnote each time it is required, the same Item Note Code shall be used in the Note Column for each of those data fields on the Basic Data "A" through "D" cards to reference the common footnote.
B	12-2	
C	12-3	
D	12-4	
E	12-5	
F	12-6	
G	12-7	
H	12-8	
I	12-9	
J	11-1	
K	11-2	
L	11-3	
M	11-4	
N	11-5	
O	11-6	
P	11-7	
Q	11-8	
R	11-9	
S	0-2	
T	0-3	
U	0-4	
V	0-5	
W	0-6	
X	0-7	
Y	0-8	
Z	0-9	

IMPORTANT: The *controlling* uniform factor for the *Item Note Codes* (pages 21 through 23) is the Card Code; the symbol characters were given only for general information. Thus, when using this code make sure that the punch card code (i.e., the hole punch) sequence is followed.

Special character codes

Character symbol	Card code	Meaning
)	12-4-8	The use of these symbols within the specific and general footnotes should adhere to the associated card code (i.e., the hole punch) sequence.
–	11	
+	12	
<	12-6-8	
=	3-8	
>	6-8	
&	2-8	
$	11-3-8	
*	11-4-8	
(	0-4-8	
%	0-5-8	
:	5-8	
?	12-0	
!	11-0	
, (comma)	0-3-8	
|	0-6-8	
' (apostrophe)	4-8	
;	11-6-8	
/	0-1	
.	12-3-8	

Data transmittal order and codes

Card Type	Card number	Item field number		Operating revenues
				Transmission Revenue
A	1	1	1	Public message revenue (3110).
A	1	2		1.1 Mailgram—public (Mailgram III).
A	1	3		1.2 Mailgram—automated (Mailgram II).
A	1	4	2	United States Government message revenue (3115).
A	1	5	3	Press message revenue (3125).
A	2	1	4	Money order message revenue (3130).
A	2	2	5	News (CND) service revenue (3135).
A	2	3	6	Contract (CAK) message revenue (3140).
A	2	4	7	Facsimile or photogram service revenue (3145).
A	2	5	8	Telephone service revenue (3155).
A	3	1	9	Wire-telegraph revenue on cable and radio message (3160).
A	3	2	10	Other wire-telegraph transmn. revenues (3199).
A	3	3	11	Total transmission revenues (Items 1-10).
				Nontransmission Revenue
A	3	4	12	Leased-circuit revenue (3410).
A	3	5	13	Measured-service revenue (3415).
A	4	1		13.1 Telex service revenue.
A	4	2		13.2 Mailgram service revenue (Mailgram I).
A	4	3		13.3 TWX service revenue.
A	4	4		13.4 Other services.
A	4	5	14	Other leased-plant revenue (3420).
A	5	1	15	Code-registration revenue (3425).
A	5	2	16	Errand service revenue (3430).
A	5	3	17	Money-order charges (3435).
A	5	4	18	Time service revenue (3440).
A	5	5	19	Other wire-telegraph nontransmission revenues (3499).
A	6	1	20	Total nontransmission revenue (Items 12-19).
A	6	2	21	Terminal commissions (3350).
A	6	3	22	Total operating revenues (Items 11, 20, 21).
				Other Transmission Revenue
A	6	2		22.5 Teleprinter conference service.
A	6	3		22.6 IMCO (International Metered Communications).
A	6	4		22.7 Stock ticker service.
A	6	5		22.8 Market quotation service.
A	7	1		22.9 Other service.
A	7	2	23	Broadcast-program service revenue §§ 34.3725 and 35.3725.
A	7	3	24	News (CND) service revenue §§ 34.3735 and 35.3735.
A	7	4	25	Facsimile or photogram service revenue §§ 34.3745 and 35.3745.
A	7	5	26	Telephone service revenue §§ 34.3755 and 35.3755.
A	8	1	27	Misc. transmission service revenue §§ 34.3799 and 35.3799.
A	8	2	28	Total (Items 22, 23, 24, 25, 26, 27).
A	8	3	29	Total Transmission Revenue (Items 21, 28).
				Nontransmission Revenue
A	8	4	30	Revenue from furnishing and servicing stations § 34.3805.
A	8	5		30.1 Fixed and land stations.
A	9	1		30.2 Ship stations.
A	9	2	31	Leased-circuit revenue §§ 34.3810 and 35.3810.
A	9	3		31.1 Less than voice grade.
A	9	4		31.2 Voice grade.
A	9	5		31.3 Greater than voice grade.
A	10	1	32	Other leased plant revenue §§ 34.3820 and 35.3820.

Data transmittal order and codes

Card Type	Card number	Item field number		Operating revenues
A	10	2		32.1 Equipment rentals.
A	10	3		32.2 Facility rentals.
A	10	4		32.3 Other rentals.
A	10	5	33	Money-order fees §§ 34.3325 and 35.3325.
A	11	1	34	Miscellaneous nontransmission revenue §§ 34.3370 and 35.3370.
A	11	2	35	Total (Items 29, 31, 32, 33, 34).
				Other Telecommunication Revenue
A	11	3	36	Telephone revenue—telephone systems §§ 34.2910 and 35.2910.
A	11	4	37	Radiotelegraph revenue—radiotelegraph systems § 35.2925.
A	11	5	38	Wire telegraph and ocean-cable revenue-wire systems § 34.2923.
A	12	1	39	Earth station revenue §§ 34.2911 and 35.2911.
A	12	2	40	Total operating revenues (Items 29, 35, 36, 37, 38, 39).[2]
				Selected balance sheet items
C	1	5	4	Plant under construction (1350)
C	2	1	5	Plant held for future communication use (1400)
C	2	2	6	Plant acquisition adjustment (1510)
C	2	3	7	Total of Items 1 through 6
C	2	4	8	Allowance for depreciation (1515)
C	2	5	9	Allowance for amortization (1520)
C	3	1	10	Telephone and radiotelegraph plant (1700)
C	3	2	11	Allowance for depreciation and amortization; telephone and radiotelegraph plant (1535)
C	3	3	12	Net communication plant (Items 7, 10 less 8, 9, 11)
C	3	4	13	Other plant accounts (1510-1[illegible])
C	3	5	14	Miscellaneous physical property and allowance for depreciation (1610 less 1615)
C	4	1	15	Other investment and fund accounts (1620-1[illegible])
C	4	2	16	Material and supplies (1705)
C	4	3	17	Current assets (1710-1790, 1[illegible])
C	4	4	18	Deferred charges (1910-1[illegible])
C	4	5	19	Current liabilities (2101-21[illegible])
C	5	1	20	Long term debt (2010-20[illegible])
C	5	2	21	Deferred credits (2310-23[illegible])
C	5	3		21.1 Other deferred credits (2[illegible])
C	5	4		21.2 Unamortized customer payments (2[illegible])
C	5	5	22	Capital stock (2110-21[illegible])
C	6	1	23	Earned Surplus (2310-2[illegible]; 2310-2[illegible])
C	6	2		23.1 Capital surplus (2310-2[illegible])
C	6	3		23.2 Earned surplus (2310-2[illegible])
				Message volumes
D	1	1	1	Public.
D	1	2	2	Government.
D	1	3	3	Press.
D	1	4	4	Money order.
D	1	5	5	Tel(T)ex.
D	2	1	6	Mailgram.
D	2	2	7	TWX.
D	2	3	8	International messages.

[1] Carried to next section.
[2] Carried to item 1 in next section.

APPENDIX B

PART I

Federal communications commission, Washington, D.C. 20554

[International record carrier]

Month of _____ Year _____ (Name of reporting carrier) _____ (Code) _____ Figures for the month, this year (dollars)

	Item—Operating revenues	
	Domestic Message Revenue	
1	Public message revenue § 34.3110	_____
2	Government message revenue § 34.3110	_____
3	Press message revenue § 34.3125	_____
4	Domestic transmission of transoceanic and marine messages § 34.3160	_____
5	Wire-telegraph revenue on cable and radio messages § 35.3100	_____
6	Other message revenue § 34.3179	_____
7	Total	_____
	Transoceanic Message Revenue	
8	Public message revenue § § 34.3210 and 35.3210	_____
9	Government message revenue § § 34.3216 and 35.3216	_____
10	Press message revenue § § 34.3225 and 35.3225	_____
11	Other commuted-rate message revenue § § 34.3229 and 35.3229	_____
12	Other message revenue § § 34.3279 and 35.3279	_____
13	Total	_____
	Marine Message Revenue	
24	Public message revenue § 34.3310	_____
15	Government message revenue § 34.3316	_____
16	Press message revenue § 34.3325	_____
17	Other commuted-rate message revenue § 34.3329	_____
18	Ship station revenue § 34.3370	_____
19	Other message revenue § 34.3379	_____
20	Total	_____
21	Total message revenue (Items 7, 13, 20)	_____

APPENDIX B

PART I

Federal communications commission, Washington, D.C. 20554

[International record carriers]

Month of _____ Year _____	(Name of reporting carrier)	(Code)	Figures for the month, this year (dollars)
	Other Transmission Revenue		
22	Scheduled transmission service revenue §§ 34.3705 and 35.3705		
	22.1 Telex service revenue		
	22.2 Telex service revenue (ship to shore or marine operations)		
	22.3 Datel service		
	22.4 Scheduled press transmission and reception service		
	22.5 Teleprinter conference service		
	22.6 IMCO (International Metered Communications)		
	22.7 Stock ticker service		
	22.8 Market quotation service		
	22.9 Other service		
23	Broadcast-program service revenue §§ 34.3725 and 35.3725		
24	News (CND) service revenue §§ 34.3735 and 35.3735		
25	Facsimile or photogram service revenue §§ 34.3745 and 35.3745		
26	Telephone service revenue §§ 34.3755 and 35.3755		
27	Miscellaneous transmission service revenue §§ 34.3799 and 35.3799		
28	Total (Items 22, 23, 24, 25, 26, 27)		
29	Total transmission revenue (Items 21, 28)		
	Nontransmission Revenue		
30	Revenue from furnishing and servicing stations § 34.3805		
	30.1 Fixed and land stations		
	30.2 Ship stations		
31	Leased-circuit revenue §§ 34.3810 and 35.3810		
	31.1 Less than voice grade		
	31.2 Voice grade		
	31.3 Greater than voice grade		
32	Other leased plant revenue §§ 34.3820 and 35.3820		
	32.1 Equipment rentals		
	32.2 Facility rentals		
	32.3 Other rentals		
33	Money-order fees §§ 34.3825 and 35.3825		
34	Miscellaneous nontransmission revenue §§ 34.3899 and 35.3899		
35	Total (Items 30, 31, 32, 33, 34)		
	Other Telecommunication Revenue		
36	Telephone revenue—Telephone systems §§ 34.3910 and 35.3910		
37	Radiotelegraph revenue—Radiotelegraph systems § 35.3925		
38	Wire telegraph and ocean-cable revenue-wire systems § 34.3923		
39	Earth station revenue §§ 34.3911 and 35.3911		
40	Total operating revenues (Items 29, 35, 36, 37, 38, 39) [1]		
	Selected income items		
1	Operating revenues §§ 34.3000 and 35.3000		
	Operating Revenue Deductions		
	Operating expenses:		
2	Maintenance §§ 34.4110–4199 and 35.4101–4199		
3	Conducting operations §§ 34.4210–4299 and 35.4211–4299		
4	Administrative expenses §§ 34.4310–4399 and 35.4410–4499		
5	General expenses §§ 34.4410–4430, 4445–4499 and 35.4311–4325, 4341–4399		
6	Relief and pensions §§ 34.4435 and 35.4327		
7	Total §§ 34.4000 and 35.4000 (Items 2–6, inclusive)		
8	Depreciation §§ 34.4910 and 35.4910		
9	Amortization §§ 34.4915, 4920 and 35.4914, 4920		
10	Extraordinary plant losses §§ 34.4925 and 35.4925		
11	Operating taxes §§ 34.4931–4932 and 35.4931–4932		
12	Uncollectable revenues §§ 34.4935 and 35.4935		
13	Rent for lease of operated plant § 34.4940		
14	Telephone, wire telegraph and ocean cable operating revenue deductions §§ 3.44945 and 35.4945		
15	All other operating revenue deductions §§ 34.4999 and 35.4999		
16	Earth station expenses §§ 34.4946 and 35.4946		
	16.1 Earth station expenses §§ 34.4946 and 35.4946		
	16.2 Earth station depreciation §§ 34.4946 and 35.4946		
17	Total operating-revenue deductions (Items 7 to 16 inclusive)		
18	Net operating revenues (Item 1 less item 17)		
	Other Income Items		
19	Other communication income §§ 34.5010–5099 and 35.5010–5099		
20	Operating Income (Item 18 plus item 19)		
21	Noncommunication income §§ 34.5110–5199 and 35.5110–5199		
22	Gross ordinary income (Item 20 plus item 21)		
23	Interest §§ 34.5210, 5220, 5230 and 35.5210, 5220, 5230		
	23.1 Interest on long-term debt §§ 34.5210 and 35.5210		
	23.2 Amortization of debt discount §§ 34.5220 and 35.5220		
	23.3 Amortization of debt premium-Cr. §§ 34.5230 and 35.5230		
24	Interest on indebtedness to affiliates §§ 34.5215 and 35.5215		
25	Interest charged to construction-Cr. §§ 34.5225 and 35.5225		
26	Other deductions from ordinary income §§ 34.5235–5299 and 35.5205, 35.5233–5299		
27	Net ordinary income (Items 22, 25 less items 23, 24, 26)		

APPENDIX B

PART 1

Federal communications commission, Washington, D.C. 20554

[International record carrier]

Month of _____ Year _____	(Name of reporting carrier)	(Code)	Figures for the month, this year (dollars)
28	Extraordinary and delayed income—net §§ 34.6110-6220 and 35.6110-6220; and any amounts in account 7099		
28.1	Credits §§ 34.6110-6199 and 35.6110 and 6210		
28.2	Charges §§ 34.6210-6299 and 35.6120-6220		
28.3	Other deductions from net income §§ 34.7099 and 35.7099		
29	Net income before income taxes (Item 27 plus item 28)		
30	Income taxes §§ 34.7010 and 35.7010		
31	Net income transferred to earned surplus (Item 29 less item 30)		
	Selected balance sheet items		
1.1	Operated plant in service §§ 34.1000 and 35.1000		
1.2	Operated plant leased to others §§ 34.1100 and 35.1100		
1.3	Improvements and replacements of operated plant leased from others §§ 34.1200 and 35.1200		
1.4	Plant under construction §§ 34.1300 and 35.1300		
1.5	Plant held for future communication use §§ 34.1400 and 35.1400		
1.6	Plant acquisition adjustments §§ 34.1510 and 35.1510		
1.7	Total of items 1.1 through 1.6		
2.1	Allowance for depreciation; radiotelegraph, wiretelegraph and ocean-cable plant §§ 34.1515 and 35.1515		
2.2	Allowance for amortization; radiotelegraph, wiretelegraph and ocean-cable plant §§ 34.1520 and 35.1520		
3.1	Telephone and radiotelegraph plant §§ 34.1530 and 35.1530		
3.2	Allowance for depreciation and amortization telephone and radiotelegraph plant §§ 34.1535 and 35.1535		
4.0	Satellite Earth stations §§ 34.1500 and 35.1500		
4.1	Earth station depreciation and amortization reserve §§ 34.1521 and 35.1521		
5	Net communication plant (1.7, 3.1, 4.0 less 2.1, 2.2, 3.2, 4.1)		
6	Other plant accounts §§ 34.1590 and 35.1540-1590		
7	Miscellaneous physical property and allowance for depreciation §§ 34.1610 less 34.1615 and 35.1610 less 35.1615		
8	Other investment and fund accounts §§ 34.1630-1699 and 35.1630-1699		
9	Current assets §§ 34.1710-1799 and 35.1710-1799		
10	Other deferred charges §§ 34.1910-1999 and 35.1910-1999		
11	Current liabilities §§ 34.2110-2199 and 35.2101-2199		
12	Long-term debt §§ 34.2010-2099 and 35.2010-2099		
13	Deferred credits §§ 34.2310-2399 and 35.2310-2399		
14	Capital stock §§ 34.2410-2425 and 35.2410-2425		
15	Retained earnings §§ 34.2510-2599, 2610-2699 and 35.2510-2599, 2610-2699		
15.1	Capital §§ 34.2510-2599 and 35.2510-2599		
15.2	Retained earnings §§ 34.2610-2699 and 35.2610-2699		

[1] Carried to item 1 in next section.

PART 2

Selected items of Form 695

	Operating revenues	Figure for the month this year
	Transmission Revenue	
1	Public message revenue (3110)	$
1.1	Mailgram—public (Mailgram III)	
1.2	Mailgram—automated (Mailgram II)	
2	United States Government message revenue (3115)	
3	Press message revenue (3125)	
4	Money order message revenue (3130)	
5	News (CND) service revenue (3135)	
6	Contract (CAK) message revenue (3140)	
7	Facsimile or photogram service revenue (3145)	
8	Telephone service revenue (3155)	
9	Wire-telegraph revenue on cable and radio message (3160)	
10	Other wire-telegraph transmission revenues (3199)	
11	Total transmission revenues (Items 1-10)	
	Nontransmission Revenue	
12	Leased-circuit revenue (3410)	
13	Measured-service revenue (3415)	
13.1	Telex service revenue	
13.2	Mailgram service revenue (Mailgram I)	
13.3	TWX service revenue	
13.4	Other services	
14	Other leased-plant revenue (3420)	
15	Code-registration revenue (3425)	
16	Errand service revenue (3430)	
17	Money-order charges (3435)	
18	Time service revenue (3440)	
19	Other wire-telegraph nontransmission revenues (3499)	
20	Total nontransmission revenue (Items 12-19)	
21	Terminal commissions (3350)	
22	Total operating revenues (Items 11, 20, 21)[1]	
	Selected income items	
1	Operating revenues (3000)	
	Operating Revenue Deductions	
	Operating expenses:	
2	Maintenance expenses (4101-4199)	
3	Conducting operations expenses (4211-4299)	
	Relief and pensions (4327)	

PART 2

Selected items of Form 905—Continued

	Operating revenues	Figure for the month this year
5	Administrative expenses (4410–4499)	$
6	General expenses (4311–4325, 4341–4399)	
7	Total operating expenses (4000) (Items 2–6)	
8	Depreciation (4910)	
9	Operating taxes (4931, 4932)	
10	Uncollectible revenues (4935)	
11	All other operating revenue deductions (4915–4925, 4945–4999)	
12	Total operating revenue deductions (Items 7–11)	
13	Net operating revenues (Item 1 less 12)	
	Other Income Items	
14	Other communication income (5010–5099)	
15	Operating income (Items 13, 14)	
16	Noncommunication income (5110–5199)	
17	Gross ordinary income (Items 15, 16)	
18	Interest on long-term debt (5210)	
19	Interest on indebtedness to affiliates (5215)	
20	Interest charged to construction—Cr. (5225)	
21	Other deductions from ordinary income (5205, 5220, 5230–5299)	
22	Net ordinary income (Items 17, 20 less 18, 19, 21)	
23	Extraordinary and delayed income—net (6110–6220, and any amounts in account 7099)	
24	Net income before income taxes (Items 22, 23)	
25	Income taxes (7010)	
26	Investment credits—net (7099)	
27	Net income transferred to retained earnings (Items 24 less 25, 26)	
	Selected balance sheet items	
1	Operated plant in service (1000)	
	1.1 Research and development (85)	
2	Operated plant leased to others (1100)	
3	Improvements and replacements of operated plant leased from others (1200)	
4	Plant under construction (1300)	
5	Plant held for future communication use (1400)	
6	Plant acquisition adjustment (1510)	
7	Total of Items 1 through 6	
8	Allowance for depreciation (1515)	$
9	Allowance for amortization (1520)	
10	Telephone and radiotelegraph plant (1530)	
11	Allowance for depreciation and amortization; telephone and radiotelegraph plant (1535)	
12	Net communication plant (Items 7, 10 less 8, 9, 11)	
13	Other plant accounts (1540–1599)	
14	Miscellaneous physical property and allowance for depreciation (1610 less 1615)	
15	Other investment and fund accounts (1620–1699)	
16	Material and supplies (1795)	
17	Current assets (1710–1790, 1799)	
18	Deferred charges (1910–1999)	
19	Current liabilities (2101–2199)	
20	Long term debt (2010–2099)	
21	Deferred credits (2310–2399)	
	21.1 Other deferred credits (2399)	
	21.2 Unamortized customer payments (2399)	
22	Capital stock (2410–2425)	
23	Earned surplus (2510–2599; 2610–2699)	
	23.1 Capital surplus (2510–2599)	
	23.2 Earned surplus (2610–2699)	
	Message volumes	Number for the month
1	Public	
2	Government	
3	Press	
4	Money order	
5	Tel(T)ex	
6	Mailgram	
7	TWX	
8	International messages	

[1] Carried to next section.

APPENDIX C

In Part 43 of 47 CFR Chapter I § 43.31 is revised to read as follows:

§ 43.31 Monthly reports of communication common carriers.

(a) Each telephone common carrier which had operating revenues for the preceding year in excess of $1 million, and each oceancable, radiotelegraph, and wire-telegraph common carrier which had operating revenues for the preceding year in excess of $250,000 shall file with the Commission, within forty (40) days after the end of each calendar month, a certified report on computer media as prescribed by the Commission.

(b) A copy of each such report (i.e., a printout from the computer media) shall be retained in the principal office of the carrier and shall be filed in such manner as to be readily available for public reference and inspection. The monthly reports shall contain all the information called for therein as prescribed by the Commission.

[FR Doc.74-8329 Filed 4-15-74;8:45 am]

Notices

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

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

CRIMINAL JUSTICE INFORMATION SYSTEMS

Rescheduled Hearing

Notice is hereby given that the hearing, scheduled to be held by the Department of Justice on April 19, 1974, concerning the proposed Criminal Justice Information Systems regulations, has been postponed to April 26, 1974.

The hearing will be held at 10:00 a.m. in the 13th Floor Conference Room at 633 Indiana Avenue, NW., Washington, D.C. Interested persons who wish to testify should notify Thomas J. Madden, General Counsel, Law Enforcement Assistance Administration, 633 Indiana Avenue, NW., Washington, D.C. no later than April 22, 1974.

WILLIAM B. SAXBE,
Attorney General.

APRIL 11, 1974.

DONALD E. SANTARELLI,
Administrator, Law Enforcement Assistance Administration.

APRIL 11, 1974.

[FR Doc.74-8716 Filed 4-15-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

FISCAL YEAR 1975 PROGRAM STATEMENT; DRAFT SUPPLEMENT

Notice of Public Meeting

Notice of a public information meeting is hereby given by the Bonneville Power Administration to solicit public comments on a Draft Facility Location Supplement to BPA's Fiscal Year 1975 Program Statement. This meeting will discuss the Draft Facility Location Supplement on the proposed Raver-Tacoma 500-kV Transmission Line.

The Raver-Tacoma Supplement describes the environmental impact of the proposed construction of about nine miles of 500-kV transmission line connecting BPA's Raver and Covington Substations located in King County, Washington. The new line would replace 3.6 miles of existing BPA transmission line and would then parallel an existing 500-kV line for 5.3 miles.

This meeting which will be held in conjunction with that meeting already scheduled on the proposed Maple Valley 500-kV Transmission Line Supplement (see FEDERAL REGISTER Notice dated Monday, April 1, 1974, 39 FR 11934), will be held on May 20, 1974, at 7:30 p.m. in Cedar Valley Grange #534, Maple Valley, Washington.

Oral and written statements will be accepted at this meeting. Members of the public who wish to be given preference in the order of appearance should contact the Seattle Area Manager, 415 1st Avenue North, Room 250, Seattle, Washington 98109, Area Code (206) 284-6620. However, all those present wishing to comment will be allowed to do so in the time remaining. Those wishing to comment orally are encouraged but not required to submit a written copy of their statement. All comments, whether oral or written, will be given consideration. Because of the technical nature of the subject matter, members of the public and other reviewers are also encouraged to familiarize themselves with the Draft Facility Location Supplement on the Raver-Tacoma 500-kV Transmission Line.

Requests for copies of the draft supplement on the above proposal or any questions regarding this meeting should be forwarded to the Seattle Area Manager, 415 1st Avenue North, Room 250, Seattle, Washington 98109.

Copies of the draft supplement are also available for inspection at the above Area Office or at the Headquarters Building, Bonneville Power Administration, 1002 NE. Holladay Street, Portland, Oregon 97232.

Additional or clarifying information may be obtained by writing or calling the Environmental Office, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208; Area Code (503) 234-3361, extension 5136.

Dated: April 5, 1974.

RAY FOLLEN,
Acting Administrator.

[FR Doc.74-8634 Filed 4-15-74;8:45 am]

Bureau of Land Management

AREA MANAGERS, ELKO DISTRICT, NEVADA

Delegation of Authority in General

Under authority of Bureau Order 701, dated July 23, 1964, and as amended, and subject to the limitations in Part III of that order, the Area Managers administering the Elko Resource Area (heretofore known as Tuscarora and Humboldt), and the Wells Resource Areas (heretofore known as the Contact and Currie) of the Elko District, Nevada, are authorized to act on the following matters within their respective areas of responsibility in accordance with existing policies and regulations of the Department, and under direct supervision of the Elko District Manager:

SEC. 3.3 *Fiscal Affairs*

* * * * *

(d) *Trespass.* Determine liability and issue notice of grazing trespass; recommend as to acceptance of settlement offer made.

SEC. 3.7 *Range Management.* (a) Within grazing districts in the Resource Area, the issuance of licenses and permits to graze or trail livestock.

* * * * *

(3) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(4) Expenditure of funds appropriated by Congress or contributed by individuals, associations, advisory boards, or others for the construction, purchase, or maintenance of range improvements.

* * * * *

(d) Soil and moisture conservation including control of Halogeton glomeratus.

(f) Protection of wild free-roaming horses and burros.

SEC. 3.8 *Forest Management.* (a) Disposition of forest products including sales of timber not exceeding $100 in value.

SEC. 39. *Land use.*

* * * * *

(g) Disposition of materials other than forest products, not exceeding $100 in value.

SEC. 3.10 *Designation of Action Officials.* (a) Area Managers may, by written order, designate qualified employees of the Resource Area to perform the functions of the Area Manager in his absence.

(b) Each employee who serves in such capacity in (a) above, shall prepare a memorandum to be kept in the district office showing the date and hour of the commencement and termination of each period of his service in that capacity.

The District Manager may at any time temporarily reserve, restrict, or withhold any portion of the above delegated authority through use of Form 1213-1 District Office Authority and Responsibility Guide.

This order will become effective April 16, 1974.

Dated: April 9, 1974.

E. L. ROWLAND,
State Director, Nevada.

[FR Doc.74-8666 Filed 4-15-74;8:45 am]

Fish and Wildlife Service

G. CARLETON RAY AND FRANCIS H. FAY

Marine Mammal Permit Application and Public Hearing

Notice is hereby given that the following applicants have applied for a permit to take marine mammals for scientific research as authorized by section 101(a)(1) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), governing the taking and importing of marine mammals. The Director of the Bureau of Sport Fisheries and Wildlife, United States Department of the Interior, finds the following application sufficient for consideration:

Notice is hereby given that, as authorized by section 104 of the Marine Mammal Protection Act of 1972, a hearing will be held at 9:30 a.m., local time, May 6, 1974, at the Department of the Interior Building, 18th and "C" Street, Room 7000(a), Washington, D.C. 20240.

The purpose of the hearing is to consider the following application for a scientific research permit.

The applicants, Dr. G. Carleton Ray, Department of Pathobiology, Johns Hopkins University, 615 North Wolfe Street, Baltimore, Maryland 21205, and Dr. Francis H. Fay, Department of Wildlife and Fisheries, University of Alaska, Fairbanks, Alaska 99701, propose to employ radio tagging and telemetry and to collect PACIFIC WALRUS (*Odobenus rosmarus*), on Round Island, Alaska, during July 1974.

The applicants state that marine mammals to be taken are:

(a) Pacific Walrus (*Odobenus rosmarus*):

(i) Ten to be radio-tagged and telemetered, of which five will be collected.

(ii) Five to be collected moribund on beaches.

(iii) Collect an unspecified number of dead animals on the beaches.

The applicants state that, "The population ecology of the Pacific Walrus is not well enough known for conservation on an ecosystem basis. First, its relationship to food supply is poorly known behaviorally, quantitatively, and distributionally. Nor do we possess sufficient information on behavior and movements at sea to be able to predict how various segments of the population interrelate. It is not possible to gain such information by traditional visual observation nor by the taking of random samples of the population. Such objectives require new approaches, among them radio-tracking and telemetry. However, this does not imply that traditional approaches are not still necessary. New methods must be augmentations of older ones. For instance, we still must collect specimens for determination of cause of morbidity and mortality."

The applicants further state that, "The bulk of the Pacific Walrus population is associated with sea ice. However, initial attempts involving new technology are best made in less harsh and less remote locations. Hence, we have chosen Round Island as a testing ground for later similar research in the pack."

The applicants further state that they will use radio-tagging and telemetry in order to perceive directions and rates of movement of animals to and from Round Island and to identify the location of feeding grounds and the behavior involved in feeding, and will collect some of these animals to determine: The kinds and quantity of food ingested; to assess whether their instruments have deleterious effects on the individuals tagged; and, to provide tissues from healthy indivdiuals for physiological study. In addition, some moribund and dead animals will be collected to provide samples for pathological studies.

The applicants also state that the radio-tags will be attached either by means of immobilization and surgical technique or by a "limpet" device in which the transmitter is provided with small barbs which penetrate the skin upon being fired pyrotechnically. The attachment of thermistors to collect external temperatures and an internal pill radio to transmit stomach temperatures will require immobilization and suturing.

The applicants also state that their efforts are directed to the major goal of the Marine Mammal Protection Act as it seeks specifically to understand the environmental relationships of the walrus. It is also an integral part of cooperative international marine mammal research.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Director is sending copies of the application to the Marine Mammal Commission.

Documents submitted in connection with this application are available for public inspection during normal business hours at the Bureau's office in Suite 600, 1612 K Street, NW., Washington, D.C., and the office of the Alaska Area Director, 813 "D" Street, Anchorage, Alaska.

Interested persons may comment on this application by appearing at the hearing referred to above, or by submitting written views, preferably in triplicate, to the Director (FSF/LE), Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240. All relevant comments received no later than May 17, 1974, will be considered.

Dated: April 11, 1974.

LYNN A. GREENWALT,
Director, Bureau of Sport Fisheries and Wildlife.

[FR Doc.74-8700 Filed 4-15-74;8:45 am]

HENRY HAUG

Marine Mammal Permit Application

Notice is hereby given that the following applicant has applied for a permit to import marine mammals for public display as authorized by section 101(a)(1) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) governing the taking and importing of marine mammals. The Director of the Bureau of Sport Fisheries and Wildlife, United States Fish and Wildlife Service, Department of the Interior, finds the following application sufficient for consideration. The applicant, Henry Haug, Bagley Wildlife Museum, Highway 2, West Bagley, Minnesota, proposes to import one polar bear hide which will be purchased from the Department of Mines, Resources and Environmental Management, Province of Manitoba, Canada.

The applicant states that the polar bear will be taken by the Department of Mines, Province of Manitoba, in the Churchill area. He further states that the bears killed by the Department are for the safety of the people living in that area.

The applicant further states that the polar bear pelt will be mounted in lifesize and displayed in the Bagley Wildlife Museum.

The applicant states that the museum is open from May 1 to October each year and that there is a small charge to cover the expense of his operation.

The applicant further states that there are 12,000 to 15,000 visitors a year made up of school groups, senior citizens, Boy and Girl Scouts, and 4-H groups.

The applicant further states that the Bagley Wildlife Museum display is used extensively for educational and scientific programs.

Concurrent with the publication of this notice in the FEDERAL REGISTER the Director is sending copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Documents submitted in connection with this application are available for public inspection during normal business hours at the Bureau's office in Suite 600, 1612 K Street NW., Washington, D.C., and at the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Interested persons may comment on this application by submitting written data or views, preferably in triplicate, to the Director (FSF/LE), Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240. All relevant comments received no later than May 17, 1974, will be considered.

Dated: April 11, 1974.

LYNN A. GREENWALT,
Director, Bureau of Sport Fisheries and Wildlife.

[FR Doc.74-8701 Filed 4-15-74;8:45 am]

Office of the Secretary

[INT DES 74/40]

WILDERNESS RECOMMENDATION FOR EVERGLADES NATIONAL PARK

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a draft environmental statement for the proposed Wilderness Recommendation for Everglades National Park, Florida,

and invites written comment on or before May 31, 1974. Written comment should be addressed to the Regional Director, Southeast Region, the Superintendent, Everglades National Park, or to the Assistant to the Regional Director, Florida Planning Office, at the addresses listed below.

The draft statement considers the establishment of a wilderness area within Everglades National Park pursuant to the Wilderness Act of 1964.

Copies are available from or for inspection at the following locations:

Office of the Director
Southeast Region
National Park Service
3401 Whipple Avenue
Atlanta, Georgia 30344

Assistant to the Regional Director
Florida Planning Office
National Park Service
P.O. Box 2764
Tallahassee, Florida 32304

Office of the Superintendent
Everglades National Park
P.O. Box 279
Homestead, Florida 33030

Dated: April 1, 1974.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.74-8752 Filed 4-15-74;8:45 am]

Office of Hearings and Appeals

[Docket No. M 74-88]

A.K.P. COAL CO., ET AL.

Amended Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 4861(c) (1970), A.K.P. Coal Company et al. have filed an amended petition to modify the application of 30 CFR 75.701 to the following 80 mines which, by amendment, are to be added to the original petition which wwas published in FEDERAL REGISTER, Vol. 39, No. 63, Monday, April 1, 1974.

Mine #2, Author Coal Company, Iaeger, West Virginia
Mine #13-B, Betty Coal Company, Bradshaw, West Virginia
Mine #21, H. L. Bostic Coal Company, Inc., Swords Creek, Virginia
Mine #2, Buchanan & Sons Coal Co., Inc., Pound, Virginia
Mine #1, C. S. & S. Coal Co., Grundy, Virginia
Mine #1, Collins Coal Company, Iaeger, West Virginia
Mine #1, Cranks, Inc., Cranks, Kentucky
Mine #2, D & R Coal Company, Bradshaw, West Virginia
Mine #1-B, D & R Coal Company, Bradshaw, West Virginia
Mine #4, Debbie Coal Company, Iaeger, West Virginia
Mine #1, Duty Coal Company, Grundy, Virginia
Mine #2, Golden Glow Coals, Inc., Liggett, Kentucky
Mine #1, K & V Coal Company, Iaeger, West Virginia
Mine #D-414, L & B Coal Company, Baisden, West Virginia
Mine #1, M & C Coal Corp., Keystone, West Virginia
Mine #11, No. 10 Coal Mine, Inc., Bradshaw, West Virginia
Mine #18, No. 10 Coal Mine, Inc., Bradshaw, West Virginia
Mine # Dry Fork 2, No. 10 Coal Mine, Inc., Bradshaw, West Virginia
Mine # Dry Fork 2a, No. 10 Coal Mine, Inc., Bradshaw, West Virginia
Mine # Dry Fork 1, No. 10 Coal Mine, Inc., Bradshaw, West Virginia
Mine #D-422, Norma Coal Co., Iraban, West Virginia
Mine #D-424, Norma Coal Co., Iraban, West Virginia
Mine #2, Panther Creek Coal Co., Iaeger, West Virginia
Mine #1, Panther Creek Coal Company, Iaeger, West Virginia
Mine #23, Potter Mining Co., Inc., Fedcreek, Kentucky
Mine #20, R & D Coal Company, Hurley, Virginia
Mine #D-406, R.J.P. Coal Company, Iraban, West Virginia
Mine #2, Sherman Coal Company, Iaeger, West Virginia
Mine #11, Smith-Baker Coal Company, Hurley, Virginia
Pardee Mine, Sunrise Coal Company, Pardee, Virginia
Mine #1, Triple T Coal Company, Grundy, Virginia
Mine #2-C, Tripple L Coal Company, Fedcreek, Kentucky
Mine #1, Alfred Whited Coal Company, Pilgrim Knob, Virginia
Mine #1, C & I Coal Company, Brandy, Virginia
Mine #8, Columbus Hale Coal Company, Oakwood, Virginia
Mine #1, Dixie Fuel Company, Crummies, Kentucky
Mine #3, Dixon Run Coal Company, Clymer, Pennsylvania
Mine #5, Dixon Run Coal Company, Clymer, Pennsylvania
Mine #2, Douglas Van Dyke Coal Company, Jewell Valley, Virginia
Mine #1, Grays Knob Coal Company, Grays Knob, Virginia
Mine #5, Grays Knob Coal Company, Grays Knob, Virginia
Mine #MC-2, Grays Knob Coal Company, Grays Knob, Virginia
Mine #6-C, Griffith Coal Company, Fedcreek, Kentucky
Mine #4, Harlan Fuel Company, Yancey, Kentucky
Mine #5, Harlan Fuel Company, Yancey, Kentucky
Mine #6, Harlan Fuel Company, Yancey, Kentucky
Mine #10, Harless Coal Company, Gilbert, West Virginia
Mine #10, Harless Coal Company, Gilbert, West Virginia
Mine #9-C, Ike Coal Company, Mouthcard, Kentucky
Mine #1, Arizona Fuel Company, Iaeger, West Virginia
Mine #1, B & B Coal Company, Iaeger, West Virginia
Mine #19, Bullion Hollow Coal Co., Inc., Wise, Virginia
Mine #20, Bullion Hollow Coal Co., Inc., Wise, Virginia
Mine #16, Dorothy Mae Coal Company, Keen Mountain, Virginia
Mine #10, Douglas Pocahontas Coal Corp., Douglas Coal Company, Welch, West Virginia
Mine #11, Douglas Coal Company, Welch, West Virginia
Mine #16, Douglas Coal Company, Welch, West Virginia
Mine #17, Douglas Coal Company, Welch, West Virginia
Mine #19, Douglas Coal Company, Welch, West Virginia
Mine #5, Fairview Coal Company, Punxsutawney, Pennsylvania
Mine #1, Glen Irvan Corporation, Penfield, Pennsylvania
Mine #5, Harold Webb Coal Company, Cedar Bluff, Virginia
Mine #2, Indian Ridge Coal Company, Iaeger, West Virginia
Mine #4, Indian Ridge Coal Company, Iaeger, West Virginia
Mine #1, J & J Coal Company, Hanover, West Virginia
Mine #2, Karst-Robbins Coal Co., Inc., Louellen, Kentucky
Mine #3, Karst-Robbins Coal Co., Inc., Louellen, Kentucky
Mine #18, Lawson Brothers Coal Co., Raven, Virginia
Mine #1, Lester Coal Company, Iaeger, West Virginia
Mine #4, M & C Coal Company, Keystone, West Virginia
Mine #4, Marcus Coal Company, Gilbert, West Virginia
Mine #5, Marcus Coal Company, Gilbert, West Virginia
Mines #1 & #2, Sherman Coal Company, Iaeger, West Virginia
Mine #4, Sunny Side Coal Company, Coal Mountain, West Virginia
Mine #5, Sunny Side Coal Company, Coal Mountain, West Virginia
Mine #6, Sunny Side Coal Company, Coal Mountain, West Virginia
Mine #3, White Oak Coal Company, Panther, West Virginia
Mine #9, Willie Coal Company, Inc., Harman, Virginia
Mine #10, Wyoming Mining Company, Coal Mountain, West Virginia
Mine #21, Wyoming Mining Company, Meadow Bridge, West Virginia

Section 75.501 of title 30 reads as follows:

On and after March 30, 1974, all electric face equipment, other than equipment referred to in paragraph (b) of § 75.500, which is taken into and used inby the last open crosscut of any coal mine which is operated entirely in coal seams located above the water table and which has not been classified under any provision of law as a gassy mine prior to March 30, 1970, and in which one or more openings were made prior to December 30, 1969, shall be permissible.

In support of its petition Petitioner proposes the following alternate method:

A. The alternate method for which approval is sought in each of the subject mines would apply only so long as:

1. All parts of any subject mine continue to operate in "Coal seams above the watertable" as that term is defined in 30 CFR 75.501-1; and

2. No verified methane ignition has occurred, or no methane has been detected in an amount af 0.25 percent or more;

B. The alternate method would consist of the following:

1. Use of an automatic methane detection device which is itself permissible and approved by the Secretary, and which will emit a clear and distinct visual and audible signal and automatically de-energize the electrical machines at or near the working face when methane is detected in the amount of 0.25 percent.

2. Continuous use of such device at each working face[1] whenever any item of nonpermissible electrical face equipment is trammed into, or out-of or being energized or operated in such working face.

3. The continuous methane sampling by such device will be accomplished at a point in the air-return side of the working face at less than 12 inches from the roof, rib and face of such face but not more than 24 inches from the roof, rib and face. In situations where such continuous methane sampling point is located beyond roof support mandated by the Act and Interior Department regulations, it will be positioned by means of an extensible arm so that its positioning will not require anyone to proceed beyond properly supported roof.

4. It will be a mandatory rule at each of the subject mines that if such automatic methane detection device is activated the following procedure will be followed:

a. The machine operator of the deenergized machine will immediately disconnect at the power source any electrical cables leading to his machine and report to the supervisor in charge. The operator of any other electrical equipment in the work place (such as shuttle car or scoop) which is away from the face and has not automatically been deenergized will immediately deenergize his machine at the controls and then disconnect at the power source of such machine any cables leading to such machine and notify the supervisor in charge.

b. The supervisor will immediately assure that all electric power to the working place has been cut off. He will then proceed to determine, with a dial methanometer whether methane is being liberated, and the amount thereof. Such examination will be repeated every five minutes and recording made of the results of such examinations.

c. The supervisor will then report the incident and the results of his examination to mine management and, if methane liberation continues, take appropriate steps to determine its origin and to increase the quantity of air reaching the working face by an amount sufficient to dilute and carry off any methane being liberated. Upon expiration of 30 minutes with no recurrence of methane liberation, and upon careful determination that ventilation requirements are adequate to dilute the methane if it should re-occur he shall then have authority to reenergize the equipment in the working place.

d. Mine management shall immediately notify the nearest MESA office or inspector of the incident, indicate the full details of the incident and detailed results of the supervisor's investigation and subsequent checks for methane, and request an immediate inspection.

e. If MESA upon investigation and following a hearing finds that methane liberation in the amount of 0.25 percent has occurred and is likely to recur, it shall advise the operator in writing of such determination and issue a notice requiring the operator within a reasonable time to comply with Section 75.501 of the Act. Such notice shall be subject to review under the regular procedures for review set forth in the Act for review of 104(b) notices.

f. All employees at each of the subject mines shall be trained and instructed in the purpose and functioning of the alternate system within five work days following the date of its approval and shall be re-instructed every six months thereafter. Employees absent from work during these periods will be provided the training within the first five work days after they return to work. Mine management will maintain a record of the names and dates when each mine employee received this instruction and re-instruction.

g. Observance of all details of the alternate method will be a mandatory safety rule at each of the subject mines and a notice to this effect shall be posted on the regular bulletin boards at each mine.

D. The alternate system proposed above will afford the miners at the subject mines a greater measure of protection from the danger of a methane ignition by electrical sparking than the permissibility requirements of section 75.501 and the related requirement of methane monitors mounted on certain face equipment.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

APRIL 8, 1974.

[FR Doc.74-8694 Filed 4-15-74;8:45 am]

[1] "Working face" is defined in the Act as "any place in a coal mine in which the work of extracting coal from its natural deposit in the earth is being performed in the mining cycle."

[Docket No. M 74-78]

CS & S COAL CO., INC. ET AL.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), CS & S Coal Company, Inc., et al. have filed a petition to modify the application of 30 CFR 77.1605(k) to the following twenty nine mines located in Buchanan County, Virginia.

Mine No. 2, CS & S Coal Company, Inc.
Mine No. 1, CS & S Coal Company, Inc.
Mine No. 1, Capital Land & Mineral Coal Company.
Mine No. 1, Dotson Coal Company.
Mine No. 1, Duty Coal Company.
Mine No. 1, Eastern Coal Corporation.
Mine No. 2, Eastern Coal Corporation.
Mine No. 2, Grapevine Coal Company, Inc.
Mine No. 3, Grapevine Coal Company, Inc.
Mine No. 1, Horn Construction Company.
Mine No. 3, J & L Coal Company.
Mine No. 1, Little Rock No. 13 Coal Company.
Mine No. 1, Loose Jaw Coal Company, Inc.
Mine No. 1, National Coal Company.
Mine No. 2, National Coal Company.
Mine No. 3, National Coal Company.
Mine No. 1, Thimble Coal Company
Mine No. 1, 3-B Coal Company, Inc.
Mine No. 1, Triple-T Coal Company, Inc.
Mine No. 5, United Coal Corporation.
Mine No. 6, United Coal Corporation.
Mine No. 7, United Coal Corporation.
Mine No. 2, Wellmore Coal Company.
Mine No. 7, Wellmore Coal Company.
Mine No. 8, Wellmore Coal Company
Mine No. 9A, Wellmore Coal Company.
Mine No. 9C, Wellmore Coal Company.
Mine No. 22, Wellmore Coal Company.
Mine No. 23, Wellmore Coal Company.

Section 77.1605(k) of title 30 reads as follows:

Berms or guards shall be provided on the outer bank of elevated roadways.

In support of its petition, Petitioner states:

I. Petitioners operate a number of underground and/or surface bituminous coal mines in Buchanan County in southwest Virginia. In connection with operation of these mines, coal, mine refuse, supplies, materials and personnel must be transported over roadways on the surface. These roadways have been constructed and are maintained by the respective petitioners. Inasmuch as the roadways are located in the mountainous area of Virginia they are all elevated roadways, that is they contain grades rather than being laid out on level ground. Accordingly, such roadways are covered by the Interior Department mandatory safety standard as set forth in 30 CFR 77.1605(k).

II. The access roadways which are the subject of this petition range in length from ¼ mile to 6 miles. They are all elevated roadways having been carved out of the side of hills and mountains. The roads on this account are narrow and the outer banks are on fill material which will not provide sufficient anchorage for guard rails. The use of berms would trap run-off water resulting from rain or thawing ice and snow, cause erosion of the roadway and result in hazardous driving conditions. Beyond this, during the winter months the freezing of trapped water in the roadways would be extraordinarily hazardous. Thus insisting upon the application of the requirements of berms or guard rails under 30 CFR 77.1605(k) would be a diminution of safety.

III. Petitioners do not deny that there are safety hazards in operating vehicles over elevated roadways in mountainous areas. However, they do not feel that such hazards can be overcome—they would actually be increased—by application of 30 CFR 77.1605(k).

Accordingly they propose the following alternate method which they feel

would afford a greater measure of protection to the employees at the subject mines.

1. A daily inspection of all coal-hauling vehicles shall be made and any defects detected shall be corrected before the vehicle is put into service. A record of the inspection and repair on each vehicle shall be kept and maintained by a supervisory employee.

2. Roadway surfaces shall be kept free of debris, excessive water and snow and ice, and maintained as free as practicable of small ditches (washboard effects).

3. A traffic system shall be put into use for these roads requiring that loaded vehicles have the right-of-way on the highwall side of roads regardless of their direction of travel.

4. Warning signs shall be posted designating curves, steep grades where trucks should shift to a lower gear, and where roadways are reduced to one-lane traffic. Stop signs shall be posted where one road intersects another, giving main haulage road traffic the right-of-way. Signs shall also be posted designating passing points.

5. All equipment operators shall be trained in the use of haulage equipment and the safety of vehicles on haulage roads.

6. All haulage vehicles shall have:

(a) Original manufacturers brakes

(b) Engine or Jacobs brakes

(c) Emergency (parking) braking system

7. Adequate supplies of crushed stone or other suitable materials shall be stored at strategic locations along the haulage roads for use when the road surface becomes slippery.

8. A minimum width of 30 feet shall be provided and maintained along two-lane roads, and where widths of less than 30 feet are provided and maintained, the roads shall be designed as single-lane roads.

9. On roads that afford only one traffic lane, a minimum width of 16 feet shall be maintained, with passing points provided at intervals of not more than 1,000 feet; if visibility is obscured by brush or other materials, passing points shall not be more than 500 feet apart.

10. Where abrupt drop-offs are present along the outer banks, super-elevation shall be provided to cause the vehicles to gravitate toward the highwall side of the road.

11. All rules of the road (traffic system) shall be posted on the bulletin boards throughout the mine area, and such rules of the road shall be made part of the training and re-training programs.

The foregoing alternate method has been approved by Administrative Law Judges of the Interior Department Office of Hearings and Appeals for application under circumstances similar to those present at the subject mines. It is a method which has been developed with the assistance of technical experts of the Mining Enforcement and Safety Administration and addresses itself to not only the safety objectives sought by 30 CFR 77.1605(k) but also to the particular hazards that would be created if application of such standard were required.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

APRIL 8, 1974.

[FR Doc.74-8693 Filed 4-15-74;8:45 am]

[Docket No. M 74-94]

IMPERIAL COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), The Imperial Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its Eagle Mine located at Lafayette, Colorado.

Section 75.1405 of title 30 reads as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without atuomatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30.

In support of its petition, Petitioner states that the operation of the subject mine requires a minimal amount of coupling and uncoupling car units. What little uncoupling and coupling is done, Petitioner asserts, is accomplished without the necessity of mine personnel physically positioning themselves between the car units.

Petitioner indicates that the pit cars in use in the subject mine were custom-built to allow them to fit into the hoisting cages in the mine. Petitioner asserts that it would be impossible to install automatic couplers on the pit cars because of the limited space in the hoisting cages. It would be dangerous, Petitioner contends, to install couplers which would project beyond a safe clearance zone between the cages and the shaft.

Petitioner states that its present system for transporting car units has been in operation since 1948 without any loss of time due to accidents. Consequently, Petitioner requests that a modification of the mandatory safety standard be granted thereby permitting the continuation of the present haulage practice at the subject mine. Petitioner asserts that its alternate method will guarantee as great, or greater, safety than the application of the mandatory safety standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8692 Filed 4-15-74;8:45 am]

[Docket No. M 74-63]

NORTH AMERICAN COAL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), The North American Coal Corp., has filed a petition to modify the application of 30 CFR 75.1405 to its Aulds Run #2 Mine located at Seward, Pennsylvania.

Section 75.1405 of title 30 reads as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

Petitioner asserts that application of section 75.1405 to the subject mine would create a safety hazard due to the presence of uneven bottom conditions in the mine. Such conditions, according to Petitioner, could cause Petitioner's supply cars to become uncoupled when travelling between the off-track loading point and the working faces. Petitioner states further that the couplers presently in use on its supply cars are the only ones that are feasible for off-track use. Consequently, Petitioner believes that the application of section 75.1405 will result in diminution of safety to the miners in the affected mine.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8695 Filed 4-15-74;8:45 am]

[Docket No. M 74-67]

ONEIDA MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), The Oneida Mining Company has filed a petition to modify the application of 30 CFR 75.1405 to its Oneida #4 Mine located at Seward, Pennsylvania.

Section 75.1405 of title 30 reads as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

Petitioner asserts that application of Section 75.1405 to the subject mine would create a safety hazard due to the presence of uneven bottom conditions in the mine. Such conditions, according to Petitioner, could cause Petitioner's supply cars to become uncoupled when travelling between the off-track loading point and the working faces. Petitioner states further that the couplers presently in use on its supply care are the only ones that are feasible for off-track use. Consequently, Petitioner believes that the application of § 75.1405 will result in diminution of safety to the miners in the affected mine.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8696 Filed 4-15-74;8:45 am]

[Docket No. M74-82]

ROCHESTER & PITTSBURGH COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Rochester & Pittsburgh Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its Jane Nos. 1 & 2 Mines, Emilie Mine, Margaret No. 7 Mine, Urling Nos. 1 & 2 Mines located at Indiana, Pennsylvania.

30 CFR 75.1405 reads as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read concurrently with § 75.1405 is § 75.1405-1 which provides:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of its petition Petitioner states:

(1) On February 14, 1974, MESA informed Petitioner that, contrary to earlier practice, section 314(f) would, effective March 30, 1974, be deemed applicable and would be enforced with respect to belt haulage mines and to all vehicles used on track even if equipped for off-track use. Said application will result in a diminution of safety to the miners in Petitioner's mines.

(2) Petitioner's mines do not employ a track coal haulage system, but rather a belt coal haulage system. Track is used for supplies and personnel transport only.

(3) Because of the belt system, Petitioner's mines are characterized by entries having a relatively narrow radius of curve, a less uniformly even bottom, and lighter weight rails than mines using a track haulage system.

(4) The cumulative effect of the foregoing characteristics on automatic couplers is to make them susceptible to accidental uncoupling, to reduce their reliability, and consequently to increase the probability of derailments.

(5) Moreover, virtually all of Petitioner's supply cars in its mines are equipped with retractable rubber wheels which enable them to be used both on and off track. Because of the fixed position of the wheels, the supply cars have limited maneuverability off track and, as a consequence, if equipped with automatic couplers would in almost every instance require a miner to get between vehicles in order to effect the proper alignment for coupling. In addition, off-track use of rubber/rail vehicles tends to cause excessive wear on automatic couplers further reducing their reliability.

(6) Petitioner's equipment currently uses link-and-pin couplers on its track equipment which generally enable the miner to insert the pin without physically positioning himself between vehicles.

(7) Because of the foregoing facts, installation of automatic couplers on all equipment used on track in Petitioner's mines would diminish safety and, in fact, create hazards or the risk of hazards not now present.

(8) Petitioner prior to February 14, 1974, was expressly advised by MESA that its mines did not require automatic couplers because they do not have track coal haulage systems. As a result, haulage equipment acquired by Petitioner since March 30, 1971, and in use on that date, are not so equipped.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8697 Filed 4-15-74;8:45 am]

[Docket No. M 74-76]

SHEMCO, INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), Shemco, Inc., has filed a petition to modify the application of 30 CFR 77.1605(k) to its Shemco #1 Mine located at Oliver Springs, Tennessee.

Section 77.1605(k) of title 30 reads as follows:

Berms or guards shall be provided on the outer bank of elevated roadways.

In its petition, Petitioner requests a modification of safety standard 30 CFR 77.1605(k) as modified by an order issued November 19, 1973, by an Administrative Law Judge. Specifically, Petitioner seeks to modify the following conditions contained in the order of November 19, 1973.

Condition #3. A traffic system shall be put into use for these roads requiring that loaded vehicles have the right-of-way on the highwall side of roads regardless of their direction of travel. Petitioner cites two reasons why the application of Condition #3 creates an extremely hazardous situation. First, by requiring drivers of heavily loaded vehicles to switch from the right side of the road to the left side and back again, an "unnatural" situation is created thereby increasing the probability that the drivers will react improperly in an emergency. Secondly, the majority of Petitioner's hauling is done on public roads where drivers are required by law to stay to the right side of the road. Petitioner asserts that accidents will be inevitable if one part of a haulage trip is on one side of the road, while another part of the same trip is on the other side of the road.

Condition #5. All equipment operators shall be trained in the use of haulage equipment and the safety of vehicles on haulage roads. Petitioner requests that this condition be modified to include only haulage equipment operators. Petitioner believes that no benefit would be derived by requiring, for example, a shovel operator to undergo training in the use of haulage equipment.

Condition #8. A minimum width of 30 feet shall be provided and maintained along two-lane roads, and where widths of less than 30 feet are provided and maintained, the roads shall be designed as single-lane roads. Petitioner requests a reduction of the minimum width requirements from 30 feet to 24 feet.

Condition #9. "On roads that afford only

one traffic lane, a minimum width of 16 feet shall be maintained, with passing points provided at intervals of not more than 1,000 feet; if visibility is obscured by brush or other materials, passing points shall not be more than 500 feet apart." As an alternative, Petitioner proposes that on roads that afford only one traffic lane, a minimum width of 16 feet shall be maintained, except where roads pass through solid rock, in which case the minimum width shall be 12 feet, with passing points provided at intervals of not more than 1,000 feet.

Condition #10. "Where abrupt drop-offs are present along the outer banks, super-elevation shall be provided to cause the vehicles to gravitate toward the highwall side of the road." Petitioner proposes that super-elevation be used to cause its vehicles to gravitate in the direction of travel, and not necessarily in the direction of the highwall side of the road.

Petitioner asserts that all of its proposed modifications will lessen safety hazards and actually increase its haulage safety.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8698 Filed 4-15-74;8:45 am]

[Docket No. M 74-69]

ZEIGLER COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 4861(c) (1970), Zeigler Coal Company has filed a petition to modify the application of 30 CFR 75.1105 to its No. 9 Mine at Madisonville, Kentucky.

Section 75.1105 of title 30 reads as follows:

Underground transformer stations, battery-charging stations, substations, compressor stations, shops, and permanent pumps shall be housed in fireproof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return. Other underground structures installed in a coal mine as the Secretary may prescribe shall be of fireproof construction.

Petitioner currently maintains belt transformers and pumps in intake air in the main south entries of the subject mine. Since the air passing over the belt transformers and pumps is not coursed directly to the return, Petitioner is in violation of § 75.1105 of the Federal Coal Mine Health and Safety Act of 1969. Petitioner has received a Notice of Violation for its failure to comply with § 75.1105.

Petitioner indicates that the belt conveyors and drive units installed in the main south entries are equipped with the following safety features: fire resistant belt, fire sensor system throughout the belt line, fireproof housings of all belt power units, fire resistant hydraulic fluids, water deluge system protecting all units, and communications system.

As an alternative to compliance with the mandatory safety standard, Petitioner proposes that it construct in the intake airway a wall of stoppings made of fireproof material. In addition, two of the seven entries will be equipped with fireproof doors.

In the event of a fire in the belt area, Petitioner proposes to proceed with the following plan:

(1) Upon hearing the alarm, a man at Portal No. 2 would determine the location of the fire by reading the control panel of the fire sensor system.

(2) The personnel underground would be notified of the location of the fire.

(3) A man stationed at Portal No. 1 would shut down the fan at that portal.

(4) Fire doors underground would be closed.

Petitioner asserts that its alternative method will provide greater safety for the miners than the protection afforded by the application of the mandatory safety standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8699 Filed 4-15-74;8:45 am]

[Docket No. M 74-97]

GREENWICH COLLIERIES CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Greenwich Collieries Company has filed a petition to modify the application of 30 CFR 75.1405 to its Nos. 1 and 2 Mines, located at Cambia, Pennsylvania.

Section 75.1405 of Title 30 reads as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read concurrently with § 75.1405 is 30 CFR 1405-1 which reads as follows:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of its petition, Petitioner states that: (1) The Mining Enforcement and Safety Administration (MESA) informed Petitioner that Section 314(f) of the Act would, effective March 30, 1974, be deemed applicable and would be enforced with respect to all vehicles used on track even if equipped for off-track use. Said application will result in a diminution of safety to the miners in Petitioner's mines.

(2) Petitioner's mines employ a belt haulage system; not a track haulage system. Track is used for supplies and personnel transport only.

(3) Because of the uneven floor conditions in Petitioner's mines, the on-track, off-track supply cars would be more susceptible to accidental uncoupling than cars equipped with link-and-pin couplers.

(4) Since many of Petitioner's supply cars are equipped for use both on and off track, and because of the uneven bottom conditions, installation of automatic couplers would require alignment of the couplers. A miner would have to place himself between the vehicles to effect said alignment.

(5) Because of the foregoing facts, installation of automatic couplers on all equipment in Petitioner's mines would diminish safety, and, in fact, create hazards.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 16, 1974.

Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

APRIL 5, 1974.

[FR Doc.74-8684 Filed 4-15-74;8:45 am]

Office of the Secretary

[INT DES 74-42]

LIVESTOCK GRAZING MANAGEMENT FOR NATIONAL RESOURCE LANDS

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Bureau of Land Management has prepared a Draft Environmental Impact Statement on Livestock Grazing Management. The

statement addresses itself to the livestock grazing management program on public lands administered by the Bureau of Land Management. It discusses the environmental impacts of livestock grazing and considers alternative levels of management as well as the alternative of complete livestock removal.

The statement is available for inspection at the following Bureau of Land Management offices:

Alaska State Office: 555 Cordova Street, Anchorage, Alaska 99501.
Arizona State Office: Federal Building, Room 3022, Phoenix, Arizona 85025.
California State Office: 2800 Cottage Way, Room E-2841, Sacramento, California 95825.
Colorado State Office: 1600 Broadway, Room 700, Denver, Colorado 80202.
Idaho State Office: Federal Building, Room 398, 550 West Fort Street, Boise, Idaho 83702.
Montana State Office: (N. Dak., S. Dak.) Federal Building, 316 North 26th Street, Billings, Montana 59101.
Nevada State Office: Federal Building, 300 Booth Street, Reno, Nevada 89502.
New Mexico State Office: Federal Building, P.O. Box 1449, Santa Fe, New Mexico 87501.
Oregon State Office: (WASHINGTON) 729 Northeast Oregon Street, P.O. Box 2965, Portland, Oregon 97208.
Utah State Office: Federal Building, 125 South State Street, Salt Lake City, Utah 84111.
Wyoming State Office: (NEBR., KANSAS) 2120 Capitol Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001.
Washington, D.C.: Office of Public Affairs, Room 5625, Interior Building, Washington, D.C. 20240.
For All Other States:
Eastern States Office: Robin Building, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

A limited supply of copies of the statement is available and one may be obtained by writing to the Director (130), Bureau of Land Management, Department of the Interior, Washington, D.C. 20240. A charge of $1 each will be made for additionally printed copies.

Comments on the statement should be addressed to the Director (330), Bureau of Land Management, Department of the Interior, Washington, D.C. 20240. These comments must be submitted on or before June 16, 1974 to be considered in the preparation of the final environmental statement.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

APRIL 11, 1974.

[FR Doc.74-8703 Filed 4-15-74;8:45 am]

[INT FES 74-15]

GLACIER NATIONAL PARK, MONT.; PROPOSED LAKE McDONALD SEWERAGE SYSTEM

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a final environmental statement for a proposed Lake McDonald sewerage system in Glacier National Park, Montana.

The environmental statement considers the social, economic, and ecological effects of constructing a sewage collection system and an aeration pond/spray-field treatment facility for the Lake McDonald area in Glacier National Park, Glacier County, Montana.

Copies of the final environmental statement are available from or for inspection at the following locations:

Rocky Mountain Regional Office
National Park Service
655 Parfet Street
Lakewood, Colorado 80215

Midwest Regional Office
National Park Service
1709 Jackson Street
Omaha, Nebraska 68102

Superintendent
Glacier National Park
West Glacier, Montana 59936

Dated: April 11, 1974.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.74-8362 Filed 4-15-74;9:21 am]

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

[Notice No. 77]

RICE IN ARKANSAS, LOUISIANA AND MISSISSIPPI

Extension of Filing Time

Pursuant to the authority contained in § 401.103 of Title 7 of the Code of Federal Regulations, the time for filing applications for rice crop insurance for the 1974 crop year in all counties in Arkansas, Louisiana and Mississippi where such insurance is otherwise authorized to be offered is hereby extended until the close of business on April 19, 1974. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

[SEAL] M. R. PETERSON,
Manager, Federal Crop Insurance Corporation.

[FR Doc.74-8690 Filed 4-15-74;8:45 am]

Forest Service

COOPERATIVE SPRUCE BUDWORM SUPPRESSION 1974 PROJECT

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for suppression of the spruce budworm in Maine in 1974. Forest Service Report Number USDA-FS-NA-FES(Adm.)-1.

The environmental statement concerns a proposed cooperative aerial spray project on approximately 430,000 acres of state and private woodlands in Aroostook, Piscataquis, Penobscot and Washington Counties to prevent or minimize tree mortality and reduce high spruce budworm populations. To accomplish these objectives, the insecticide mexacarbate (Zectran[R]) will be applied by aircraft. This statement is intended as the base document for the cooperative spruce budworm program. In subsequent years an annual addendum will be prepared that presents only new knowledge, additional alternatives or environmental impacts not considered, and details for implementing annual activities of the program.

The final environmental statement was filed with CEQ on April 10, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW.
Washington, D.C. 20250

USDA, Forest Service
Northeastern Area,
State and Private Forestry
6816 Market Street, Room 207
Upper Darby, Pennsylvania 19082

A limited number of single copies are available upon request to:

Robert D. Raisch, Area Director
Northeastern Area,
State and Private Forestry
6816 Market Street
Upper Darby, Pennsylvania 19082

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, state and local agencies as outlined in the Council on Environmental Quality guidelines.

Dated: April 8, 1974.

WILLIAM E. MURRAY,
Acting Director, Northeastern Area, State and Private Forestry.

[FR Doc.74-8688 Filed 4-15-74;8:45 am]

KETCHIKAN PULP COMPANY TIMBER SALE

Availability of Final Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Ketchikan Pulp Company Timber Sale, 1974 to 1979 Operating Period, USDA-FS-FES(Adm) 74-56.

The environmental statement deals with the timber harvest plan for the 1974-1979 operating period of the Ketchikan Pulp Company long-term timber sale. Timber, fish, wildlife, water, and outdoor recreation are all important resources of the area. The primary action proposed is timber harvest by clear-cutting and associated activities.

Timber harvest in the sale area would convert old growth stands to young fast growing trees. Naturalness and aesthetic qualities of the area would decrease. Wildlife habitat would be modified by clearcutting and roads. Wilderness character would be lost in areas where timber harvest and related activities are planned.

This final environmental statement was transmitted to CEQ on April 10, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
So. Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW
Washington, D.C. 20250

USDA, Forest Service
Alaska Region
Federal Office Building
Juneau, Alaska 99801

Forest Supervisor, Ketchikan Area
Tongass National Forest
Federal Building, Room 313
Ketchikan, Alaska 99901

Forest Supervisor, Chatham Area
Tongass National Forest
Federal Building
Sitka, Alaska 99835

Forest Supervisor, Stikine Area
Tongass National Forest
Federal Building
Petersburg, Alaska 99833

A limited number of single copies are available upon request to Richard M. Wilson, Forest Supervisor, Tongass National Forest, Ketchikan Area, Box 2278, Ketchikan, Alaska 99901.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

R. MAX PETERSON,
Deputy Chief,
Forest Service.

APRIL 10, 1974.

[FR Doc.74-8689 Filed 4-15-74;8:45 am]

Forest Service

COLVILLE NATIONAL FOREST; USE OF CERTAIN HERBICIDES

Availability of Draft Environmental Statement

In the matter of vegetation management using selective herbicides on the Colville National Forest, Region 1, and the Okanogan and Wenatchee National Forests, Region 6, Washington for the period January 1, 1974 through June 30, 1975.

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for vegetation management using selective herbicides on the Colville National Forest, Region 1, and the Okanogan and Wenatchee National Forests, Region 6, Washington, for the period January 1, 1974 through June 30, 1975, USDA-FS-R6-DES-(Adm)-74-5.

The environmental statement concerns a proposed use of selective herbicides for vegetation management on three National Forests located in northeast and north central Washington. The proposed uses are for conifer crop tree release, site preparation prior to planting, utility and road right-of-way maintenance, range improvement, noxious weed control, and poison plant control.

This draft environmental statement was transmitted to CEQ on April 4, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave., SW.
Washington, D.C. 20250

USDA, Forest Service
Pacific Northwest Region
319 SW. Pine Street
Portland, Oregon 97204

USDA, Forest Service
Northern Region
Federal Building
Missoula, Montana 59801

Colville National Forest
Colville, Washington 99114

Okanogan National Forest
219 2nd Avenue S.
Okanogan, Washington 98840

Wenatchee National Forest
3 S. Wenatchee Avenue
Wenatchee, Washington 98801

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Regional Forester T. A. Schlapfer, USDA, Forest Service, Region 6, P.O. Box 3623, Portland, Oregon 97208. Comments must be received by _____ in order to be considered in the preparation of the final environmental statement.

D. B. TRASK,
Acting Regional Forester,
Region 6.

APRIL 8, 1974.

[FR Doc.74-8671 Filed 4-15-74;8:45 am]

DEPARTMENT OF COMMERCE

National Technical Information Service

GOVERNMENT-OWNED INVENTIONS

Notice of Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for licensing in accordance with the licensing policy of each Agency-sponsor.

Copies of Patent applications, either paper copy (PC) or microfiche (MF), can be purchased from the National Technical Information Service (NTIS), Springfield, Virginia 22151, at the prices cited. Requests for copies of patent applications must include the PAT-APPL number and the title.

Paper copies of patents cannot be purchased from NTIS but are available from the Commissioner of Patents, Washington, D.C. 20231, at $0.50 each.

Requests for licensing information should be directed to the address cited below for each agency.

DOUGLAS J. CAMPION,
Patent Program Coordinator,
National Technical Information Service.

DEPARTMENT OF THE AIR FORCE, AF/JACP, Washington, D.C. 20314.

Patent application 300,002: Chemical Laser Nozzle System. Filed 24 October 1972. PC $3.00/MF $1.45.

Patent application 301,029: Liquid Expulsion Subsystem. Filed 26 October 1972. PC $3.00/MF $1.45.

Patent application 304,585: Modified Polybenzothiazole-Based Adhesive. Filed 7 November 1972. PC $3.00/MF $1.45.

Patent application 306,504: Variable Angle Jet Flap System. Filed 14 November 1972. PC $3.00/MF $1.45.

Patent application 306,648: Treatment of Graphite Fibers. Filed 29 September 1972. PC $3.00/MF $1.45.

Patent application 319,591: Inner Surface Single Beam Reflected Light Hologram. Filed 29 December 1972. PC $4.00/MF $1.45.

Patent application 328,158: Rotor Blade Capturing Assembly. Filed 30 January 1973. PC $4.00/MF $1.45.

Patent application 329,509: Vinyl-Substituted Siloxane and Siloxazane Polymers. Filed 5 February 1973. PC $4.25/MF $1.45.

Patent application 341,634: Process for Fabricating Porous Beryllium Billets. Filed 15 March 1973. PC $4.00/MF $1.45.

Patent 3,702,326: Fused Ring Tetraamino Compound, the Tetratosylate Thereof, and Their Synthesis. Filed 5 August 1970, patented 7 November 1972. Not available NTIS.

Patent 3,714,695: Method for Forming Thrust Chambers. Filed 17 September 1970, patented 6 February 1973. Not available NTIS.

Patent 3,715,509: Method and Means for Providing Resolution Level Selection in a Spectrum Analyzer. Filed 18 February 1971, patented 6 February 1973. Not available NTIS.

Patent 3,716,809: Acoustic Surface Wave Resonator. Filed 11 August 1971, patented 13 February 1973. Not available NTIS.

Patent 3,719,206: Refillable Cooling Package. Filed 12 February 1971, patented 6 March 1973. Not available NTIS.

Patent 3,719,831: Logarithmic IF Amplifier. Filed 18 February 1969, patented 6 March 1973. Not available NTIS.

Patent 3,719,889: Laser Pulse Train Totalizer and Interval Counter. Filed 14 December 1971, patented 6 March 1973. Not available NTIS.

Patent 3,719,899: Stabilized, Optimizable, Gaseous Electrical Discharge. Filed 4 November 1971, patented 6 March 1973. Not available NTIS.

Patent 3,721,625: Solid Lubricant Compositions Employing Polybenzimidazole Resins and Lubricating Pigments. Filed 11 June 1968, patented 20 March 1973. Not available NTIS.

Patent 3,724,495: Apparatus for Clean Sealing Valves; filed 11 February 1971, patented 3 April 1973; not available NTIS.

Patent 3,736,542: High Voltage Transformer; filed 15 June 1971, patented 29 May 1973; not available NTIS.

Patent 3,736,587: Coherent Frequency Hopped. Phase Modulated Acoustic Surface Wave Generator; filed 26 May 1971, patented 29 May 1973; not available NTIS.

Patent 3,738,168: Laser Beam Scanning Device; filed 16 November 1971, patented 12 June 1973; not available NTIS.

Patent 3,738,750: Doppler Shift Laser Velocimeter Data Processor; filed 10 December 1970, patented 12 June 1973; not available NTIS.

Patent 3,739,391: Metallized Channel Guide Antenna; filed 12 June 1972, patented 12 June 1973; not available NTIS.

Patent 3,739,634: Apparatus for Generating Ultra High Total Enthalpy Gases with Multicomponent flow; filed 6 July 1972, patented 19 June 1973; not available NTIS.

Patent 3,740,374: Poly (Quinoxalino-bisimidazonaphthaldimide) Polymers and Method of Preparation; filed 26 September 1972, patented 19 June 1973; not available NTIS.

Patent 3,740,538: Digital Sorter and Ranker; filed 28 July 1971, patented 19 June 1973; not available NTIS.

Patent 3,740,654: Signal Conditioning Circuit; filed 7 March 1972, patented 19 June 1973; not available NTIS.

Patent 3,740,920: Method for Packaging Hybrid Circuits; filed 26 May 1971, patented 26 June 1973; not available NTIS.

Patent 3,741,648: Acoustic Beam Splitter for Infrared Lasers; filed 16 July 1971, patented 26 June 1973; not available NTIS.

Patent 3,742,390: Multi-Frequency Microstrip Filter-Detector; filed 23 November 1971, patented 26 June 1973; not available NTIS.

Patent 3,742,399: Vertical Tapeline Microwave Coupler for Paramagnetic Spin Resonance; filed 19 May 1971, patented 26 June 1973; not available NTIS.

Patent 3,742,501: Radar Apparatus with Directional Discrimination and Increased Radar Sensitivity; filed 21 March 1972, patented 26 June 1973; not available NTIS.

Patent 3,743,624: Benzofuroisoquinoline Polymers and Method for Synthesizing Same; filed 6 October 1972, patented 26 June 1973; not available NTIS.

Patent 3,743,765: Redundant Area Coding System; filed 26 May 1971, patented 3 July 1973; not available NTIS.

Patent 3,743,955: Radiation Hardening Read Preamplifier; filed 13 July 1971, patented 3 July 1973; not available NTIS.

Patent 3,744,295: Photochromic-Thermochromic Coating Composition; filed 24 November 1971, patented 10 July 1973; not available NTIS.

Patent 3,745,567: Wideband Radar Receiver Protective Apparatus; filed 9 March 1972, patented 10 July 1973; not available NTIS.

Patent 3,745,568: Spectrum Analysis Radar; filed 11 April 1972, patented 10 July 1973; not available NTIS.

Patent 3,745,785: Solid Cryogen Heat Transfer Apparatus; filed 17 January 1972, patented 17 July 1973; not available NTIS.

Patent 3,745,877: Intervalometer for Parachute Flare Launcher; filed 22 December 1971, patented 17 July 1973; not available NTIS.

Patent 3,747,004: Injection-Locked Laser Stabilizer; filed 14 May 1971, patented 17 July 1973; not available NTIS.

Patent 3,748,206: Cured Polyferrocenylenes and Process for Curing; filed 26 May 1971, patented 24 July 1973; not applicable NTIS.

Patent 3,753,472: Light Pressure Operated Microbalance System; filed 12 August 1971, patented 21 August 1973; not available NTIS.

Patent 3,753,616: Laser Doppler Velocimeter Detector; filed 22 November 1971, patented 21 August 1973; not available NTIS.

Patent 3,756,779: Spectral Analysis of Ketoximes; filed 16 November 1971, patented 4 September 1973; not available NTIS.

Patent 3,757,412: Lanthanide Isopropoxides and Preparation of Same; filed 20 October 1971, patented 11 September 1973; not available NTIS.

Patent 3,761,303: Method for Impregnating Microcracks in Chrominum Plating; filed 7 December 1971, patented 25 September 1973; not available NTIS.

Patent 3,762,644: Stress Relief Grooves for Pyrolytic Graphite Coated Rocket Nozzle Inserts; filed 11 May 1970, patented 2 October 1973; not available NTIS.

Patent 3,764,830: Stripline Video Pulse Generator; filed 27 June 1972, patented 9 October 1973; not available NTIS.

U.S. DEPARTMENT OF AGRICULTURE, Chief, Research, Agreements and Patent Mgmt. Branch, Federal Building, General Services Division, Agricultural Research Service, Hyattsville, Maryland 20782.

Patent application 306,770: Non-Aqueous Process for Reacting Sultones with Cellulosic Materials; filed 15 November 1972. PC $4.00/MF $1.45.

Patent application 309,833: Treatment of Cotton with Glycidyl Methacrylate Using Ionizing Radiation; filed 27 November 1973. PC $4.00/MF $1.45.

Patent application 311,609: d,b'-BIS-(Phosphono) Dicarboxylic Acid Derivatives; filed 4 December 1972. PC $4.00/MF $1.45.

Patent application 314,651: Use of Sodium Bisulfite in an Improved Process for the Treatment of Cellulose Textile Materials with Carbamate Finishing Agents and Sulfurous Acid; 13 December 1972. PC $4.00/MF $1.45.

Patent 3,676,052: Polypropylene Glycols and Substituted Polypropylene Glycols are Used in Conjunction with Crosslinking Agency to Produce Durable Press Fabrics with Improved Soil Release Performance; filed 3 November 1969, patented 11 July 1972; not available NTIS.

Patent 3,676,056: High Energy Radiation Stabilization of Cellulose Obtained by Esterifying with Thenoyl Chloride; filed 30 April 1971, patented 11 July 1972; not available NTIS.

Patent 3,677,692: High Energy Radiation Stabilization of Cellulose Obtained by Esterifying with Furoyl Chloride; filed 30 April 1971, patented 18 July 1972; not available NTIS.

Patent 3,678,537: Card Cover with Fiber Conveying Air Flow Channel; filed 26 June 1970, patented 25 July 1972; not available NTIS.

Patent 3,680,219: Proces for Steam Straightening and Kiln Drying Lumber; filed 22 September 1970, patented 1 August 1972; not available NTIS.

Patent 3,681,268: Mastic Adhesive Composition Containing Zinc Salt of Formaldehyde-Modified Rosin; filed 27 February 1970, patented 1 August 1972; not available NTIS.

Patent 3,685,100: Card Cover with Fiber-Conveying Channels; filed 26 June 1970, patented 22 August 1972; not available NTIS.

Patent 3,694,256: Process for Rendering Cellulosic Textiles Flame Retardant; filed 12 January 1971, patented 26 September 1972; not available NTIS.

Patent 3,694,397: Hexachlorocyclopentadiene Adducts of Unsaturated Amides; filed 16 December 1971, patented 26 September 1972; not available NTIS.

Patent 3,696,603: Electrostatic Fiber Collecting and Yarn Spinning Apparatus; filed 13 April 1971, patented 10 October 1972; not available NTIS.

Patent 3,697,316: Fire-Resistant Organic Products and Method for Production; filed 7 May 1971, patented 10 October 1972; not available NTIS.

Patent 3,698,854: Process for Producing Flame Resistant Organic Textiles; filed 24 June 1970, patented 17 October 1972; not available NTIS.

Patent 3,698,857: Fibrous Crosslinked (Aminoalkyl) Aminochlorodeoxy-cellulose and Method of Preparation; filed 26 January 1971, patented 17 October 1972; not available NTIS.

Patent 3,699,146: Synthesis of Methyl Malvalate and Methyl 5,6-Methano-5-Undecenoate; filed 31 March 1970, patented 17 October 1972; not available NTIS.

Patent 3,701,626: Process for Rendering Cellulosics Water- and Oil-Repellent; filed 23 December 1970, patented 31 October 1972; not available NTIS.

Patent 3,702,230: Use of Polymer Additive to Improve the Optical Brightener Absorption Characteristics of Durable-Press Fabrics; filed 7 January 1971, patented 7 November 1972; not available NTIS.

Patent 3,702,232: Tri(2-Chloroethyl) Phosphoramide used as a Crosslinking Agent for Cellulosic Compositions; filed 19 November 1971, patented 7 November 1972; not available NTIS.

Patent 3,702,754: Fibrous(Carboxyalkylthio)- and (Carboxyarylthio) Chlorodeoxycelluloses and Method of Preparation; filed 24 January 1971, patented 14 November 1972; not available NTIS.

Patent 3,702,857: Decolorization of Cottonseed Oil with Ferric Cloride; filed 10 March 1970, patented 14 November 1972; not available NTIS.

Patent 3,704,257: N-Cyclohexyl-N-(2-Cyanoethyl) Oleamide as a Plasticizer; filed 13 November 1969, patented 28 November 1972; not available NTIS.

Patent 3,705,004: Pad Bath Formulation of Iron Salt, Potassium Permanganate, Ammonium Oxalate and Zirconyl Ammonium Carbonate; filed 21 March 1972, patented 5 December 1972; not available NTIS.

Patent 3,706,762: Fungicidal Method; filed 7 May 1971, patented 19 December 1972; not available NTIS.

Patent 3,708,450: Elastomeric Polyester-Derived Polyurethanes Containing 13-Hydroxymethyl-Tetrahydrocabletanol; filed 16 December 1971, patented 2 January 1973; not available NTIS.

Patent 3,714,144: Process for the Production of Sucrocid-Esters of Fatty Acids; filed 29 May 1969, patented 30 January 1973; not available NTIS.

Patent 3,714,813: Bipyrrolidone-Formaldehyde Addition Products and Their Use as Crosslinking Agents with Cellulose; filed 17 February 1971, patented 30 January 1973; not available NTIS.

Patent 3,715,910: Determination of Residual Solvent in Oilseed Meals and Flours by a Volatilization Procedure; filed 26 January

1971, patented 13 February 1973; not available NTIS.

Patent 3,716,540: Hexachloropentadiene Adducts of Unsaturated Piperazine Amides; filed 16 December 1971, patented 13 February 1973; not available NTIS.

Patent 3,719,448: Organo-Phosphorus Compounds Containing Perfluoroalkyl Radicals and Their Application to Cellulosic Textiles; filed 9 June 1971, patented 6 March 1973; not available NTIS.

Patent 3,722,202: Spinning a Filament-Wrapped Staple Fiber Core Yarn; filed 24 September 1971, patented 27 March 1973; not available NTIS.

Patent 3,723,057: Process for Stabilizing Organophosphorus Solutions and Imparting Rot and Flame Resistance to Organic Textile Materials; filed 19 July 1971, patented 27 March 1973; not available NTIS.

Patent 3,723,133: Method of Preparing a Dehydrated Deacidified Citrus Juice Product; filed 7 February 1972, patented 27 March 1973; not available NTIS.

Patent 3,724,243: Chainless Mercerizer Suitable for use with Liquid Ammonia; filed 7 May 1971, patented 3 April 1973; not available NTIS.

Patent 3,731,466: Continuous Flow Multiple Trap for Low Temperature Reduced Pressure Gas Chromatography; filed 14 July 1971, patented 8 May 1973; not available NTIS.

Patent 3,732,179: Process for Preparing Polyurethanes from Hydroxy-Methylated Derivatives of Resin Acids: Filed 15 March 1972, patented 8 May 1973; not available NTIS.

Patent 3,734,684: Flame Retardant Phosphorous Containing Fibrous Products and Method for Production; filed 7 May 1971, patented 22 May 1973; not available NTIS.

Patent 3,737,453: 2-Aminoethanol Salt of Dehydroabietic Acid; filed 2 December 1970, patented 5 June 1973; not available NTIS.

Patent 3,745,020: Process for Preparing Citrus Puree; filed 5 May 1971, patented 10 July 1973; not available NTIS.

Patent 3,745,191: Flame-Resistant Organic Textiles through Treatment with Halogen Containing Soluble Methylol Phosphine Adducts; filed 7 May 1971, patented 10 July 1973; not available NTIS.

Patent 3,746,731: Process for Refining Glyceride Oils and Fats; filed 31 December 1969, patented 17 July 1973; not available NTIS.

Patent 3,749,552: Simultaneous Introduction of Quaternary Ammonium Salt Residues and Sulfone Residues into Fibrous Cellulose; filed 9 December 1970, patented 31 July 1973; not available NTIS.

Patent 3,754,860: Wrinkle-Resistance Finishes for Cotton Fabric Using Citric Acid Derivatives for Soil Release; filed 5 November 1971, patented 28 August 1973; not available NTIS.

Patent 3,754,932: Proteare and Pectmare Additive to Citrus Juices; filed 16 April 1971, patented 28 August 1973; not available NTIS.

Patent 3,755,418: Finishing Agents with Reduced Formal-Dehyde Odor for Cellulose Containing Textile Materials; filed 18 September 1970, patented 28 August 1973; not available NTIS.

Patent 3,746,722: Hexachlorocycopentadiene Adducts of Unsaturated Amides; filed 16 December 1971, patented 17 July 1973; not available NTIS.

Patent 3,756,777: Pad-Cure Process for the Preparation of Deae-Cotton; filed 30 July 1971, patented 4 September 1973; not available NTIS.

DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets, NW., Washington, DC 20240.

Patent Application 419,830: Process for Making Preformed Support Structures; filed 28 November 1973. PC $4.00/MF $1.45.

Patent Application 789,577: Personal Dust Sampler Holder; filed 7 January 1969. PC $4.00/MF $1.45.

Patent 2,821,499: Method of Controlling Sea Lampreys (Petromyzon Marinus); filed 9 May 1956, patented 28 January 1958; not available NTIS.

Patent 2,826,897: Fish Diversion Louver System; filed 1 December 1954, patented 18 March 1958; not available NTIS.

Patent 2,889,528: Standardizing Strain Gage; filed 27 February 1957, patented 2 June 1959; not available NTIS.

Patent 2,893,633: Bi-Directional Electric Counting System; filed 10 October 1957, patented 7 July 1959; not available NTIS.

Patent 2,913,846: Apparatus for Controlling the Upstream Movement of Fish; filed 24 March 1958, patented 24 November 1959; not available NTIS.

Patent 2,955,068: Method for Controlling Boring Sponges and Other Pests of Commercial Mollusks; filed 10 October 1958, patented 4 October 1960; not available NTIS.

Patent 2,962,632: Overload Protection Device for Direct Current Generators; filed 19 January 1959, patented 29 November 1960; not available NTIS.

Patent 2,979,442: Process for the Prevention of Scale in Sea Water Evaporators; filed 28 June 1957, patented 11 April 1961; not available NTIS.

Patent 3,016,296: Method for Reduction of Refractory Metal Oxide to Metal by Calcium Carbide; filed 23 September 1959, patented 9 January 1962; not available NTIS.

Patent 3,028,003: Separation of Spodumene and Beryl by Flotation; filed 27 July 1960, patented 3 April 1962; not available NTIS.

Patent 3,031,287: Process for Manufacturing Mixtures of Hydrogen, Carbon Monoxide, and Methane; filed 23 June 1958, patented 24 April 1962; not available NTIS.

Patent 3,045,861: Closure for Evacuated and/or Pressurized Vessel; filed 1 December 1959, patented 24 July 1962; not available NTIS.

Patent 3,046,215: Electrolytic Cell with Vertical Mercury Electrode; filed 26 May 1959, patented 24 July 1962; not available NTIS.

Patent 3,054,243: High Temperature Electrostatic Precipitator and Method of Operation; filed 16 September 1960, patented 18 September 1962; not available NTIS.

Patent 3,054,685: Fluormica-Fluoramphibole Ceramics and Processes of Making Same; filed 9 February 1960, patented 18 September 1962; not available NTIS.

Patent 3,069,255: Production of High Purity Titanium by Metallic Sodium Reduction of Titanic Halide; filed 25 November 1957, patented 18 December 1962; not available NTIS.

Patent 3,088,805: A Method for Producing Zirconium Diboride; filed 21 August 1959, patented 7 May 1963; not available NTIS.

Patent 3,088,909: Mixed Solvents for Saline Water Extraction; filed 9 February 1961, patented 7 May 1963; not available NTIS.

Patent 3,107,215: Flotation Process for Concentration of Pollucite Ores; filed 25 January 1962, patented 15 October 1963; not available NTIS.

Patent 3,103,716: Pressure Control Mechanism; filed 15 September 1961, patented 29 October 1963; not available NTIS.

Patent 3,113,017: Method for Reacting Titanic Chloride with an Alkali Metal; filed 6 July 1960, patented 3 December 1963; not available NTIS.

Patent 3,128,744: Method for Investigating the Migratory Habits of Macro-Organisms; filed 2 January 1963, patented 14 April 1964; not available NTIS.

Patent 3,138,637: Process for Recovering Ethylenediamine-Tetraacetic Acid (EDTA) from Copper EDTA-Ion Exchange Effluent Solutions; filed 9 January 1962, patented 13 June 1964; not available NTIS.

Patent 3,140,148: Method of Treating Exhaust Gases with Urania-Containing Catalysts; filed 26 July 1961, patented 7 July 1964; not available NTIS.

Patent 3,148,577: Rock Bolt Anchored by Explosive Forming; filed 27 February 1962, patented 15 September 1964; not available NTIS.

Patent 3,162,257: Barrel-Type Soil Auger; filed 12 October 1962, patented 22 December 1964; not available NTIS.

Patent 3,164,905: Universal Tracing Table; filed 16 August 1961, patented 12 January 1965; not available NTIS.

Patent 3,163,814: Automatic Water Control Gate; filed 14 September 1961, patented 9 February 1965; not available NTIS.

Patent 3,175,459: Meter for Optically Measuring Fluid Current Velocity; filed 1 October 1962, patented 30 March 1965; not available NTIS.

Patent 3,285,765: Cellulose Acetate Reverse Osmosis Desalination Membranes Cast from Nonaqueous Solutions and a Method of Making the Same; filed 18 October 1965, patented 15 November 1966; not available NTIS.

Patent 3,289,753: Use of Gold Surfaces to Promote Dropwise Condensation; filed 2 November 1964, patented 6 December 1966; not available NTIS.

Patent 3,289,754: Use of Silver Surfaces to Promote Dropwise Condensation; filed 2 November 1964, patented 6 December 1966; not available NTIS.

Patent 3,290,236: Partially Hydrolyzed Cellulosic Reverse Osmosis Membranes and Methods of Preparing the Same; filed 18 October 1965, patented 6 December 1966; not available NTIS.

Patent 3,291,400: Bacteria Disintegrator; filed 23 September 1963, patented 13 December 1966; not available NTIS.

Patent 3,305,091: Method of Separating Liquid-Solid Suspensions Into Individual Phases; filed 29 April 1965, patented 21 February 1967; not available NTIS.

Patent 3,332,894: Polyvinyl Carbonate Desalination Membrane and a Method of Producing the Same; filed 6 December 1966, patented 25 July 1967; not available NTIS.

Patent 3,336,161: Biochemical Method of Producing Electricity; filed 11 March 1963, patented 15 August 1967; not available NTIS.

Patent 3,384,451: Production of Spherical Granules of Alkali Earth Phosphate Salts; filed 22 October 1965, patented 21 May 1968; not available NTIS.

Patent 3,387,487: Recording Gas Collector; filed 18 October 1965, patented 11 June 1968; not available NTIS.

Patent 3,397,040: Spectrophotometric Method for the Determination of Gold; filed 23 February 1966, patented 13 August 1968; not available NTIS.

Patent 3,463,713: Electrodialysis Process Using Inorganic Ion Exchange Membranes; filed 13 December 1966, patented 26 August 1969; not available NTIS.

Patent 3,463,717: Reference and Glass Electrodes Capable of Withstanding High Pressures; filed 7 January 1966, patented 26 August 1969; not available NTIS.

Patent 3,480,144: Process for Removing Phosphorus from Waste Water; filed 3 May 1968, patented 25 November 1969; not available NTIS.

Patent 3,481,695: Process for Extracting Aluminum Values from Oil Shale; filed 7 January 1969, patented 2 December 1969; not available NTIS.

Patent 3,482,374: Process for Electrostatic Precipitation; filed 3 October 1967, patented 9 December 1969; not available NTIS.

Patent 3,992,884: Process for the Removal of Sulfur Oxides from Gases; filed 7 October 1959, patented 18 July 1961; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA—Code GP-2, Washington, DC 20546.

Patent Application 416,135: Simultaneous Acquisition of Tracking Data from Two Stations; filed 15 November 1973. PC $3.25/MF $1.45.

Patent Application 419,747: Position Determination Systems; filed 28 November 1973. PC $3.00/MF $1.45.

Patent Application 420,813: Inert Gas Metallic Vapor Laser; filed 3 December 1973. PC $3.25/MF $1.45.

Patent Application 433,968: Diode-Quad Bridge Circuit Means; filed 16 January 1974. PC $3.00/MF $1.45.

Patent Application 436,313: Anthropomorphic Master/Slave Manipulator System; filed 24 January 1974. PC $4.00/MF $1.45.

Patent 3,732,297: Inherent Redundancy Electric Heater, patented 8 May 1973; not available NTIS.

Patent 3,777,552: Ultrasonic Scanning System for in-Place Inspection of Brazed Tube Joints, patented 11 December 1973; not available NTIS.

Patent 3,780,827: Gas Turbine Exhaust Nozzle, patented 25 December 1973; not available NTIS.

Patent 3,780,966: Attitude Sensor, patented 25 December 1973; not available NTIS.

Patent 3,781,111: Short Range Laser Obstacle Detector, patented 25 December 1973; not available NTIS.

Patent 3,781,549: Use of Thin Film Light Detector, patented 25 December 1973; not available NTIS.

Patent 3,781,562: Mossbauer Spectrometer Radiation Detector, patented 25 December 1973; not available NTIS.

Patent 3,781,902: Recorder/Processor Apparatus, patented 25 December 1973; not available NTIS.

Patent 3,781,958: Method of Making Rolling Element Bearings, patented 1 January 1974; not available NTIS.

Patent 3,782,177: Method and Apparatus for Nondestructive Testing, patented 1 January 1974; not available NTIS.

Patent 3,782,181: Dual Measurement Ablation Sensor, patented 1 January 1974; not available NTIS.

Patent 3,782,334: Automatic Real-Time Pair-Feeding System for Animals, patented 1 January 1974; not available NTIS.

Patent 3,782,825: Method and Apparatus for Checking the Stability of a Setup for Making Reflection Type Holograms, patented 1 January 1974; not available NTIS.

Patent 3,782,904: Compact Hydrogenator, patented 1 January 1974; not available NTIS.

Patent 3,783,354: Phase Protection System for AC Power Lines, patented 1 January 1974; not available NTIS.

Patent 3,783,399: Full Wave Modulator-Demodulator Amplifier Apparatus, patented 1 January 1974; not available NTIS.

Patent 3,783,443: Ejectable Underwater Sound Source Recovery Assembly, patented 1 January 1974; not available NTIS.

[FR Doc.74-8653 Filed 4-15-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[NADA No. 13-631V]

NORDEN LABORATORIES

Nortran Granulets; Notice of Withdrawal of Approval of New Animal Drug Application

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the following notice is issued:

On the grounds that the drug has not been marketed and at the request of Norden Laboratories, Inc., 601 Cornhusker Highway, Lincoln, NE 68521, in accordance with § 135.28(d) (21 CFR 135.28 (d)), approval of new animal drug application (NADA) No. 13-631V for Nortran Granulets containing trifluomeprazine as the maleate, is hereby withdrawn.

Effective date. This notice shall be effective on April 16, 1974.

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8656 Filed 4-15-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[Docket No. N-74-225]

NATIONAL INSURANCE DEVELOPMENT PROGRAM

Notice of Offer To Provide Reinsurance Against Excess Aggregate Loss Resulting From Riots or Civil Disorders

Correction

In FR Doc. 74-8291 appearing at page 13018 of the issue for Wednesday, April 10, 1974, make the following changes:

1. The headings should read as set forth above.
2. In the fifth line of the fourth paragraph of the third column on page 13018, "(6)" should read "(6%)".
3. The word "upon" should be deleted from the penultimate line of the paragraph following the heading "Offer to Provide Reinsurance".
4. A parenthesis should precede "here—" in the fourth line of the fifth paragraph of the first column on page 13019.
5. In the third line of sec. VII in the middle column on page 13020 the word "requests" should read "request".
6. The eighth line of sec. VIII in the middle column on page 13020 should be deleted.
7. In the same sec. VIII, the following line should be added after the ninth line: "insolvency of the Company."
8. The eighteenth and nineteenth lines of sec. XI in the third column on page 13020 should be reversed.
9. In sec. XVII(9) on page 13021 in the third column the "(65½)" in the last line should read "(65%)".

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ILLINOIS; PROPOSED ACTION PLAN

Notice of Availability

The Illinois Department of Transportation has submitted to the Federal Highway Administration of the U.S. Department of Transportation a proposed Action Plan as required by Policy and Procedure Memorandum 90-4 issued on June 1, 1973. The Action Plan outlines the organizational relationships, the assignments of responsibility, and the procedures to be used by the State to assure that economic, social and environmental effects are fully considered in developing highway projects and that final decisions on highway projects are made in the best overall public interest, taking into consideration: (1) Needs for fast, safe and efficient transportation; (2) public services; and (3) costs of eliminating or minimizing adverse effects.

The proposed Action Plan is available for public review at the following locations:

1. Central Office, 2300 South 31st Street, Springfield, Illinois 62764.
2. Region 1, 595 South State Street, Elgin, Illinois 60120.
3. Region 1, Room 907, Marina City Office Building, 300 North State Street, Chicago, Illinois 60610.
4. District 2, 819 Depot Avenue, Dixon, Illinois 61021.
5. District 3, 700 East Norris Drive, Ottawa, Illinois 61350.
6. District 4, 6035 North Mt. Hawley Road, Peoria, Illinois 61614.
7. District 5, State Highway Building, Paris, Illinois 61944.
8. District 6, 126 East Ash Street, Springfield, Illinois 62706.
9. District 7, State Highway Building, Effingham, Illinois 62401.
10. District 8, 9300 St. Clair Avenue, East St. Louis, Illinois 62203.
11. District 9, State Highway Building, SBI 13, West Carbondale, Illinois 62901.
12. Illinois Division Office—FHWA, 3005 East Stevenson Drive, P.O. Box 3307, Springfield, Illinois 62708.
13. FHWA Regional Office—Region 5, 18209 Dixe Highway, Homewood, Illinois 60430.
14. Department of Transportation, Federal Highway Administration, Environmental Development Division, Nassif Building—Room 3246, 400-7th Street SW., Washington, D.C. 20590.

Comments from interested groups and the public on the proposed Action Plan are invited. Comments should be sent

to the FHWA Regional Office shown above before May 14, 1974.

Issued on April 10, 1974.

L. P. LAMM,
Executive Director.

[FR Doc.74-8728 Filed 4-15-74;8:45 am]

AD HOC ADVISORY GROUP ON PUERTO RICO

MEETING

Change of Location

The Ad Hoc Advisory Group on Puerto Rico announced in the FEDERAL REGISTER of April 2, 1974, that a meeting of the Advisory Group would be held on Saturday, April 27, 1974, in the Capitol Building, San Juan, Puerto Rico.

The location only of said meeting has been changed as follows: Colegio de Inginieros, Hato Rey, Puerto Rico.

PETER J. GALLAGHER,
Executive Director.

[FR Doc.74-8806 Filed 4-15-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

BBI, INC.

Notice of Suspension of Trading

APRIL 8, 1974.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from April 9, 1974 through April 18, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-8723 Filed 4-15-74;8:45 am]

[File No. 500-1]

BRINCO, LTD.

Notice Amending Notice of Suspension of Trading

APRIL 4, 1974.

The Commission having determined to amend its notice of March 29, 1974 summarily suspending trading in the securities of Brinco, Ltd. for the period March 31, 1974 through April 9, 1974;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in the common stock, Brinco, Ltd. and all other securities of Brinco, Ltd. being traded otherwise than on a national securities exchange is suspended, for the period from March 31, 1974 through April 7, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-8721 Filed 4-15-74;8:45 am]

[File No. 500-1]

ELECTROSPACE CORP.

Notice of Suspension of Trading

APRIL 10, 1974.

The common stock and Conv. Sub. Deb. 5½ percent due October 1983 of Electrospace Corporation being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all securities of Electrospace Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from April 11, 1974 through April 20, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-8722 Filed 4-15-74;8:45 am]

[70-5366]

MIDDLE SOUTH UTILITIES, INC.

Notice of Post-Effective Amendment Regarding Increase in Amount of Authorized Bank Borrowings

Notice is hereby given that Middle South Utilities, Inc., Two Eighty Park Avenue, New York, New York 10017 ("Middle South"), a registered holding company, has filed a fourth post-effective amendment to its declaration in this proceeding pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act as applicable to the following proposed transaction. All interested persons are referred to the declaration, as now amended, for a complete statement of the proposed transaction.

By order dated August 24, 1973 (HCAR 18065), the Commission authorized Middle South to issue and sell its unsecured promissory notes in an aggregate amount not to exceed $30,000,000 outstanding at any one time under a $135,000,000 revolving credit agreement ("Credit Agreement") with a group of 7 commercial banks headed by Manufacturers Hanover Trust Company of New York ("Banks"). The aggregate maximum amount of authorized borrowings was established at $83,700,000, by post-effective amendments numbers 1, 2, and 3 to the declaration (HCAR 18178, 18214, and 18345). Middle South now proposes to increase the amount of authorized borrowings from the Banks from $83,700,000 to $103,700,000. The proportions in which the borrowing will be made, the interest rate, the maturity date, the form of note, and all other terms and conditions of the borrowing will be the same as those terms and conditions set forth in the Credit Agreement and the original filing herein, heretofore described and authorized in the Commission order dated August 24, 1973.

The proceeds of the borrowing will be utilized to purchase 1,600,000 shares of common stock, $12.50 par value, of Arkansas Power and Light Company, a wholly-owned electric utility subsidiary company of Middle South, for an aggregate of $20,000,000 in cash. Such purchase is the subject of a pending application-declaration filed concurrently by Arkansas Power & Light Company and Middle South (File No. 70-5487).

It is represented that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction. No special fees or expenses are anticipated in connection with the transaction proposed herein.

Notice is further given that any interested person may, not later than May 6, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment to the previously amended declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above stated address, and proof of service (by affidavit, or, in case of an attorney at law by certificate) should be filed with the request. At any time after said date, the declaration, as now amended by this post-effective amendment, or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation pursuant to delegated authority.

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

[FR Doc.74-8725 Filed 4-15-74;8:45 am]

PBW STOCK EXCHANGE INC.

Applications for Unlisted Trading Privileges and of Opportunity for Hearing

APRIL 10, 1974.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Drexel Bond-Debenture Trading Fund	7-4549
Drexel Utility Shares, Inc.	7-4550
Southland Royalty Company	7-4551

Upon receipt of a request, on or before, April 26, 1974, from any in interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, it ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

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

[FR Doc.74-8724 Filed 4-15-74;8:45 am]

[812-3589]

QUAKER STATE FUND, PENNSYLVANIA MUNICIPAL TAX-EXEMPT TRUST (FIRST SERIES AND SUBSEQUENT SERIES)

Notice of Filing of Application Pursuant to Section 6(c) for Order Granting Exemption From Section 14(a) and Rules 19b-1 and 22c-1

Notice is hereby given that Quaker State Fund, Pennsylvania Municipal Tax-Exempt Trust (First Series and Subsequent Series) ("Applicant"), c/o Moore, Leonard & Lynch, Incorporated, 525 William Penn Place, Pittsburgh, Pennsylvania, a unit investment trust registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for exemption from the provisions of section 14(a) of the Act and Rules 19b-1 and 22c-1 under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant is a registered unit investment trust, organized under the laws of the Commonwealth of Pennsylvania. It is intended that Mellon Bank, N.A., of Pittsburgh, Pennsylvania, will act as Trustee of Applicant ("Trustee") pursuant to a trust agreement ("Trust Agreement") between the Trustee and Moore, Leonard & Lynch, Incorporated, Arthurs, Lestrange & Short and Elkins, Morris Stroud & Co. (or succeeding sponsors) ("Sponsors"). Standard & Poor's Corporation will serve as Evaluator with respect to each Series of Applicant.

The Trust Agreement for each series will contain terms and conditions of trust common to all series. Pursuant to the Trust Agreement for each series of Applicant, the Sponsors will deposit with the Trustee in excess of $3,000,000 principal amount of tax-free municipal bonds ("bonds"), which the Sponsors shall have accumulated for such purpose, and, simultaneously with such deposit, will receive from the Trustee registered certificates representing in excess of 3,000 units which will represent the entire ownership of a series. Applicant presently proposes to offer units of its First Series for sale to the public, and, for this purpose, a registration statement under the Securities Act of 1933 has been filed which has not yet become effective. All of the bonds deposited with the Trustee will be interest bearing obligations of the Commonwealth of Pennsylvania or counties, municipalities, authorities or political subdivisions thereof, the interest on which is exempt from Federal and Pennsylvania State income taxation.

The Trust Agreement does not provide for the issuance of additional units after the initial offering of a series. Each series will consist of the bonds, such bonds as may continue from time-to-time in exchange or substitution for any of the bonds upon certain refundings, accrued and undistributed interest and undistributed cash. Certain of the bonds may from time-to-time be sold under special circumstances set forth in the Trust Agreement, or may be redeemed or may mature in accordance with their terms. The proceeds from such dispositions will be distributed to unit holders and not reinvested. There will be no sale and reinvestment of the bonds. While the Sponsors are not obligated to do so, it is their present intention to maintain a secondary market for units of Applicant and continuously to offer to purchase such units at prices in excess of the redemption price, as set forth in the Trust Agreement.

Each unit for a particular series will represent a fractional undivided interest in that series. Units will be redeemable. In the event that any unit shall be redeemed, the portion of the fractional undivided interest represented by each unit outstanding will be increased. Units will remain outstanding until redeemed or until the termination of the Trust Agreement. The Trust Agreement may be terminated by 100% agreement of the unitholders or, in the event that the value of the bonds shall fall below an amount specified for each series, either upon direction of the Sponsors to the Trustee or by the Trustee without such direction.

Section 14(a). Section 14(a) of the Act, in substance, provides that no registered investment company and no principal underwriter for such a company shall make a public offering of securities of which such company is the issuer unless (1) the company has a net worth of at least $100,000; (2) at the time of a previous public offering it had a net worth of $100,000; or (3) provision is made that a net worth of $100,000 will be obtained from not more than twenty-five responsible persons within ninety days, or the entire proceeds received, including sales charge, will be refunded.

Applicant seeks exemption from Section 14(a) in order to proceed with the public offering of its units, as described above. In connection with the requested exemption, the Sponsors have agreed that they will refund, on demand and without deduction, all sales charges paid by purchasers of units in the initial public offering of a series if, within 90 days from the time that the Registration Statement relating to such Series becomes effective, either (i) the net worth of such Series shall be reduced to less than $100,000, or (ii) such Fund shall have been terminated. The Sponsors have further agreed to instruct the Trustee on the date of deposit of each Series that in the event that redemption by the Sponsors of units constituting a part of the unsold units shall result in that Series having a net worth of less than $1,000,000, the Trustee shall terminate the Series in the manner provided in the Trust Agreement and distribute any municipal bonds or other assets deposited with the Trustee pursuant to the Trust Agreement as provided therein.

Rule 19b-1. Rule 19b-1(b) provides, in part, that no registered investment company which is not a "regulated investment company" as defined in section 851 of the Internal Revenue Code shall make more than one distribution of long-term capital gains in any one taxable year of such investment company.

Applicant proposes to make monthly distributions of principal and interest to unitholders of a Series. Distributions of principal constituting capital gains to unitholders may arise in two instances: (1) if an issuing authority calls or redeems an issue held in the portfolio, the sums received by Applicant will be distributed to unitholders on the next distribution date; and (2) if bonds are sold in order to provide funds necessary to meet redemptions.

Applicant states that the dangers against which Rule 19b-1 is intended to guard will not exist in connection with any Series of Applicant, since neither Applicant nor the Sponsors have control over the events which could trigger capital gains. Applicant seeks to make a combined distribution of principal, including capital gains, and interest each month, and states that any capital gains in such distribution will be clearly indicated as such in accompanying reports to unitholders. In addition, it is alleged that the amounts involved in a normal distribution of principal will be relatively small in comparison to the normal interest distribution.

Paragraph (b) of Rule 19b-1 provides that a unit investment trust may distribute capital gain dividends received from a "regulated investment company" within a reasonable time after receipt. Applicant states that the purpose behind such provision is to avoid forcing unit investment trusts to accumulate valid distributions received throughout the year and distribute them only at year end. Applicant further alleges that its situation places it squarely within the purpose of such provision. However, in order to comply with the literal requirements of the Rule, Applicant would be forced to hold any monies which would constitute capital gains upon distribution until the end of its taxable year. Applicant contends that such a practice would clearly be to the detriment of the unitholders.

Rule 22c-1. Rule 22c-1 provides, in part, that redeemable securities of registered investment companies may be sold, redeemed, or repurchased at a price based on the current net asset value (computed on each day during which the New York Stock Exchange is open for trading not less frequently than once daily as of the time of the close of trading on such Exchange) which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Applicant states that the Rule has two purposes: (1) To eliminate or to reduce any dilution of the value of outstanding redeemable securities of registered investment companies which would occur through the redemption or repurchase of such securities at a price above their net asset value or the sale of such securities at a price based on a previously established net asset value which would permit a potential investor to take advantage of an upswing in the market and the accompanying increase in the net asset value of the securities; and (2) to minimize speculative trading practices in the securities of registered investment companies.

Applicant represents that the Sponsors, while not obligated to do so, intend to maintain a market for the units and continuously to offer to purchase units at prices in excess of redemption prices. For purposes of the secondary market transactions, an evaluation will only be made once each week.

Applicant asserts that the pricing of units by the Sponsors in the secondary market in no way affects the assets of Applicant, i.e., the underlying bonds. Finally, because of the nature of the bonds in the portfolio, price changes are limited. Thus the movement in the municipal bond market is not sufficient to make speculation in an interest in a group of bonds ordinarily profitable.

Applicant asserts that public unit holders benefit from the Sponsors' pricing procedure in the secondary market, since they receive a normally higher repurchase price for their units without the cost burden of daily evaluations of the unit redemption value. Moreover, the application states that the Sponsors have undertaken to adopt a procedure whereby the Evaluator, without a formal evaluation, will provide the Sponsors with estimated evaluations on trading days. In the case of a repurchase, if the Evaluator cannot state that the previous Friday's price is at least equal to the current bid price, the Sponsors will order a full evaluation. In case of resale, if the Evaluator cannot state that the previous Friday's price is no more than one-half point ($5.00 per $1,000.00 principal amount of underlying bonds) greater than the current offering price, a full evaluation will be ordered.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes or persons, securities, or transactions from any provisions of the Act or of any rule or regulation under the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 2, 1974, at 5:30 p.m., submit to the Commission in writing a request for hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

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

[FR Doc.74-8727 Filed 4-15-74;8:45 am]

[File No. 500-1]

U.S. FINANCIAL INC.

Notice of Suspension of Trading

APRIL 8, 1974.

The common stock of U.S. Financial Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is supended, for the period from April 9, 1974 through April 18, 1974.

By the Commission.

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

[FR Doc.74-8726 Filed 4-15-74;8:45 am]

ATOMIC ENERGY COMMISSION

CONSOLIDATED EDISON COMPANY OF NEW YORK

[Docket No. 50-286]

Order Postponing Evidentiary Hearings

In the matter of Consolidated Edison Company of New York, Inc. (Indian Point Nuclear Generating Unit 3).

The Atomic Safety and Licensing Board initially scheduled the commencement of evidentiary hearings in this proceeding for April 25, 1974 primarily to receive opening statements from the parties and also to receive statements from persons making limited appearances in the proceeding. This initial evidentiary session was to convene in Croton-on-Hudson, New York, and further sessions were scheduled to convene May 14, 1974 in Bethesda, Maryland, for the convenience of parties and the witnesses.

Since the time of the consideration of those scheduled dates, Applicant has informed the Board that the parties are in the process of negotiation in an endeavor to reach a different date or dates for the commencement of the evidentiary sessions of hearing, and are also considering the extent of possible stipulations to receive evidence from the Indian Point No. 2 proceeding into the record of evidence for this proceeding. In addi-

tion, Applicant states that it desires to secure a stipulation from the parties pertaining to testing and limited power operations.

Applicant has advised the Board that the date for contemplated fuel loading of the presently being constructed facility is November 1974. The Board notes that Applicant has recently filed an application with the Commission for authority to extend the date for the completion of construction of the Indian Point No. 3 facility to March 1975.

The Board concludes in view of the endeavors now under way by the parties to achieve stipulations respecting evidence, and other matters, that such endeavors, if successful, may substantially expedite the hearings and that it would be conducive to the proper course for this proceeding to permit those negotiations to continue and to receive a further report from the parties. The Board concludes that the present schedule of the dates of April 25 and May 14, 1974 for the commencement of the evidentiary hearings should be cancelled and that a different schedule with new dates should be selected after the parties have completed their efforts to achieve stipulations. It appears to the Board that although some additional considerations may be relevant to the Indian Point No. 3 proceeding, a substantial portion of the evidence from the Indian Point No. 2 proceeding may relevant and available for incorporation into the record in this proceeding. If so, this hearing may be substantially lessened by the use of such evidence.

The Board has proposed to the parties that in view of these considerations and negotiations that the present schedule of dates be cancelled. Applicant has indicated that the stipulations may achieve substantial progress for the proceeding, and Applicant agrees that the April 25 and May 14 hearing dates should be cancelled.

Wherefore, it is ordered, In accordance with the Atomic Energy Act, as amended, and the Rules of Practice of this Commission, that the schedule with dates of April 24 and May 14, 1974 for commencement of the evidentiary sessions in this proceeding is cancelled and that a different schedule with dates for commencement of the hearings will be adopted and issued by the Board as soon as the parties report the completion of endeavors on stipulations.

Issued: April 11, 1974, Germantown, Md.

The Atomic Safety and Licensing Board.

SAMUEL W. JENSCH,
Chairman.

[FR Doc.74-8710 Filed 4-15-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON ATLANTIC GENERATING STATION (AGS) AND FLOATING NUCLEAR PLANT (FNP)

Notice of Meeting

APRIL 12, 1974.

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 the Atlantic Generating Station (AGS) and Floating Nuclear Plant (FNP) projects will hold a meeting on May 1, 1974, in Room 1046, 1717 H Street NW., Washington, D.C. The purpose of this meeting will be to begin the Committee's formal Construction Permit review of AGS and Manufacturing Permit review for FNP's. The AGS facility will be located offshore from the coast of the State of New Jersey near Atlantic City. The FNP's will be manufactured at a facility to be located at Jacksonville, Florida.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

WEDNESDAY, MAY 1, 1974, 9:00 A.M.-4:30 P.M.

The Subcommittee will hear presentations by Regulatory Staff and personnel of Public Service Electric and Gas Co. of New Jersey (PSE&G) and Offshore Power Systems (OPS) and their representatives and hold discussions with these groups pertinent to issuance of a Construction Permit to PSE&G for AGS and a Manufacturing Permit to OPS to fabricate FNP's. The discussions will focus principally upon questions related to the PSE&G-AGS application.

In connection with the above agenda item, the Subcommittee will hold an executive session beginning at 8:30 a.m. which will involve a discussion of its preliminary views, and an executive session at the end of the day, consisting of an exchange of opinions of the Subcommittee members present and internal deliberations for the purpose of formulation of recommendations to the ACRS. In addition, the Subcommittee may hold closed sessions with the Regulatory Staff and Applicants to discuss privileged information relating to plant security, if necessary.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the executive sessions at the beginning and end of the meeting 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 closed sessions may be held, if necessary, to discuss certain information relating to site security which is privileged and falls within exemption (4) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or Committee operation.

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 open 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 item may do so by mailing 25 copies thereof, postmarked no later than April 24, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the Preliminary Safety Analysis Report for AGS and the OPS Plant Design Report for the FNP and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545 and the Wallace R. Host Community Library, North School, Lafayette and Evans Avenue, Brigantine, New Jersey 08203 and the Jacksonville Public Library, 122 North Ocean Street, Jacksonville, Florida 32204.

(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 and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, during the afternoon portion of the meeting.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on April 30, 1974 to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m., e.d.t.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) 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.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portion of the meeting will be available for inspection during the following workday at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., and within nine days at the Wallace R. Host Community Library, North School, Lafayette and Evans Avenue, Brigantine, New Jersey 08203 and the Jacksonville Public Library, 122 North Ocean Street, Jacksonville, Florida 32204. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) On request, copies of the Minutes of the meeting will be made available for inspection at the Atomic Energy Commission Public Document Room, 1717 H Street NW., Washington, D.C. 20545 after July 1, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-8865 Filed 4-15-74;11:11 am]

[Docket Nos. 50-416 and 50-417]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON GRAND GULF NUCLEAR STATION, UNITS 1 AND 2

Notice of Meeting

APRIL 12, 1974.

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 the Grand Gulf Nuclear Station, Units 1 and 2, will hold a meeting on May 3-4, 1974 in Room 1046 at 1717 H Street, NW., Washington, D.C.

The purpose of the meeting will be to review the application of the Mississippi Power and Light Company for a permit to construct Units 1 and 2, which are located in Claiborne County, Mississippi, about 25 miles south of Vicksburg, Mississippi.

The following constitutes that portion of the Subcommittee's agenda for the above meeting will be open to the public:

FRIDAY, MAY 3, 1974, 1:00 P.M.-8:00 P.M.

SATURDAY, MAY 4, 1974, 8:30 A.M.-5:00 P.M.

Review of the application for a construction permit (presentation by the AEC Regulatory Staff and the Mississippi Power and Light Company and its consultants, and discussions with these groups).

In connection with the above agenda item, the Subcommittee will hold executive sessions prior to, and at the close of, each day's public session, which will involve a discussion of its preliminary views, and an exchange of opinions of the Subcommittee members and internal deliberations and formulation of recommendations to the ACRS. In addition, the Subcommittee may hold a closed session with the Regulatory Staff and Applicant to discuss privileged information concerning containment test results, seismic exploration or fuel design.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the executive sessions at the beginning and end of each day's session 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). It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or Committee operation.

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 open 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 item may do so by mailing 25 copies thereof, postmarked no later than April 25, 1974 to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the application for a construction permit and related documents which are on file and available for public inspection at the Atomic Energy Commission's Public Document Room 1717 H Street NW., Washington, D.C. 20545, and the Chancery Clerk's Office, Claiborne County Courthouse, Port Gibson, Mississippi 39150.

(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 and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:30 p.m. and 3:30 p.m. on May 2, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on April 30, 1974, to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m., Eastern Daylight Time.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) 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.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portions of the meeting will be available for inspection on or after May 7, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545 and within nine days at the Chancery Clerk's Office, Claiborne County Courthouse, Port Gibson, Mississippi 39150. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) On request, copies of the Minutes of the meeting will be made available for inspection at the Atomic Energy Commission Public Document Room, 1717 H Street NW., Washington, D.C. 20545 after

July 2, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-8867 Filed 4-15-74;11:18 am]

CIVIL AERONAUTICS BOARD

[Order 74-4-63; Docket 22859]

ALLEGHENY AIRLINES, INC.

Order of Suspension Regarding Domestic Air Freight Rate Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of April 1974.

By tariff revisions filed March 15, 1974, and marked to become effective April 15, 1974, Allegheny Airlines (Allegheny) proposes to increase its general commodity rates as follows:

1. Minimum charge per shipment—from $10 to $11;
2. Shipments of 100-499 pounds—6 percent;
3. Shipments under 100 pounds—1 percent of the dollar increase per 100 pounds for 100-499-pound shipments in each market, rounded to the next higher penny; and
4. Shipments of 500 pounds and over—the same dollar increase per 100 pounds as for shipments of 100-499 pounds in each market.

In support of its proposal, Allegheny contends, inter alia, that it incurred an operating loss of $608,000 from its air freight operations for the 12 months ended September 30, 1973, even after constructive adjustment for rate increases that became effective on January 6, 1974. The carrier further contends that substantial fuel price increases have increased its operating expenses by $901,000 per year. Even with the proposed rate increase, which is estimated to provide $1.1 million in additional annual revenue, Allegheny estimates that it will still incur an operating loss of $391,000 from its air freight operations.

The proposed rates and charges come within the scope of the "Domestic Air Freight Rate Investigation," Docket 22859, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

Allegheny has made a showing of increased costs. The Board has also been aware of the sharp rise in fuel prices in recent months and believes that some adjustment in rates and charges is warranted to help offset these increased costs.

The proposed rates on shipments of human remains, however, appear excessive. Rates on those shipments are published as 180 percent of the general commodity rates, and the proposed increases in general commodity rates would also result in higher rates per 100 pounds for human remains. Based on data available to the Board, the resulting rates appear unduly high in relation to costs in all markets.

In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal to the extent it applies to rates and charges for movements of human remains should be suspended.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. Pending hearing and decision by the Board, the increased rates, charges, and provisions described in Appendix A hereto are suspended and their use deferred to and including July 13, 1974, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension except by order or special permission of the Board; and

2. Copies of this order shall be filed with the tariffs and served upon Allegheny Airlines.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

APPENDIX A

TARIFF C.A.B. NO. 169, ISSUED BY AIRLINE TARIFF PUBLISHERS, INC., AGENT

All increased rates, charges and provisions applicable thereto on the following pages (except from and to points in Canada) insofar as they would be used in determination of rates and minimum charges in conjunction with exception ratings to General Commodity rates in Item No. 340 on behalf of "AL":

3rd Revised Page 189
13th Revised Page 191
13th Revised Page 192
10th Revised Page 192-A
10th Revised Page 192-B
13th Revised Page 193
13th Revised Page 194
13th Revised Page 195
13th Revised Page 196
13th Revised Page 197
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13th Revised Page 213
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11th Revised Page 218
7th Revised Page 219
7th Revised Page 220

[FR Doc.74-8718 Filed 4-15-74;8:45 am]

[Docket 25280; Order 74-4-59
Agreements C.A.B. 24138, etc.]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

APRIL 10, 1974.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

Agreement C.A.B. 24211 proposes revisions to the specific commodity rates structure applicable over the North Atlantic (except Africa).[1] The remaining agreements name additional specific commodity rates for the same general market area and were adopted pursuant to unprotested notices to the carriers. These revisions and additions are outlined in the attachments hereto, and reflect reductions from the otherwise applicable general cargo rates.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreements are adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, *It is ordered,* that:

1. Agreements C.A.B. 24138, C.A.B. 24211, C.A.B. 24227, and CAB 24228, R-1 and R-2, be and hereby are approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications;

2. The carriers are hereby authorized to file tariffs implementing the approved agreements on not less than one day's notice for effectiveness not earlier than April 10, 1974. The authority granted in this paragraph expires with May 10, 1974; and

3. The findings and approval herein shall not be deemed to modify the findings and Order of the Board in its decision in Agreements Adopted by IATA Relating to North Atlantic Cargo Rates, Order 73-2-24 of February 6, 1973, Order 73-7-9 of July 5, 1973, Order 73-9-109 of September 28, 1973, and Order 74-4-7 of April 2, 1974, and are subject, where applicable, to all the provisions of such orders.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

[1] Agreement C.A.B. 24211 filed as part of the original document amends and replaces the portion of Agreement C.A.B. 24112 which was not acted upon due to our disapproval of the proposed North Atlantic (except Africa) rates structure by Order 73-12-83 of December 20, 1973. By Order 74-4-6 of April 2, 1974 the Board subsequently approved a revised North Atlantic cargo rates structure that was more in line with Board objectives. The agreements approved herein reflect this revised rate structure

This order will be published in the FEDERAL REGISTER.

By James L. Deegan, Chief, Passenger and Cargo Rates Division, Bureau of Economics.

[SEAL] PHYLLIS T. KAYLOR, *Acting Secretary.*

[FR Doc.74-8717 Filed 4-15-74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

MEXICO, HONG KONG, PAKISTAN AND THAILAND

Bilateral Discussions

APRIL 12, 1974.

On April 12, 1974, the Committee for the Implementation of Textile Agreements published in the FEDERAL REGISTER a notice conveying the Committee's intention to announce and solicit comment on U.S. Government actions implementing the recently concluded GATT Arrangement Regarding International Trade in Textiles herein after referred to as the Arrangement.

The Committee presently anticipates that in the second quarter of 1974, bilateral discussions will be held between the United States and the governments of Mexico, Hong Kong, Pakistan and Thailand. Any party wishing to express a view or provide data or information with regard to the treatment of any product under these agreements and any other aspect thereof, or with respect to imports of other textile products from these countries, is invited to submit such in ten copies to Mr. Seth M. Bodner, Chairman of the Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Room 3826, Washington, D.C. 20230. To enable timely consideration, comments concerning textile product imports from Mexico should be submitted at the earliest date possible. Other comments solicited hereunder should be received by May 1, 1974.

Views, data or information submitted under this procedure will be available for public inspection at the Central Reference and Records Inspection Facility, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Room 7043, Washington, D.C. 20230 and may be obtained upon written request pursuant to the Freedom of Information Act (5 USC section 522) and the regulations of the Department of Commerce (15 CFR Part 4). Whenever practicable, public comment may be invited concerning views, comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments on any negotiation, consultation, market disruption or any other matter pursuant to this notice is not a waiver in any respect of the exemption contained in 5 USC sections 553(a)(1) and 554(a)(4) of the Administrative Procedure Act, relating to matters which constitute "a foreign affairs function of the United States."

SETH M. BODNER, *Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.*

[FR Doc.74-8808 Filed 4-15-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/37]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION; DATA TO BE CONSIDERED IN SUPPORT OF APPLICATIONS

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, S.W., Washington, D.C. 20460.

On or before June 17, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after this 60-day period.

APPLICATIONS RECEIVED

EPA File Symbol 9336-E. Allen Engineering, Inc., Rte. 4, Mendon, Vermont (Box 613, Rutland, Vermont) 05701. *Sodium Hypochlorite.* Active Ingredients: Sodium Hypochlorite 12.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4170-I. Betco Corporation, 1125 Brown Avenue, Toledo, Ohio 43607. *Betco Pine Disinfectant Cleaner.* Active Ingredients: Isopropanol 4.75%; Pine oil 3.95%; Alkyl (C14 58%, C16 28%; C12 14%) dimethyl benzyl ammonium chloride 1.97%. Method of support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 4170-O. Betco Corporation, 1125 Brown Avenue, Toledo, Ohio 43607. *Betco Mint Disinfectant.* Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 2.00%; Isopropanol 1.00%; Essential oils 0.25%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8772-EE. Blue Cross Chemical Co., Div. Zarov Chemical Co., 1301 S. First Ave., Maywood, Illinois 60153. *Blue Cross Slo-Chlor Mini-Tabs.* Active Ingredients: Trichloro-s-triazinetrione 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8772-ER. Blue Cross Chemical Co., Div. Zarov Chemical Co., 1301 S. First Ave., Maywood, Illinois 60153. *Blue Cross Hockey Puck Size Chlor Tabs.* Active Ingredients: Trichloro-s-triazinetrione 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8772-RI. Blue Cross Chemical Co., Div. Zarov Chemical Co., 1301 S. First Ave., Maywood, Illinois 60153. *Blue Cross XL-Chlor Extended Life (stabilized) Chlorine.* Active Ingredients: Tricoloro-s-triazinetrione 10%; dichloro-s-triazinetrione 48%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8772-RO. Blue Cross Chemical Co., Div. Zarov Chemical Co., 1301 S. First Ave., Maywood, Illinois 60153. *Blue Cross Speedy-Chlor Mini-Chlor Tabs.* Active Ingredients: Tricholoro-s-triazinetrione 67%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4450-GN. Chemex Industries, Inc., P.O. Box 5072, 2822 35th Street, Tampa, Florida 33605. *Chemo-Cide 10.* Active Ingredients: Poly[oxyethylene(dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5736-UG. DuBois Chemicals, Division of Chemed Corporation, 3630 E. Kemper Road, Sharonville, Ohio 45241. *Deep Crystal Swimming Pool Chlorine.* Active Ingredients: Sodium dichloro-s-triazinetrione dihydrate 100%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 7364-EU. Great Lakes Biochemical Co., Inc., 6120 West Douglas Avenue, Milwaukee, Wisconsin 53218. *GLB Brand Liquid Algicide.* Active Ingredients: Poly [oxyethylene (dimethylimino) ethylene(dimethyliminio)ethylene dichloride] 20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 432-LGG. S. B. Penick & Company, a Unit of CPC International, Inc., 100 Church Street, New York, New York 10007. *7.1% SBP-1382-E.C. A New Synthetic Pyrethroid.* Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 7.10%; Related compounds 0.97%; Petroleum Distillate 31.55%; Mineral Oil 31.54%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8047-GE. Poly Chem, Inc., P.O. Box 10026, New Orleans, Louisiana 70121. *Poly Mint Fragrance Germicidal*

Cleaner, Coefficient 7. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl amonium chloride 2.0%; Isopropanol 2.0%; Methyl salicylate 0.5%; Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 707-RER. Rohm and Haas, Independence Mall West, Philadelphia, Pennsylvania 19105, *Kathon LM Fabric Mildewcide.* Active Ingredients 2-n-Octyl-4-isothiazolin-3-one 5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 201-GAI. Shell Chemical Company, Agricultural Division, 1700 K Street, N.W., Washington, D.C. 20006. *5% Vapona Insecticide Resin Ribbon (AC-6721).* Active Ingredient: 2,2-dichlorovinyl dimenthyl phosphate 4.8%; Related Compounds 0.2%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11715-EA. Speer Products, Inc., P.O. Box 9383, Memphis, Tennessee 38109. *Speer Yard & Patio Fogger.* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.250%; Related Compounds 0.034%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11715-ET. Speer Products, Inc., P.O. Box 9383, Memphis, Tennessee 38109. *Speer Yard & Patio Repellent Fogger.* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.250%; Related Compounds 0.034%; 2-Hydroxyethyl n-octyl sulfide 0.950%; Related Compounds 0.050%; Aromatic Petroleum Solvent 0.332%; Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 876-ERE. Velsicol Chemical Corporation, 341 E. Ohio Street, Chicago, Illinois 60611. *Velsicol Endrin 2.4 EC Agricultural Insecticide.* Active Ingredients; Endrin 28.01%; Petroleum Distillate 64.20%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 876-ERG. Velsicol Chemical Corporation, 341 E. Ohio Street, Chicago, Illinois 60611. *Velsicol Banvel 2S Herbicide.* Active Ingredients: Sodium salt of dicamba (3,6-dichloro-o-anisic acid) 23.32%; Sodium salts of related acids 3.18%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9782-ET. Woodbury Chemical Company of Homestead, P.O. Box 4319, Princeton, Florida 33030. *D+2 Insecticide.* Active Ingredients: Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 12.70%; 2,2-dichlorovinyl dimethyl phosphate 2.95%; Related Compounds 0.22%; Aromatic Petroleum Derivative Solvent 66.00%. Method of Support: Application proceeds under 2(c) of interim policy.

REPUBLISHED ITEM

The following item represents a correction and/or change in the list of Applications Received previously published in the FEDERAL REGISTER of March 29, 1974 (39 FR 11626).

EPA File Symbol 1729-RNA. Tesco Chemicals, P.O. Box 6433, Marietta, Georgia 30062. *Tes-Cloron New Fire Resistant Concentrated Pool Chlorine.* Correction: Originally published as *Tes-Chloron New Fire Resistant Concentrated Pool Chlorine.*

Dated: April 8, 1974.

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

[FR Doc.74-8313 Filed 4-15-74;8:45 am]

EFFLUENT STANDARDS AND WATER QUALITY INFORMATION ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given of a field trip to Vanderbilt University, of the Effluent Standards and Water Quality Information Advisory Committee, established under section 515 of the Federal Water Pollution Control Act ("The Act") 33 U.S.C. on April 23 and 24, 1974, for the purpose of reviewing the University's extension of the Matrix Method for establishing industrial effluent limitations and visiting the computational facility.

Pursuant to this field trip, technical discussion of the matrix method will be held at the University Club at Nashville, Tennessee. The University Club is adjacent to the Vanderbilt Campus on Garland Avenue. Preliminary discussions will begin at 10 a.m. on April 23, followed by a site visit to the computational facility. The meeting will reconvene at 9 a.m. on April 24 and adjourn at 12 a.m.

The meeting will be open to the public and under the direction of the Committee Chairman. Any member of the public wishing to attend or participate should contact Dr. Martha Sager, Chairman, Effluent Standards and Water Quality Information Advisory Committee, Environmental Protection Agency, Room 821, Crystal Mall, Bldg. #2, Washington, D.C. 20460 (Tel: A.C. 703-557-7390). NOTE: Limited space is available.

MARTHA SAGER,
Chairman, Effluent Standards and Water Quality Information Advisory Committee.

[FR Doc.74-8642 Filed 4-15-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report 695]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

APRIL 8, 1974.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to §§ 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

20994-C2-MP-74, Miami Valley Radiotelephone (KUO577). C.P. to change antenna system operating on 454.075 MHz located at 5031 Mosiman Road, near Middletown, Ohio.

21132-C2-P-74, Radio Call, Inc. (KUA462). C.P. to relocate facilities operating on 158.70 MHz from Loc. No. 3 to Loc. No. 1: 1519 Nassau Avenue, Honolulu, Hawaii.

21133-C2-TC-74, Hendricks Telephone Corporation. Consent to Transfer of Control of License from Tri-County Bank & Trust Company, Trustee for Ronald & Stephen Thomas, Transferor to Telephone and Data Systems, Inc., Transferee. Station KFL938, Roachdale, Indiana.

21134-C2-P-(2)-74, Satterfield Electronics, Inc. (KUC888). C.P. for additional facilities to operate on 459.025 MHz (Repeater) at Loc. No. 1: Tower Road, 4.5. miles SE. of the city limits of Baraboo, Wisconsin, and 454.025 MHz (Control) at Loc. No. 2: 737 Oak Street, Wisconsin Dells, Wisconsin.

21135-C2-MP-74, New York Telephone Company (KUO586). Modified Construction permit for additional Test Station to be located at 55 Horse Block Road, Centereach, New York, operating on 459.425, 459.475, 459.575, 459.375, 459.525, and 459.650 MHz.

21136-C2-TC-(4)-74, Telpage, Inc. Consent for Transfer of Control from James T. Parsons, Transferor to Charles Lloyd Escue, Transferee. Stations: KLF653, KIY757, KQZ-743, Montgomery, Alabama, and KUC851, Tuscaloosa, Alabama.

21137-C2-P-74, Harry L. Parker. D/B/A Parker Electronics (KUC856). C.P. to replace transmitter operating on 152.180 MHz located near U.S. Rt. No. 17 and Sampit River, Georgetown, South Carolina.

21139—C2-P-74, Ram Broadcasting of Washington, Inc. (KTR996). C.P. for additional facilities to be operated on 454.175, 454.200, 454.225, 454.250, and 454.274 MHz at 1001 Fourth Avenue, Seattle, Washington (Loc. No. 2).

21140-C2-P-74, Mobilfone Communications, Inc. (KKX714). C.P. to change antenna

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's Rules, regulations and other requirements.

[2] The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

system and location at Loc. No. 2 operating on 152.03; 152.18, and 152.21 MHz: 3.63 miles West of Pflugerville, Texas.

21141–C2–P–74, Answering by Birken, Inc. (NEW). C.P. for a new one-way paging station on 152.24 MHz to be located at Sacrifice Cliff, 2 miles south of Billings, Montana.

21142–C2–P–74, Answering by Birken, Inc. (KOP295). C.P. for additional facilities to be operated on 152.21 MHz at Sacrifice Cliff, 2 miles south of Billings, Montana.

21143–C2–P–74, Otis L. Hale, D/B/A Mobilfone Communications (NEW). C.P. for a new one-way paging station to be operated on 152.24 MHz located at El Dorado, Arkansas.

21144–C2–P–74, West Wisconsin Telephone Company (NEW). C.P. for a new station to be operated on 158.100 MHz, East of Menononie city limits on County Trunk J, Menomonie, Wisconsin.

21145–C2–P–74, Airsignal of California, Inc. (NEW). C.P. for a new base station to be operated on 35.22 MHz located at Fourth and J Streets, Sacramento, California.

21146–C2–P–74, Mobile Telecommunications Corporation (KUC883). C.P. to change antenna system and location, operating on 158.70 MHz, to 1601 West 8th Street, Amarillo, Texas.

21147–C2–P–74, Mobile Telecommunications Corporation (KLB563). C.P. to change antenna system and location, operating on 454.05, 454.10, and 454.15 MHz, to Sixth and Tyler Streets, Amarillo, Texas.

2117–C2–P–(2)–74, General Telephone Company of Florida (KIY397). C.P. to replace transmitters operating on 152.78 and 152.81 MHz, 125 feet East of Honore Road, Bee Ridge, Florida.

21171–C2–TC–(2)–74, Radio Page Communications, Inc. Consent for Transfer of Control from George W. Smith and Carl M. Tierney, Transferors, to Radio Relay Corp., Transferee. Stations: KME438, Santa Ana, California, and KSV975, San Pedro, Calif.

20083–C2–P–74, Robert S. Ditton (KOF343) (Control). C.P. to change Control Point location to 29 North Chelon, Wenatchee, Washington, operating on 72.22 MHz.

Major Amendment

20539–C2–P–74, Communications Specialists Company, Wilmington, North Carolina. Amend base frequency 152.09 in Item 7(a) to read 152.06 MHz. All other particulars are to remain the same as reported on Public Notice No. 675, dated November 19, 1973.

Informative

It appears that the following applications may be mutually exclusive and subject of the Commission's Rules regarding ex parte presentations, by reasons of potential electrical interference.

South Carolina

Evan's Radio Company, Inc. (KSV889), File No. 20912–C2–P–74.

Columbia Telephone Answering Service, Inc., d/b/a Able Paging Service (KFL 947), File No. 5621–C2–P–(4)–73.

Corrections

Heading listed as Massachusetts should be Tennessee. All other particulars to remain as reported on PN No. 693 dated March 25, 1974.

Georgia

Correct entry of renewal license for James L. Hope; Call Sign should be KIY523 instead of KIY525. All other particulars to remain as reported on PN No. 693, dated March 25, 1974.

Correct PN No. 694 dated April 1, 1974 to read: 21128–C2–P–(2)–74, Mobile Radio Communication Service, Inc. (KFL919). C.P. to add repeater facilities to operate on 75.50 MHz at loc. No. 1: On Green Mountain, 2.3 miles ENE. of Kalama, Washington, and to add Control station and Control point to operate on 72.34 MHz at Loc. No. 2: 206 North 2nd Street, West Kelso, Washington.

Renewal of Licenses expiring April 1, 1974 TERM: April 1, 1974 to April 1, 1979:

Licensee	*Call Sign*
Arkansas: City-Wide Selective Paging Service, Inc	KKX703
Alabama:	
W. M. Russell	KIY519
Telpage, Ltd	KIE366
California:	
Clearlake Radio Telephone	KMM692
Coast Mobilphone Service	KMD348
Imperial Communications Corp	KLF644
Riggs Radio Dispatch	KMA836
Do	KME446
Do	KME447
Colorado:	
Radio Contact Corp	KLF650
Do	KRH648
Do	KRS700
Do	KTS256
Florida: Radio Telephone Co. of Gainesville	KUC852
Georgia: American Communications Systems, Inc	KIG300
Idaho: Radio Paging Service	KLF593
Illinois: Danville Redipage, Inc	KSA343
Kansas: Mobilfone of Leoti, Inc	KSV996
Montana: Mathews Telephoning Answering Service	KGI274
New Jersey:	
Aeroflex Communications Systems, Inc	KEC924
Jersey Information Center, Inc	KSW209
New Mexico: Radio Dispatch Service	KLB513
New York:	
Athens Radio Corp	KSV994
Tel-Page Corp	KEC513
Do	KEC518
Do	KEC521
Do	KEC941
Do	KEJ694
Do	KEK291
Do	KEK294
Do	KEK295
Do	KGI787
Do	KQZ790
Do	KRH631
Do	KRH636
Do	KRH643
Do	KRH676
Do	KSV934
Do	KSV967
Do	KTR997
North Carolina: Aircall, Inc	KIY779
Oregon: Salem Radio Paging	KLF656
South Dakota:	
Electro-Craft, Inc	KOP323
Lake Area Paging	KUC886
Do	KUC887
Texas:	
Beasley Alarm System	KKD286
Mobile Phone Answering Service	KSV899
Radio Paging, Inc	KLF613
Do	KKI445
Virgin Islands: West Indies Communications, Inc	WWA336

RURAL RADIO SERVICE

60224–C6–P/L–74, Texaco Mineral Company (NEW). C.P. for new Rural Subscriber station to be operated on 157.800 and 157.920 MHz, 2 miles SSW. of Cocodrie, Lake Pelto, Louisiana.

60225–C6–P/L–74, Texaco Mineral Company (NEW), C.P. for new Rural Subscriber station to be operated on 157.800 and 157.920 MHz, 7 miles S. of Cocodrie, Bay St. Elaine, Louisiana.

60226–C6–P/L–74, Texaco Mineral Company (NEW). C.P. for new Rural Subscriber station to be operated on 157.800 and 157.920 MHz, 10 miles W. of Cocodrie, Lake Barre, Louisiana.

60227–C6–P/L–74, Texaco Mineral Company (NEW), C.P. for new Rural Subscriber station to be operated on 157.800 and 157.920 MHz, 12 miles S.W. of Cocodrie, Dog Lake, Louisiana.

60228–C6–P/L–74, Texaco Mineral Company (NEW), C.P. for new Rural Subscriber station to be operated on 157.800 and 157.920 MHz, 16 miles SE. of Cocodrie, Callou Island, Louisiana.

60245–C6–P–74, The Mountain States Telephone and Telegraph Company (NEW). C.P. for new Rural Subscriber station to be operated on 157.77 MHz, 27.2 miles east-southeast of Rock Springs, Wyoming.

60249–C6–P/L–74, Northeast Louisiana Telephone Company, Inc. (NEW). C.P. for new Rural Subscriber station to be operated on 157.92 MHz at any temporary-fixed location within the territory of the grantee.

POINT TO POINT MICROWAVE RADIO SERVICE

3641–C1–P–74, Southern Bell Telephone and Telegraph Company (WDD43), 325 Gardenia Street, West Palm Beach, Florida. Lat. 26°42'34" N., Long. 80°03'11" W. C.P. to change point of communication, power, frequency, and replace transmitter on freq. 11.325H MHz towards WPEC–TV, West Palm Beach, Florida, on azimuth 344°53'.

3642–C1–P–74, The Pacific Telephone and Telegraph Company (KMA29), Mount Diablo, 3.6 miles NE. of Diablo (Contra Costa), California. Lat. 37°52'43" N., Long. 121°55'10" W. C.P. to add frequency 6256.–5V MHz towards Walpert Ridge, California, on azimuth 196°20'; freq. 6345.5H MHz towards Mount Oso, California, on azimuth 130°46'.

3643–C1–P–74. Same (KMA30), Mt. Oso, 10 miles WSW. of Westley (Stanislaus), California. Lat. 37°30'07" N., Long. 121°22'23" W. C.P. to add freq. 5974.8V MHz towards Mount Diablo, California, on azimuth 311°06'; change polarization from Horizontal to Vertical on freqs. 5974.8, 6034.2, 6152.8 MHz; from Vertical to Horizontal on freqs. 6004.5 MHz and add freq. 6093.5V MHz towards Gustine, California, on azimuth 138°44'.

3644–C1–P–74, Same (KMA31), Panoche Mountain, 10 Miles NNE. of Panoche (Fresno), California. Lat. 36°43'32" N., Long. 120°45'49" W. C.P. to add freq. 5974.8V MHz towards Gustine, California, on azimuth 335°30'; freq. 6093.5H MHz towards Joaquin Ridge, California, on azimuth 145°07'.

3645–C1–P–74, Same (KMA32), Joaquin Ridge, 11 miles North of Coalinga (Fresno), California. Lat. 36°18'20" N., Long. 120°24'03" W. C.P. to add freq. 6226.9V MHz towards Panoche Mountain, California, on azimuth 325°20'; freq. 6345.5H MHz towards Pyramid Hills, California, on azimuth 147°57".

3646–C1–P–74, Same (KMA33), Temblor Range, 5.5 miles WNW. of McKitterick (Kern), California. Lat. 35°19'33" N., Long. 119°43'01" W. C.P. to add freq. 6226.9V MHz towards Pyramid Hills, California, on azimuth 332°49'; freq. 6345.5H MHz towards Buena Vista, California, on azimuth 121°17'.

3647–C1–P–74, Same (KMA34), Pyramid Hills, 14 miles SE. of Avenal (Kings), California. Lat. 35°48'48" N., Long. 120°01'28" W. C.P. to add freq. 5974.8V MHz towards Joaquin Ridge, California, on azimuth 328°11'; freq. 6093.5H MHz towards Temblor Range, California, on azimuth 152°39'.

3648–C1–P–74, Same (KMA36), Tehachapi Mountain, 6 miles ENE. of Lebec (Kern), California, Lat. 34°51'00" N. Long. 118° 45'58" W. C.P. to add freq. 6226.9V MHz towards Buena Vista, California, on azimuth 301°23'; freq. 6345.5H MHz towards Whitaker Peak Lookout, California, on azimuth 175°42'.

3649–C1–P–74, Same (KMA 37), Oat Mountain, 5.5 miles SW. of Newhall (Los Angeles), California. Lat. 34°19'47" N., Long. 118°46'00" W. C.P. to add freq. 6226.-9V MHz towards Whitaker Peak Lookout, California, on azimuth 334°03'.

3650–C1–P–74, The Pacific Telephone and Telegraph Company (KMQ36), 1587 Franklin Street, Oakland (Alameda), California. Lat. 37°48'22" N., Long. 122°16'05" W. C.P. to add freq. 6197.2V MHz towards Walpert Ridge, California, on azimuth 125°21'.

3651–C1–P–74, Same (KNM63), Buena Vista, 9 miles East of Maricopa (Kern), California. Lat. 35°05'15" N., Long. 119°14'30" W. C.P. to add freq. 5974.8V MHz towards Temblor Range, California, on azimuth 301°34'; freq. 6093.5H MHz towards Tehachapi Mountain, California, on azimuth 121°06'.

3652–C1–P–74, Same (KNM64), Whitaker Peak Lookout, 9 miles NW. of Castaic (Los Angeles), California. Lat. 34°34'07" N., Long. 118°44'26" W. C.P. to add freq. 5974.8V MHz towards Tehachapi Mountain, California, on azimuth 355°58'.

3653–C1–P–74, Same (KNM65), 5.2 miles SSW. of Gustine (Merced), California. Lat. 37°11'02" N., Long. 121°01'29" W. C.P. to add freq. 6345.5H MHz towards Panoche Mountain, California, on azimuth 155°21'; add freq. 6226.9H MHz and change polarization from Vertical to Horizontal on freq. 6286.2, 6345.55 and 6404.8 and from Horizontal to Vertical on freq. 6256.5 MHz towards Mount Oso, California, on azimuth 318°56'.

3654–C1–P–74, Same (KTG20), Walpert Ridge, 3.7 miles ESE. of Hayward (Alameda), California. Lat. 37°39'20" N., Long. 122°00'06" W. C.P. to add freq. 5945.2H MHz towards Oakland, California, on azimuth 305°31'; freq. 6034.2V MHz towards Mount Diablo, California, on azimuth 16°17'.

3662–C1–P–74, Pacific Northwest Bell Telephone Company (KON66), Marys Peak (Benton), Oregon. Lat. 44°30'28" N., Long. 123°34'19" W. C.P. to replace transmitter and power on freq. 6367.7H MHz towards Prospect Hill No. 2, Oregon, on azimuth 42°39'.

3663–C1–P–74, Same (KPC61), Prospect Hill No. 2, 3 miles East of Independence (Marion), Oregon. Lat. 44°51'15" N., Long. 123°07'20" W. C.P. to replace transmitter and change power on freq. 6115.7H MHz towards Marys Peak, Oregon, on azimuth 222°58'.

3722–C1–P–74, The Ohio Bell Telephone Company (KQN82), 215 West Second Street, Dayton (Montgomery), Ohio. Lat. 39°45'-39" N., Long. 84°11'46" W. C.P. to change power on freq. 6056.4V and 5937.8V MHz towards Springfield, Ohio, on azimuth 62°10'.

3723–C1–P–74, Same (KQO58), 2 miles ENE. of Catawba (Clark), Ohio. Lat. 40°00'28" N., Long. 83°35'12" W. C.P. to change power on freqs. 5982.3V and 6041.6V MHz towards Springfield, Ohio, on azimuth 242°21'; and freq. 6145.3V MHz towards Columbus, Ohio, on azimuth 95°12'.

3724–C1–P–74, The Ohio Bell Telephone Company (KQO59), 2.5 miles SW. of Springfield (Clark), Ohio. Lat. 39°53'24" N., Long. 83°52'39" W. C.P. to change power on freqs. 6234.3V and 6293.6V MHz towards Catawba, Ohio, on azimuth 62°9'; freqs. 6308.4V and 6198.8V MHz toward Dayton, Ohio, on azimuth 242°22'.

3725–C1–P–74, Same (KVI38), 111 North Fourth Street, Columbus (Franklin), Ohio. Lat. 39°57'54" N., Long. 82°59'51" W. C.P. to change power on freq. 6397.4V MHz towards Catawba, Ohio, on azimuth 275°35'.

3726–C1–P–74, Continental Telephone Company of California (KNM34), 3 miles SE. of Tom's Place, Sherwin Hill (Mono), California. Lat. 37°32'40" N., Long. 118°37'51" W. C.P. to add freq. 6093.5H MHz and replace transmitter on freqs. 5945.2V and 6063.8V MHz towards Bishop, California, on azimuth 134°39'; add freq. 6004.5H MHz and replace transmitters on freqs. 5974.8V and 6093.5V MHz towards Crestview, California, on azimuth 308°31'.

3727–C1–P–74, Same (KNM35), Crestview, Approx. 5 miles ESE. of June Lake (Mono), California. Lat. 37°45'55" N., Long. 118°58' 52" W. C.P. to add freq. 6256.5H MHz and replace transmitters on freqs. 6226.9V and 6345.5V MHz towards Sherwin Hill, California, on azimuth 128°18'.

3728–C1–P–74, Same (KMQ70), 350 Lagoon Street, Bishop (Inyo), California. Lat. 37° 21'33" N., Long. 118°23'46" W. C.P. to add freq. 6404.8H MHz and replace transmitters on freqs. 6197.2V and 6315.9V MHz towards Sherwin Hill, California, on azimuth 314°47'.

3729–C1–P–74, Southern Bell Telephone and Telegraph Company (KIU56), 45 North Magnolia Street, Orlando (Orange), Florida. Lat. 28°32'34" N., Long. 81°22'38" W. C.P. to add freq. 6197.2V MHz towards a new point of communication towards Longwood, Florida, on azimuth 10°0'.

3730–C1–P–74, Same (New), 501 West 9th Street, Sanford (Seminole), Florida. Lat. 28°48'13" N., Long. 81°16'21" W. C.P. for a new station on freq. 10975V MHz towards Longwood, Florida, on azimuth 214°39'.

3731–C1–P–74, Same (New), 1 mile North of Longwood (Seminole), Florida. Lat. 28°42' 49" N., Long. 81°20'35" W. C.P. for a new station on freq. 11,385V MHz towards Sanford, Florida, on azimuth 34°37' and freq. 5945.2H MHz towards Orlando, Florida, on azimuth 190°01'.

3748–C1–P–74, Idaho Telephone Company (New), Horseshoe Bend, 300 Feet SE. of Post Office (Boise), Idaho. Lat. 43°54'54" N., Long. 116°11'47" W. C.P. for a new station on freqs. 10,855V and 11,055H towards Squaw Butte, Idaho, via passive reflector.

3749–C1–P–74, The Bell Telephone Company of Pennsylvania (WSL70), General Electric Space Technology Center, SES Building 200, Valley Forge (Montgomery), Pennsylvania. Lat. 40°05'28" N., Long. 75°24'14" W. C.P. to add freq. 2120V MHz towards Lionville, Pennsylvania, on azimuth 256°09'.

3750–C1–P–74, American Telephone and Telegraph Company (New), 3 miles ESE. of Hawley (Pike), Pennsylvania. Lat. 41°27'51" N., Long. 75°07'48" W. C.P. for a new station on freq. 11,265V, 11,345V, 11,425V, 11,505V, and 11,585V MHz towards Rowland, Pennsylvania, on azimuth 74°08'.

3751–C1–P–74, Same (New), 1.2 miles WNW. of Rowland (Pike), Pennsylvania. Lat. 41°28'42" N., Long. 75°03'49" W. C.P. for a new station on freqs. 10,735H, 10,815H, 10,895H, 11,055H, and 11,135H MHz towards Hawley, Pennsylvania, on azimuth 254°10'; freq. 10,735H, 10,815H, 10,895H, 11,055H, and 11,135H MHz towards Glen Spey, New York, on azimuth 87°57'.

3752–C1–P–74, Same (New), 0.8 mile NW. of Glen Spey (Sullivan), New York. Lat. 41°29'04" N., Long., 74°49'33" W. C.P. for a new station on freq. 11,265H, 11,345H, 11,425H, 11,505H, and 11,585H, MHz towards Rowland, Pennsylvania, on azimuth 268°07'; freq. 11,265H, 11,345H, 11,425H, 11,505H, and 11,285H MHz towards Colesville, New Jersey, on azimuth 147°32'.

3753–C1–P–74, Same (KEE60), 2.5 miles NW. of Colesville (Sussex), New Jersey. Lat. 41°18'14" N., Long. 74°40'25" W. C.P. to add freqs. 10,735H, 10,815H, 10,895H, 11,055H, and 11,135H MHz towards a new point of communications at Glen Spey, New York, on azimuth 327°38'; freqs. 3750H, 3830H, 3910H, 3990H, and 4070H MHz towards Netcong, New Jersey, on azimuth 180°63'.

3754–C1–P–74, Same (KEM64), 2.6 miles South of Netcong (Morris), New Jersey. Lat. 40°51'54" N., Long. 74°40'47" W. C.P. to add freqs. 3710H, 3790H, 3870H, 3950H, and 4030H, MHz towards a new point of communication at Colesville, New Jersey, on azimuth 00°36'.

3755–C1–P–74, The Bell Telephone Company of Pennsylvania (New), 128 W. Green Street, Hazleton (Luzerne), Pennsylvania. Lat. 40°57'20" N., Long. 75°58'35" W. C.P. for a new station on freq. 6034.2V MHz towards Farm Flats, Pennsylvania, via passive repeater.

3756–C1–P–74, Same (KIK88), 110 N. Hall Street, Allentown (Lehigh), Pennsylvania. Lat. 40°36'13" N., Long. 75°28'26" W. C.P. to add freq. 5974.8H MHz towards Farm Flats, Pennsylvania, on azimuth 331°23'.

3757–C1–P–74, Same (KIL21), Farm Flats, 3.4 miles NE. of Jim Thorpe (Carbon), Pennsylvania. Lat. 40°54'13" N., Long. 75°41'23" W. C.P. to add freq. 6226.9V MHz towards Lookout, Pennsylvania, on azimuth 357°54'; freq. 6226.9V MHz towards Allentown, Pennsylvania, on azimuth 151°15'; freq. 6286.2H MHz towards Hazleton, Pennsylvania, via passive repeater.

3758–C1–P–74, The Bell Telephone Company of Pennsylvania (KIL37), Lookout, 4.7 miles SE. of Dupong (Luzerne) Pennsylvania. Lat. 41°15'45" N., Long. 75°42'26" W. C.P. to add freq. 5974.8H MHz towards Farm Flats, Pennsylvania, on azimuth 177°53'.

[FR Doc.74–8597 Filed 4–15–74;8:45 am]

FEDERAL MARITIME COMMISSION

TRANS-PACIFIC FREIGHT CONFERENCE OF JAPAN/KOREA AND JAPAN/KOREA-ATLANTIC & GULF FREIGHT 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, NW, Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before May 1, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear

and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Charles F. Warren, Esq.
1100 Connecticut Avenue, NW
Washington, D.C. 20036

Agreement No. 8600-3 is a modification of the approved joint agreement between the Trans-Pacific Freight Conference of Japan and the Japan-Atlantic & Gulf Freight Conference (Agreement No. 8600, as amended), to reflect the new names of the participating conferences, i.e., "Trans-Pacific Freight Conference of Japan/Korea" and "Japan/Korea-Atlantic & Gulf Freight Conference", and to delete all references to Okinawa as they presently appear in the approved joint agreement.

Dated: April 11, 1974.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-8734 Filed 4-15-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. E-8538, 8540, 8550, 8565, 8567, 8591, 8602]

WHOLESALE ELECTRIC RATES

Order Accepting Rate Schedule Filings and Terminating Proceedings

APRIL 8, 1974.

This order accepts for filing rate schedule submittals[1] providing for increased demand charges for short-term power (week to week) and limited-term power (month to month) by Indiana and Michigan Electric Company, Detroit Edison Company and Consumers Power Company, Docket No. E-8538, by Ohio Power Company, Columbus and Southern Ohio Electric Company, Docket No. E-8540, and by Indiana and Michigan Electric Company and Public Service Company of Indiana, Docket No. E-8602. This order also accepts rate schedule submittals providing for increased demand charges for short-term power and limited-term power and terminates pending proceedings, insofar as they involve rate schedules for service of these types which the Commission set for hearing and suspended: Appalachian Power Company, Ohio Power Company, and Wheeling Electric Company, Docket No. E-8550; Appalachian Power Company, and Virginia Electric and Power Company, Docket No. E-8565; Monongahela Power Company, West Penn Power Company, The Potomac Edison Company and Virginia Electric and Power Company, Docket No. E-8567; and Ohio Power Company and The Dayton Power and Light Company, Docket No. E-8591.

In each instance, the proposed rate schedules increase each Company's demand charges for short-term power by 5¢/kilowatt week, from 40¢ to 45¢. The proposed rate schedule increases for limited-term power are 35¢/kW month, from $2.15 to $2.50. The rate schedule submittals in each instance are cost supported. They are unopposed by any party and they are recommended by Commission staff.

Initially, the Commission set the foregoing Dockets (E-8550, 8565, 8567 and 8591) for hearing and suspended the effectiveness of the short-term and limited-term schedules for failure of the filing systems to supply appropriate supporting cost data. See Commission orders issued January 11, 1974, E-8550, 39 FR 2398, and order issued January 28, 1974, 39 FR 4605. As indicated, these data have now been submitted by all companies with requests for termination of the issues with respect to short-term and limited-term power rate schedules in Docket Nos. E-8550, 8565, 8567 and 8591. The short-term and limited-term aspects of the filings in Docket Nos. E-8538, 8540 and 8602 were completed with the filing of appropriate cost data, and therefore they are finally properly before the Commission for action. Being previously incompleted rate schedule filings, these latter dockets were not accepted for filing and, therefore, were not set for hearing or suspended heretofore.[2]

Upon a review of the proposed rate schedules (Appendix A hereto) and the cost support submitted, we find that the rates and charges of 45¢/kW week for short-term power and $2.15/kW month for limited-term power will not provide revenues to the respective filing utilities in excess of their respective costs of rendering such services, when tested upon the basis of recognized cost analysis and ratemaking principles. They should be permitted to take effect as of the dates and in the manner as hereinafter set forth (Appendix A below). This action is consistent with the purposes of the Federal Power Act and is in the public interest.

The Commission further finds:

It is necessary and appropriate for the purposes of the Federal Power Act, 16 U.S.C. 791(a) et seq., particularly 16 U.S.C. 824a, d, e, f, and 825g and h, the Commission's Rules of Practice and Procedure, and the Commission's Regulations under the Federal Power Act, and there is good cause shown, to accept the proposed rate schedules for filing as of the effective dates set forth in Appendix A below, as hereinafter provided.

The Commission orders:

(A) The proposed, respective rate schedules of the various public utilities, as identified and designated in Appendix A below, are accepted for filing and shall become effective on the respective dates as set forth in Appendix A hereto, and the proceedings in Docket Nos. E-8538, E-8540, E-8550, E-8565, E-8567 and E-8591, insofar as they involve short-term and limited-term power are hereby terminated without refund obligation on the part of any Applicant in these proceedings with respect to such rate schedules.

(B) Billings for short-term and limited-term services as described in the proposed rate schedules (Appendix A below) shall be in accordance with the rates and charges as set forth therein;

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

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

APPENDIX A

Docket No.	Designation	Effective Date
E-8538	(1) Indiana and Michigan Electric Co., Supplement No. 5 to Rate Schedule FPC No. 63	January 1, 1974.
	Consumers Power Co., Supplement No. 9 to Rate Schedule FPC No. 23 (Concurs in (1) above)	Do.
	The Detroit Edison Co., Supplement No. 9 to Rate Schedule FPC No. 12 (Concurs in (1) above)	Do.
E-8540	(2) Ohio Power Co., Supplement No. 5 to Rate Schedule FPC No. 32	Do.
	Columbus and Southern Ohio Electric Co., Supplement No. 5 to Rate Schedule FPC No. 7 (Concurs in (2) above)	Do.
E-8550	(3) Appalachian Power Co., Supplement No. 6 to Rate Schedule FPC No. 55	January 12, 1974.
	Ohio Power Co., Supplement No. 6 to Rate Schedule FPC No. 73	Do.
	Wheeling Electric Co., Supplement No. 6 to Rate Schedule FPC No. 5	Do.
E-8565	(4) Appalachian Power Co., Supplement No. 9 to Rate Schedule FPC No. 16	January 28, 1974.
	Virginia Electric and Power Co., Supplement No. 7 to Rate Schedule FPC No. 7 (Concurs in (4) above)	Do.

[1] The Commission's rate schedule designations are contained in Appendix A below.

[2] In addition to short-term and limited-term services, Docket Nos. E-8550, 8565, 8567 and 8591, involve fuel conservation services which were set for hearing and suspended. Fuel conservation services are not before the Commission at this time and remain subject to hearing. See also order of the Commission setting for hearing and suspending fuel conservation schedule of Louisville Gas and Electric Company, Docket No. E-8614, issued February 22, 1974, 39 F.R. 6781.

APPENDIX A—Continued

Docket No.	Designation	Effective Date
E-8567...	(5) Monongahela Power Co., Supplement No. 2 to Rate Schedule FPC No. 32	March 1, 1974.
	West Penn Power Co., Supplement No. 2 to Rate Schedule FPC No. 31	Do.
	The Potomac Edison Co., Supplement No. 2 to Rate Schedule FPC No. 33	Do.
	Virginia Electric and Power Co., Supplement No. 2 to Rate Schedule FPC No. 99 (Concurs in (5) above)	Do.
E-8591...	(6) Ohio Power Co., Supplement No. 16 to Rate Schedule FPC No. 36	February 10, 1974.
	The Dayton Power and Light Co., Supplement No. 3 to Rate Schedule FPC No. 31 (Concurs in (6) above)	Do.
E-8602...	(7) Indiana and Michigan Electric Co., Supplement No. 3 to Rate Schedule FPC No. 24 (Except Service Schedule I)	Do.
	Public Service Company of Indiana, Inc. Supplement No. 3 to Rate Schedule FPC No. 49 (Concurs in (7) above)	Do.

[FR Doc.74-8492 Filed 4-15-74;8:45 am]

[Docket No. CI74-536]

ANADARKO PRODUCTION CO.

Notice of Application

APRIL 9, 1974.

Take notice that on March 29, 1974, Anadarko Production Company (Applicant), P.O. Box 9317, Fort Worth, Texas 76107, filed in Docket No. CI74-536 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Panhandle Eastern Pipe Line Company (Panhandle) from Hemphill County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell up to 5,000 Mcf of natural gas per day to Panhandle at the inlet of Panhandle's meter station which will be located at or near the wellhead of the Brock "A" No. 1 well, in Hemphill County, Texas, at the rate of 45.0 cents per Mcf at 14.65 psia subject to upward and downward Btu adjustment within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

Any person desiring to be heard or to make any protest with reference to said application should on or before May 3, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8647 Filed 4-15-74;8:45 am]

[Docket No. RP72-142]

CITIES SERVICE GAS CO.

Proposed Change in FPC Gas Tariff

APRIL 9, 1974.

Take notice that Cities Service Gas Company (Cities) on March 28, 1974, tendered for filing Seventh Revised Sheet PGA-1 to its FPC Gas Tariff, Second Revised Volume No. 1. The said revised sheet is filed pursuant to the Purchased Gas Cost Rate Adjustment Provision contained in Article 21 of Cities' Tariff.

Cities states the said revised sheet reflects a rate increase of 1.34¢ per Mcf which is based solely on the increased cost of purchased gas. According to Cities, this increase will produce additional revenues from jurisdictional sales of $4,600,227 based on annual sales volumes for the twelve month period ending February 22, 1974.

Cities proposes an effective date of May 23, 1974, for the said revised sheet. It states notice of this filing has been served on all its jurisdictional customers and interested state commissions, and all parties to the proceedings in Docket Nos. RP71-106 and RP72-142.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 30, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8649 Filed 4-15-74;8:45 am]

[Docket Nos. RP72-155, RP73-104]

EL PASO NATURAL GAS CO.

Order Suspending Proposed Rate Increase Subject to Refund and Establishing Procedures

MARCH 29, 1974.

On February 14, 1974 El Paso Natural Gas Company (El Paso) tendered for filing a proposed PGA rate increase[1] to become effective April 1, 1974, of 2.71¢ per Mcf to reflect supplier increases which will become effective on or before March 31, 1974, and to recover the balance in the deferred purchased gas cost account.

El Paso's filing was noticed on March 5, 1974 with protests or petitions to intervene due on or before March 18, 1974. No protests or petitions to intervene have been received to date.

Our review of the proposed rate increase indicates that all of the purchased gas costs comprising such rate have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Our review indicates that various small independent producer increases and various emergency purchase increases sought to be tracked may not conform to the standards we enunciated in Order Nos. 428 and 491. Accordingly, we shall accept for filing El Paso's proposed tariff sheets but shall suspend them for one day to be effective April 2, 1974, subject to refund, and provide that the issues raised by the filing be developed in an evidentiary proceeding.

The Commission finds. It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that El Paso's February 14, 1974 PGA rate increase filing should be accepted for filing, suspended, and set for hearing as hereinafter ordered.

The Commission orders. (A) El Paso's February 14, 1974 PGA rate increase filing is hereby accepted for filing, suspended, and set for hearing as hereinafter ordered.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 5 thereof, the Commission rules and regulations (18 CFR, Chapter I), a prehearing conference shall be held pursuant to § 1.18 of the Commission's rules of practice and procedure on June 25, 1974, at 10:00 A.M., EDT, in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington,

[1] First Substitute Eleventh Revised Sheet No. 3-B to FPC Gas Tariff, Original Volume No. 1.

D.C. 20426. A hearing for the purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges contained in El Paso's subject rate filing shall commence immediately following the prehearing conference.

(C) On or before April 23, 1974, El Paso shall serve its prepared testimony and exhibits.

(D) On or before May 21, 1974, the Commission Staff shall serve its prepared testimony and exhibits. Any intervenor evidence will be filed on or before May 28, 1974. Any rebuttal evidence by El Paso shall be served on or before June 18, 1974.

(E) Pending hearing and a decision thereon, El Paso's proposed First Substitute Eleventh Revised Sheet No. 3-B, filed on February 14, 1974, is accepted for filing, suspended for one day and the use thereof deferred until April 2, 1974, subject to refund.

(F) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-8644 Filed 4-15-74;8:45 am]

[Docket No. CP74-245]

LAWRENCE GAS CO.

Application for Declaration of Exemption

APRIL 9, 1974.

Take notice that on March 22, 1974, Lawrence Gas Company, c/o Bay State Gas Company, 125 High Street, Room 801, Boston, Massachusetts 02110, filed in Docket No. CP74-245 an application pursuant to section 1(c) of the Natural Gas Act for an exemption from the provisions of the Natural Gas Act and the regulations of the Commission thereunder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it purchases natural gas from Tennessee Gas Pipeline Company, a Division of Tenneco Inc., and from its parent, Bay State Gas Company, at delivery points in the City of Lawrence, Essex County, Massachusetts, which is thereafter distributed by Applicant in Massachusetts, and may be sold to other public utilities in Massachusetts for resale. Applicant states that it does not now sell natural gas for resale and that all gas sold by Applicant will be consumed within the Commonwealth of Massachusetts. The application states further that the Massachusetts Department of Public Utilities exercises jurisdiction over the rates, service and facilities of Applicant. Accordingly, Applicant requests that the Commission declare that Applicant and its operations and facilities are exempt from the provisions of the Natural Gas Act.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 3, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD, *Acting Secretary.*

[FR Doc.74-8648 Filed 4-15-74;8:45 am]

[Docket No. E-7855]

NEW ENGLAND POWER SERVICE CO.

Order Instituting an Investigation and Granting Waiver of Notice Requirements

APRIL 10, 1974.

On September 29, 1972, New England Power Service Company (Service Company) submitted for filing on behalf of New England Power Company (NEPCO) agreements with (1) Montaup and (2) Bangor,[1] providing for the short-term sale, from September 1, 1972, through October 31, 1974, of capacity and related energy from NEPCO's Salem Harbor Unit No. 4. Service Company requests waiver of the 30 day prior notice requirement to permit an effective date of September 1, 1972.

Additionally, NEPCO proposes to provide transmission service from the Salem Harbor Unit No. 4 to the point of interconnection with Montaup's system, and in the case of Bangor, to the points where NEPCO's system interconnects with Public Service Company of New Hampshire, an intervening transmission party.

For such service, Montaup and Bangor are to pay proposed average monthly demand charges of $157,964 and $51,022 respectively, which sums incorporate a fixed charge rate of 15.68 percent per return, federal income tax and Massachusetts franchise tax on NEPCO's net investment, including working capital, of approximately $70,000,000 in the new unit. The average transmission charge of $.50 per Kw to Montaup and Bangor was derived from a formula incorporating a 20 percent annual charge rate on NEPCO's average investment of $111,196,700 in transmission facilities. Service Company supports its 15.68 percent annual fixed charge rate with a return on common-equity of 13.4 percent.

Notice of the proposed filings was issued on February 1, 1973, with a final date for responses of February 14, 1973. No responses have been received.

Our review of Service Company's initial rate schedule indicates that issues are raised which may require development in an evidentiary proceeding. The initial rate schedule has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall institute an investigation of Service Company's rate filing under section 206 of the Federal Power Act.

The Commission finds. (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that an investigation be instituted under section 206 thereof concerning the lawfulness of Service Company's initial rate schedule filings.

(2) The Commission finds good cause to allow Service Company's requested waiver of the 30 day notice requirement to permit a September 1, 1972, effective date.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly section 206 thereof, and the Commission's rules and regulations, a prehearing conference shall be held pursuant to § 1.18 of the Commission's rules of practice and procedure on May 14, 1974, at 10:00 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426. A hearing for purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges in New England Power Service Company's initial rate schedule filings shall commence immediately following the prehearing conference.

(B) On or before April 26, 1974, the Company shall serve its prepared testimony and exhibits. The Commission staff shall serve its prepared testimony and exhibits on or before May 3, 1974. Any rebuttal evidence by the Company shall be served on or before May 8, 1974.

(C) At the prehearing conference on May 14, 1974, New England Power Service Company's prepared testimony together with its entire filing shall be admitted to the record as its complete case-in-chief subject to appropriate motions, if any, by parties to the proceeding.

(D) A presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 C.F.R., 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure.

(E) Service Company's requested waiver of the 30 day notice requirement

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[1] Designated as: New England Power Company;

(1) Rate Schedule FPC No. 240;

(2) Rate Schedule FPC No. 241.

to permit a September 30, 1972, effective date is hereby granted.

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

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-8645 Filed 4-15-74;8:45 am]

[Docket No. RP74-49]

NORTHWEST PIPELINE CORP.

Tendering of Tariff Sheets

APRIL 9, 1974.

Take notice that on April 1, 1974 Northwest Pipeline Corporation (Northwest) tendered for filing Original Volume Nos. 1 and 2 of its FPC Gas Tariff to replace First Revised Volume No. 3 and Original Volume No. 4 of El Paso Natural Gas Company's (El Paso) FPC Gas Tariff as previously adopted by Northwest pursuant to the Commission's January 18, 1974 order in this docket.

Northwest lists the following major differences between its tariff and those they replace:

1. Original Volume No. 1 was changed to correct name and page designations and to update service agreement dates shown in the Index of Purchasers on Original Sheet Nos. 86 through 88.

2. Original Volume No. 2 has been expanded to include the San Juan Gathering Agreement between Northwest and El Paso providing for the exchange of natural gas, Rate Schedule X-24.

Northwest also requests waiver of the Commission's regulations as necessary, including the thirty day notice requirement, and further requests that the restated FPC Gas Tariff, including Rate Schedule X-24, be made effective as of February 1, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with § 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD, *Acting Secretary.*

[FR Doc.74-8650 Filed 4-15-74;8:45 am]

[Docket No. E-8701]

SOUTHWESTERN ELECTRIC POWER CO.

Notice of Agreement

APRIL 9, 1974.

Take notice that on March 25, 1974 Southwestern Electric Power Company (SWEPCO) tendered for filing an agreement between SWEPCO and Arkansas Power and Light Company (AP&L) dated June 4, 1973. The said agreement provides for AP&L to purchase 100 MW of capacity without reserves from Riverside No. 1 generating unit of Public Service Company of Oklahoma (PSCO) during the period June 1, 1974 to May 31, 1975 with deliveries through the system of SWEPCO. SWEPCO estimates total revenue from said Agreement to be $4,727,558.

SWEPCO proposes an effective date of June 1, 1974 for said Agreement.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 29, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file wih the Commission and are available for public inspection.

MARY B. KIDD, *Acting Secretary.*

[FR Doc.74-8651 Filed 4-15-74;8:45 am]

[Docket No. CI74-517]

SIGNAL OIL AND GAS CO.

Notice of Application

APRIL 9, 1974.

Take notice that on March 20, 1974, Signal Oil and Gas Company (Applicant), Golden Center I, 2800 North Loop West Houston, Texas 77018 filed in Docket No. CI74-517 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Panhandle Eastern Pipe Line Company at or near the outlet of applicant's Aline Plant in Alfalfa County, Oklahoma, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell approximately 60,000 Mcf of natural gas per month to Panhandle at its Aline Plant at an initial rate of 75.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot with no upward adjustment beyond 1,200 Btu. Applicant states that the subject gas is residue gas, which is left after processing raw gas purchased under percentage-type contracts from various producers in Alfalfa and Major Counties, Oklahoma.

Applicant asserts that the proposed price is well below the prices proposed in applications for which certificate authorization is requested or has been granted for the sale and/or delivery of synthetic gas and liquefied natural gas. Additionally, Applicant asserts that there is an intrastate market in the area which stands ready to purchase this gas directly from the producers selling the gas to Applicant at prices of 60 to 65 cents per million Btu, if this application is not approved. Applicant submits that it has recently bid upon and lost additional raw gas supplies in the area of its Aline Plant to intrastate purchasers in this price range.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

MARY B. KIDD, *Acting Secretary.*

[FR Doc.74-8646 Filed 4-15-74;8:45 am]

FEDERAL RESERVE SYSTEM

BANKERS TRUST COMPANY OF ROCHESTER

Order Approving Application for Merger of Banks

Bankers Trust Company of Rochester, Rochester, New York ("Applicant"), a member State bank of the Federal Reserve System, has applied for the Board's approval pursuant to the Bank Merger Act (12 U.S.C. 1828(c)) of the merger of that bank with the Briggs Bank of Clyde, Clyde, New York ("Briggs"), under the charter and title of Applicant. Incident to the proposed merger, the present office of Briggs would become a branch office of the resulting bank.

As required by the Act, notice of the proposed merger, in form approved by the Board, has been published, and the Board has requested reports on competitive factors from the Attorney General, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation. The Board has considered the application and all comments and reports received in the light of the factors set forth in the Act.

Applicant, with deposits of approximately $41 million[1] is a subsidiary of Bankers Trust New York Corporation, New York, New York, and operates six offices[2] in the Rochester banking market[3] where it is the fifth largest of 16 banks and holds 1.7 per cent of the total deposits in commercial banks.[4] Briggs, which is also located in the Rochester banking market, holds deposits of approximately $6 million, representing 0.3 percent of total deposits in commercial banks in the market and thereby ranks as the 15th largest bank therein. The resulting bank would rank 5th in the market. The nearest offices of the merging banks are approximately 30 miles apart and their service areas do not overlap. Although Applicant and Briggs operate in the same market, there appears to be no meaningful competition between the two institutions. Applicant derives 0.14 percent of its total deposits and 0.1 percent of its total loans from the service area of Briggs, while Briggs derives 0.41 percent of its total loans and 2.5 percent of total deposits from Applicant's service area. Since Briggs has not established a branch in more than 100 years of operation and its financial resources are limited, it is unlikely that Briggs would open a branch in Applicant's service area. Applicant is capable of branching into Briggs' service area. However, home office protection laws presently prohibit any branching into the town of Clyde. Further, since the four largest banks in the market control approximately 93 percent of the deposits, it is expected that the proposal would enable the resulting bank to compete more effectively with the larger institutions. Therefore, consummation of the proposed transaction would not have significant adverse effects on existing or potential competition in any relevant area and would eliminate home office protection in the town of Clyde.

The financial and managerial resources of Applicant and Briggs are generally satisfactory, and future prospects for the resulting bank appear favorable. Thus, the banking factors are consistent with approval of the application.

Applicant proposes to introduce personal and business trust services and investment services in the Clyde area. These services are not currently available there. In addition, Applicant plans to lower charges on special checking accounts and expand business loan services at the Briggs office. Therefore, considerations relating to the convenience and needs of the communities to be served lend weight toward approval of the application. It is the Board's judgment that consummation of the proposal would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the date of this Order or (b) later than three months after the date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of New York pursuant to delegated authority.

By order of the Board of Governors,[5] effective April 2, 1974.

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

[FR Doc.74-8678 Filed 4-15-74;8:45 am]

[1] All deposit data are as of June 30, 1973.

[2] Applicant has also received approval to establish, but has not yet opened for business, four additional offices.

[3] The Rochester banking market is approximated by Wayne and Monroe Counties and the seven northernmost towns of Livingston County.

[4] Market data are as of June 30, 1972.

[5] Voting for this action: Vice Chairman Mitchell and Governors Brimmer, Sheehan, Bucher, Holland, and Wallich. Absent and not voting: Chairman Burns.

CONCORDIA BANC-MANAGEMENT, INC.

Order Approving Formation of Bank Holding Company

Concordia Banc-Management, Inc., Kansas City, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through the acquisition of 82.9 percent of the voting shares of Concordia Bank, Concordia, Missouri ("Bank").

Notice of the application, affording an an opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank. Bank (deposits of $8.9 million)[1] is the fourth largest of 10 banks in the relevant market[2] and controls approximately 11 percent of the total deposits in commercial banks in the market. Upon acquisition of Bank, Applicant would control less than 0.1 percent of total commercial bank deposits in Missouri.

The purpose of the transaction is to effect a transfer of the ownership of Bank from individuals to a corporation owned by the same individuals with no change in Bank's management or operations. The principals of Applicant also own 98 percent of Missouri Banc-Management, Inc., Kansas City, Missouri, a one-bank holding company which owns 89 percent of Stadium Bank, Kansas City, Missouri. Stadium Bank (deposits of $16.6 million) is located in the Kansas City SMSA banking market and no meaningful competition exists between the two institutions. Since the transaction is essentially a reorganization of the ownership of Bank, the Board concludes that consummation of the proposal would not have any adverse effect on existing or potential competition, nor would it increase the concentration of banking resources or have an adverse effect on other banks in the relevant market. Thus, competitive considerations are consistent with approval of the application.

The future prospects of Applicant are entirely dependent upon the financial resources of Bank. Applicant proposes to service the debt it assumes incident to this proposal over a 12-year period through dividends from Bank, averaging 50 percent of Bank's projected net income. In light of the past earnings of Bank and its anticipated growth, the projected earnings of Bank appear to provide Applicant with the necessary financial flexibility to meet its annual debt servicing requirements and to maintain an adequate capital position for Bank. Therefore, considerations relating to banking factors are consistent with approval of the application.

Although consummation of the proposal would effect no changes in the banking services offered by Bank, the considerations relating to the convenience and needs of the community to be served are consistent with approval. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

The application is hereby approved[3] on this date, unless such period is extended approved shall not be made (a) before the thirtieth calendar day following this date or (b) later than three months after this date, unless such period is extended for good cause by the Board of Governors or by the Federal Reserve Bank of Kansas City, pursuant to delegated authority.

By order of the Board of Governors,[4] effective April 5, 1974.

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

[FR Doc.74-8679 Filed 4-15-74;8:45 am]

[1] All banking data are as of June 30, 1973.

[2] The relevant market is approximately by Lafayette County.

[3] Voting for this action: Chairman Burns and Governors Brimmer, Bucher, and Holland. Voting against this action: Governors Mitchell and Sheehan. Absent and not voting: Governor Wallich.

[4] Dissenting Statement of Governors Mitchell and Sheehan filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or the Federal Reserve Bank of Kansas City.

FIRST ALABAMA BANCSHARES, INC.

Order Approving Acquisition of Bank

First Alabama Bancshares, Inc., Birmingham, Alabama, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of the successor by merger to American Bank and Trust Company, Hartselle, Alabama ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the second largest banking organization in Alabama, controls nine banks with aggregate deposits of $846.8 million, which represents approximately 12 percent of total deposits in commercial banks in the State.[1] Acquisition of Bank (deposits of $12.2 million) would not significantly increase deposit concentration or Applicant's share of total commercial bank deposits in Alabama and its rank among banking organizations in the State would be unchanged.

Bank, the smallest of five banks in the Morgan County banking market (approximated by Morgan County, Alabama), holds 7 percent of total deposits in commercial banks in that market. The four larger banks in the market control, respectively, 49, 23, 12, and 10 percent of the deposits therein. Applicant's nearest banking subsidiary is located at Huntsville, Alabama, approximately 40 miles from Bank. No meaningful competition exists between Bank and any of Applicant's present subsidiaries;[2] nor does it appear likely that such competition will develop in the future, in view of the distances involved, the number of intervening banks, and Alabama's restrictive branching laws. The Board concludes that consummation of the proposal would not have any adverse effects on existing or future competition, nor on any competing bank.

In acting on this application, the Board has considered covenants not to compete entered into between the present directors of Bank and Applicant. Having reviewed subject covenants, the Board finds them to be reasonable and not inconsistent with the public interest and competitive standards set forth in the Act. Accordingly, such covenants are not a bar to approval of this application.

The financial and managerial resources of Applicant and its subsidiaries are generally satisfactory and these factors are satisfactory with respect to Bank. Applicant will assist Bank in offering new services, such as lease financing and trust services, and will expand existing services, such as seasonal agricultural loans and real estate financing. Considerations relating to the convenience and needs of the community to be served are consistent with and lend some weight for approval. It is the Board's judgment that consummation of the proposed transaction would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[3] effective April 5, 1974.

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

[FR Doc.74-8681 Filed 4-15-74;8:45 am]

[1] Banking data are as of June 30, 1973, adjusted to reflect holding company acquisitions and formations approved through February 28, 1974.

[2] Three directors of Applicant are also directors of First State Bank, Decatur, Alabama, a bank which competes with Bank in the Morgan County banking market. Applicant has agreed to terminate these interlocking director relationships on or before consummation of this proposal.

[3] Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Holland and Wallich. Absent and not voting: Governors Brimmer and Bucher.

FIRST MARYLAND BANCORP

Proposed Acquisition of Schenectady Discount Corporation

First Maryland Bancorp, Baltimore, Maryland, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Schenectady Discount Corporation and its subsidiaries: Markwood Agency, Incorporated, Colonie Adjustment Service, Inc., Desert Insurance Agency, Sunland Adjustment Service Corporation, E-Z Living Mobile Homes Corporation, all of Albany, New York. Notice of the application was published on March 14, 1974, in the Albany Times Union, a newspaper circulated in Colonie, New York, and on March 15, 1974, in The Phoenix Gazette, a newspaper circulated in Phoenix, Arizona.

Applicant states that the proposed subsidiary would engage in the activities of mobile home financing and collection of delinquent accounts, sale of repossessed mobile homes, and sale, as agent, of credit life, accident, theft, property damage, rental value and liability insurance in connection with the mobile homes finances. 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 Richmond.

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 May 6, 1974.

Board of Governors of the Federal Reserve System, April 9, 1974.

[SEAL] THEODORE E. ALLISON, *Assistant Secretary of the Board.*

[FR Doc.74-8676 Filed 4-15-74;8:45 am]

FIRST RAILROAD & BANKING COMPANY OF GEORGIA

Proposed Acquisition of CMC Group, Inc.

First Railroad & Banking Company of Georgia, Augusta, Georgia, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y for permission to acquire voting shares of CMC Group, Inc., Charlotte, North Carolina. Notice of the application was published on various dates in newspapers circulated in the communities in which the approximately 27 offices of subsidiaries of CMC Group, Inc., are located. Those offices are located in the States of North Carolina, South Carolina, and Georgia.

Applicant states that the proposed subsidiary would engage in the activities of making or acquiring loans or other extensions of credit through the operation of offices engaged in consumer finance, mortgage lending, sales finance, and insurance premium financing; and acting as underwriter (reinsurer) of credit life and credit accident and health insurance which is directly related to extensions of credit by the bank holding company system; and acting as

insurance agent with respect to credit life and credit accident and health insurance, and credit property insurance, directly related to extensions of credit. These activities are conducted by wholly-owned subsidiaries of CMC Group, Inc., operating under the names of Capitol Credit Plan; Capitol Finance Co.; Capitol Loan Corp.; Pilot Finance Corp.; Stanley Finance, Inc.; Lexington Loan Co., Inc.; Personal Finance Corp.; Capitol Discount Corp.; Marietta Finance Company; Capitol Acceptance Corp.; Capitol Mortgage Plan, Inc.; Capitol Financial Services, Inc.; Amity Life Insurance; Advance Insurance Agency; Capitol Premium Plan, Inc.; and variations thereof. 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 Atlanta.

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 May 6, 1974.

Board of Governors of the Federal Reserve System, April 8, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8677 Filed 4-15-74;8:45 am]

FIRST VIRGINIA BANKSHARES CORP.

Order Approving Acquisition of Gadsden Finance Company

First Virginia Bankshares Corporation, Falls Church, Virginia, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and section 225.4(b)(2) of the Board's Regulation Y, to acquire, through its wholly-owned subsidiary, First General Financial Services, Inc., Birmingham, Alabama ("First General"), substantially all of the assets of Gadsden Finance Company, Gadsden, Alabama ("Company"), a company that engages in the activities of making consumer loans and selling credit life, credit health and accident insurance on borrowers in connection with its loans. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a) (1) and (9)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 6782). The time for filing comments and views has expired, and none has been received. The Board has considered the application in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant, the sixth largest banking organization in Virginia, controls 21 banks with aggregate deposits of $827 million, representing 6.3 per cent of the total deposits in commercial banks in the State.[1] Applicant also controls nonbanking subsidiaries engaged in mortgage banking, consumer finance, advising a real estate investment trust and consumer finance.

Company is a consumer finance company with total assets of $801,000. Company operates its sole office in Gadsden, Alabama, and competes in the Etowah County market. Company controls approximately 7 to 11 per cent of the total of direct personal installment loans made in 1972 in the market and competes with 24 other finance companies.

First General engages in the consumer finance business throughout the Southeast and has several offices in Alabama, but does not compete in Company's market area. The closest office of First General is approximately 50 miles away from Company. Further, neither Applicant nor any of its other subsidiaries competes with Company. Accordingly, consummation of the proposal would not eliminate any existing competition between Applicant, First General and Company. Although Applicant could enter Company's area through de novo expansion of First General, such entry does not appear likely. First General is not a large company and although it has expanded de novo recently, there is no evidence that it would expand de novo into Gadsden if this application were denied. Further, in view of the large number of existing competitors in Company's area, it does not appear that Applicant's acquisition of Company would pose significant barriers to entry by other organizations. The Board concludes that no significant potential competition would be eliminated upon approval of this transaction.

In its consideration of this application, the Board has considered a covenant not to compete which is contained in the purchase and sale agreement entered into between First General and Company. The covenant, which applies to and is subscribed to by the president and principal stockholder of Company, requires that he not engage or participate in any manner in the finance or lending business, excluding any of his present banking and financial interests, within the City of Gadsden, Alabama, for three years from the date of the agreement. Such covenants are sanctioned by Alabama law. The Board finds that the covenant's provisions are reasonable in duration, scope and geographic area and are consistent with the public interest standard in section 4(c)(8) of the Act.

Company is also engaged in the sale of credit life, credit health and accident insurance directly related to its extensions of credit. These insurance activities have been determined by the Board to be closely related to banking under § 225.4(a)(9)(ii) of Regulation Y. In view of the limited nature of Company's insurance business, it does not appear that the continuation of these insurance activities of Company upon approval of the proposal would have any adverse effect on existing or potential competition.

There is no evidence in the record indicating that consummation of the proposed transaction would result in any undue concentration of resources, unfair competition, conflicts of interest, unsound banking practices or other adverse effects on the public interest. Applicant proposes to expand the types of lending services offered by Company to include second mortgage loans and an increase in sales finance loans. The expanded lending services to be made available by Company upon its acquisition by Applicant, as well as its increased lending capabilities resulting from the availability of resources of Applicant, should enable Company to become a more effective competitor.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof. The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Richmond under authority hereby delegated.

By order of the Board of Governors,[2] effective April 5, 1974.

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

[FR Doc.74-8632 Filed 4-15-74;8:45 am]

[1] All banking data are as of December 31, 1973, and reflect bank holding company formations and acquisitions approved by the Board through February 28, 1974.

[2] Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Holland and Wallich. Absent and not voting: Governors Brimmer and Bucher.

MERCANTILE BANKSHARES CORP.

Acquisition of Bank

Mercantile Bankshares Corporation, Baltimore, Maryland, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire at least 80 percent of the voting shares of First National Bank of Southern Maryland, Upper Marlboro, Maryland. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Richmond. 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 May 6, 1974.

Board of Governors of the Federal Reserve System, April 8, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8673 Filed 4-15-74;8:45 am]

HAMILTON BANCSHARES, INC.

Acquisition of Bank

Hamilton Bancshares, Inc., Chattanooga, Tennessee, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares) of the successor by merger to First American Bank, Memphis, Tennessee. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 6, 1974.

Board of Governors of the Federal Reserve System, April 8, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8674 Filed 4-15-74;8:45 am]

PEOPLES STATE BANKSHARES, INC.

Order Approving Formation of Bank Holding Company

Peoples State Bankshares, Inc., Rossville, Kansas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 81 per cent or more of the voting shares of Peoples State Bank, Rossville, Kansas ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a recently formed corporation, was organized for the purpose of owning and operating Bank. Bank, with deposits of $5.7 million,[1] is the only banking institution in the rural town of Rossville (population of 1,000), located 15 miles from Topeka, Kansas. Since Applicant has no present operations or subsidiaries, it appears that consummation of the proposal would not affect existing or potential competition, nor have an adverse effect on other area banks. Competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant depend upon those of Bank. In view of Bank's past record of earnings, it appears that Applicant would be able to finance the debt incurred in acquiring Bank without placing an undue strain on Bank's resources. The financial condition of Bank is considered satisfactory and its management has been strengthened as a result of Bank's new ownership. Prospects for Applicant and Bank are favorable, and it appears that the strengthening of Bank's management would enhance its ability to provide for the community's banking needs. Accordingly, considerations relating to this aspect of the proposal are consistent with approval.

In its consideration of this application, the Board has examined a covenant not to compete contained in an employment agreement which has executed in connection with the proposal. The Board finds that the provisions of this covenant are reasonable in duration, scope, and geographic area and are consistent with the public interest. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record,[2] the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

[1] All banking data are as of June 30, 1973.

[2] Dissenting Statement of Governor Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551 or to the Federal Reserve Bank of Kansas City.

effective March 29, 1974.

By order of the Board of Governors,[3]

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

[FR Doc.74-8680 Filed 4-15-74;8:45 am]

THIRD NATIONAL CORP.

Acquisition of Bank

Third National Corporation, Nashville, Tennessee, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1942(a)(3)) to acquire 50 percent or more of the voting shares of Bank of Elbridge, Elbridge, Tennessee. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 6, 1974.

Board of Governors of the Federal Reserve System, April 8, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8675 Filed 4-15-74;8:45 am]

UNITED FIRST FLORIDA BANKS, INC. AND DELAND DEVELOPMENT CORP.

Order Approving Acquisition of Bank

United First Florida Banks, Inc. ("Applicant"), Tampa, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 percent or more of the voting shares of Deland State Bank ("Bank"), Deland, Florida. In a related matter, Deland Development Corporation ("Development") Maitland, Florida, a bank holding company with respect to Bank, has applied for the Board's approval under section 3(a)(3) of the Act to acquire, through a conversion of $440,000 in subordinated convertible debentures, 18.544 voting shares of Bank. Upon its acquisition of such shares, Development proposes to tender its entire interest in Bank to Applicant. Development's acquisition of shares of Bank has no significance except as a means to facilitate Applicant's acquisition of 90 percent or more of the voting shares of Bank. Accordingly, the proposals are treated herein as the proposed acquisi-

[3] Voting for this action: Chairman Burns and Governors Mitchell, Bucher, and Holland. Voting against this action: Governor Brimmer. Absent and not voting: Governors Sheehan and Wallich.

tion of voting shares of Bank by Applicant.

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fourth largest bank holding company in Florida, controls 35 banks with aggregate deposits of $1.3 billion, representing 6.5 percent of total deposits of commercial banks within the State.[1] Acquisiton of Bank would not significantly increase Applicant's share of State deposits and would not alter Applicant's ranking among other State banking organizations.

Bank ($28.0 million in deposits) is the second largest of six commercial banks located in the relevant market,[2] and holds 21.5 percent of the deposits in the market. Four of the five remaining banks in the market are now affiliated with bank holding companies. Applicant's banking subsidiary closest to Bank is located approximately 20 miles away in Sanford, which is in a separate banking market. It appears that no meaningful competition exists between Bank and any of Applicant's subsidiary banks. Furthermore, due to the distances and natural barriers between Bank and Applicant's subsidiaries, it is unlikely that potential competition would develop between them. On the basis of the foregoing and the record, the Board concludes that consummation of the proposal would not eliminate any significant existing competition nor foreclose the development of significant potential competition.

Incident to this acquisition agreement, there is a convenant by the directors of Bank "not to become an officer or director of any bank in the Greater Deland area" for a two year period. It appears that the provisions of this covenant are reasonable in duration, scope and geographic area. Accordingly, the Board is of the view that the existence of such a covenant does not preclude approval of the proposed acquisition.

In view of Applicant's commitments to inject additional equity capital into certain of its subsidiary banks, the financial and managerial resources and prospects of Applicant and its subsidiaries are regarded as generally satisfactory. Acquisition by Applicant will enhance the financial and managerial resources of Bank, especially in light of Applicant's commitment to inject equity capital into Bank and Applicant's ability to provide Bank with management expertise. Considerations related to financial condition and managerial resources, therefore, are consistent with, and lend some weight toward, approval of the applications. Although there is no evidence in the record to indicate that the banking needs of the community to be served are not currently being met, Applicant plans to expand the range of services presently offered by Bank. Convenience and needs factors are consistent with approval of the applications. It is the Board's judgment that consummation of the proposals would be in the public interest and that the applications should be approved.

On the basis of the record, the applications are approved for the reasons summarized above.[3] The transactions shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[4] effective April 4, 1974.

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

[FR Doc.74-8683 Filed 4-15-74;8:45 am]

[1] All banking data are as of June 30, 1973, and reflect holding company formations and acquisitions approved through February 28, 1974.

[2] The relevant banking market in the wester portion of Volusia County.

[3] Dissenting Statement of Governor Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

[4] Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, and Wallich. Voting against this action: Governor Brimmer. Absent and not voting: Chairman Burns.

FASCO INTERNATIONAL HOLDING S.A.

Proposed Indirect Retention of Some Shares and Indirect Acquisition of Other Shares of Talcott National Corporation

Fasco International Holding S.A., Luxembourg Ville, Luxembourg, has applied, pursuant to sections 4(c) (8) and (13) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8) and (13)) and § 225.4 (b)(2) of the Board's Regulation Y, for permission to retain indirectly, through certain shares of Franklin New York Corporation, New York, New York, certain shares of Talcott National Corporation and to acquire indirectly, through Franklin New York Corporation, New York, New York, additional shares of Talcott National Corporation.

Fasco International Holding S.A., Luxembourg Ville, Luxembourg, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of an additional 9.7 percent of the outstanding common stock of Franklin New York Corporation, New York City, New York, a bank holding company by virtue of its ownership of all of the voting shares (except for directors' qualifying shares) of Franklin National Bank, New York, New York. (See 39 FR 11224, March 26, 1974.) Fasco International Holding S.A. presently holds 21.7 percent of the outstanding common stock of Franklin New York Corporation, as well as 51.8 percent of the outstanding voting shares of Talcott National Corporation, which shares of Talcott National Corporation would be exchanged for the additional shares of Franklin New York Corporation, for acquisition of which Fasco International Holding S.A. has sought the prior approval of the Board.

Franklin New York Corporation, New York, New York, has applied, pursuant to sections 4(c)(8) and (13) 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 voting shares of Talcott National Corporation, New York, New York. (See 38 FR 28326, October 12, 1973.) Notice of that application was published on August 21, 22, or 23, 1973, in each of 69 newspapers circulated in communities in which Talcott National Corporation or its subsidiaries operate. Notice of the application of Fasco International Holding S.A. under section 4(c)(8) was published on March 25, 1974, in various editions of "The Wall Street Journal."

Applicant states that the proposed subsidiary would engage in the activity of factoring, that is, the purchase of current trade accounts receivable without recourse, and extending secured credit to factored clients, through James Talcott Factors, from offices in New York, New York, and Los Angeles, California, and James Talcott Factors, AG, from an office in Zurich, Switzerland.

Talcott National Corporation directly engages, through various divisions and through its subsidiaries, Talcott of Puerto Rico, Inc. and Talcott Inter-American Corporation, in business financing; particularly accounts receivable financing, interim, supplemental, and secondary mortgage financing, "bridge" financing, financing in certain specialized fields, and venture capital financing. Although Talcott National Corporation, as a result of its venture capital financing activities, hold certain equity interests in various manufacturing concerns, Applicant proposes to reduce those interests to no more than five per cent of each concern and would not acquire equity interests exceeding five per cent through Talcott National Corporation's venture capital financing activities. Talcott National Corporation's business financing activities are conducted from offices in Atlanta, Georgia; Boston, Massachusetts; Chicago, Illinois; Dallas, Texas; Detroit, Michigan; Los Angeles, California; Miami, Florida; Minneapolis, Minnesota; Newark, New Jersey; San Francisco, California; New York, New York; and Hato Rey, Puerto Rico.

Through its subsidiary, City Finance Company, Talcott National Corporation engages in the making of installment consumer loans, purchasing retail installment sales obligations originating

with dealers, and, in the State of Mississippi, brokering consumer loans for the accounts of others. Through City Insurance Agency, Inc., and, in the State of Mississippi, Red-Cun Insurance Agency, Inc., both wholly-owned subsidiaries of City Finance Company, Talcott National Corporation sells to consumer borrowers credit life, credit health and accident, and property insurance (in States other than New York, New Jersey, and Pennsylvania). City Life Insurance Company, a wholly-owned subsidiary of City Finance Company, through a reinsurance agreement, underwrites all credit life and credit accident and health insurance sold by City Insurance Agency, Inc. and Red-Cun Insurance Agency, Inc. Talcott National Corporation's consumer finance activities are conducted by subsidiaries of City Finance Company operating under the trade names "City Finance Company", "Safeway Finance Co., Inc.", "Coburn Finance Company", "Safeway Discount Company, Inc.", "SFC Loans", "Safeway Consumer Discount Company", "City Finance Plan", "Personal Loan & Finance Corporation" and variations of the foregoing from 114 offices in the States of Alabama, Georgia, Indiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, and Tennessee.

Talcott National Corporation, through James Talcott, Inc., and Talcott Leasing Corporation, also engages in computer and equipment leasing from offices in New York, New York. If Talcott National Corporation becomes a subsidiary of Applicant, such leases would only be made on a full payout basis. Other activities in which Talcott National Corporation has or does engage either have been or are being, disposed of. The above-described activities, with the exception of certain insurance sales, underwriting, and leasing activities which would be modified to conform to § 225.4(a) of Regulation Y, 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 New York.

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 April 27, 1974.

Board of Governors of the Federal Reserve System, April 10, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8702 Filed 4-15-74;8:45 am]

GENERAL SERVICES ADMINISTRATION

[GSA Order ADM 1095.]

ENVIRONMENTAL IMPACT STATEMENTS

Preparation Procedures

APRIL 10, 1974.

Notice is hereby given that the General Services Administration in accordance with the National Environmental Policy Act of 1969 (Pub. L. 91-190) is proposing uniform procedures for preparing environmental impact statements.

Any person who wishes to submit written data, views, or objections pertaining to the proposed procedures may do so by filing them in triplicate with the General Services Administration (PWA), Washington, DC 20405, on or before May 31, 1974.

Dated: April 10, 1974.

L. F. ROUSH,
Deputy Administrator for Special Projects.

1. *Purpose.* a. This order prescribes the uniform procedures to be followed in implementing the laws, Executive orders, and directives with respect to all major GSA actions which significantly affect the quality of the human environment. These laws, Executive orders, and directives include section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), hereinafter referred to as NEPA; Executive Order 11514 of March 5, 1970, entitled "Protection and Enhancement of Environmental Quality"; section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f); Executive Order 11593 of May 13, 1971, entitled "Protection and Enhancement of the Cultural Environment"; and the Guidelines issued by the Council on Environmental Quality (CEQ) for preparing environmental statements, hereinafter referred to as the Guidelines, published in the FEDERAL REGISTER August 1, 1973, 38 FR 20550, and amended in the FEDERAL REGISTER on August 7, 1973, 38 FR 21265 (appendix A).

b. This order provides a basis for the publication, when required, of service and staff office orders and instructions explicitly directed toward the particular activities and personnel of each organization. Publication by the Public Buildings Service of its orders and instructions will complete GSA's primary implementation of section 1500.3 of the Guidelines.

2. *Background.* Section 102 of NEPA directs all Federal agencies (a) to develop methods and procedures which will insure that environmental concerns, effects, and values are given equal consideration with economic and technical issues in decisionmaking; and (b) to prepare detailed statements on recommendations or reports for legislative proposals and major Federal actions that may significantly affect the quality of the human environment. Executive Order 11514 effectuates the purpose of NEPA, and the revised Guidelines for implementing NEPA have been issued by CEQ.

3. *Role of the environmental impact statement process.* The environmental impact statement process is not considered a mere reporting function, but rather a means of coordinating active consideration of environmental concerns throughout the GSA planning, action development, and review processes. Environmental enhancement, protection, and restoration shall be regarded as primary responsibilities. Through serious consideration of alternatives, adverse environmental effects must be avoided or minimized. The process shall be used to reassess ongoing actions as NEPA applies to those actions approved prior to January 1, 1970, and to assess future actions to avoid or minimize adverse effects.

4. *Responsibilities*—a. *External to GSA*—(1) *Council on Environmental Quality.* Under section 202 of NEPA, CEQ is responsible for reviewing and appraising the environmental programs and activities of the Federal Government. They will determine the extent to which these programs and activities are contributing to the achievement of NEPA's policy and make recommendations to the President with respect thereto.

(2) *Environmental Protection Agency (EPA).* Pursuant to section 309 of the Clean Air Act, as amended, EPA is responsible for the review of agency activities and proposed legislation or regulations if these would result in environmental impact on any activities under the authority of the EPA Administrator.

(3) *Advisory Council on Historic Preservation.* The Council is charged in section 202 of the National Historic Preservation Act of 1966 with advising the President and the Congress in the field of historic preservation and with commenting on Federal, federally assisted, and federally licensed undertakings which affect properties listed in the National Register of Historic Places.

b. *Internal GSA*—(1) *Deputy Administrator for Special Projects.* The Deputy Administrator for Special Projects has environmental responsibility and authority to reconcile any intra-agency disagreement relating to the the environmental impact statement process.

(2) *Director of Environmental Affairs.* The Director has primary review responsibility on all phases of the environmental impact statement process and represents GSA on environmental matters in dealings with entities outside the agency.

(3) *Office of General Counsel.* The General Counsel has responsibility for interpreting statutory requirements and for reviewing impact statements to insure compliance with legislation.

(4) *Other.* Responsibilities within the services, staff offices, and their regional counterparts are to be delineated in their corresponding orders.

5. *Preparation of the environmental assessment.* Any major GSA action which may significantly affect environmental quality shall be carefully evaluated, and an environmental assessment of the action is to be prepared. From this assessment a determination can be made to develop an environmental impact statement or a negative declaration. Those GSA actions and activities deemed "major actions" include:

a. Recommendations or favorable reports on legislation, including requests for appropriations, originating both within and outside the agency when GSA has primary responsibility for implementing the legislation;

b. Establishment or modification of rules, regulations, procedures, and policies;

c. New and continuing actions by GSA, including grants, loans, and other funding assistance, new construction, real property disposals, leases, permits, easements, and licenses; and

d. New technology and research and development, based on the size of GSA's investment, likelihood of widespread application, potential environmental impacts, and degree that continued investment will foreclose alternatives.

6. *Decision to prepare an environmental impact statement.* Subsequent to an environmental assessment, if there is doubt whether a statement should be prepared, or if the proposed action is likely to be environmentally controversial, a statement shall be prepared. It must be recognized that many Federal decisions seem of limited environmental consequence when viewed individually but are of significant consequence when viewed collectively. When GSA is responsible for all such decisions, a GSA statement will be filed covering the entire complex of decisions and actions.

7. *Specific criteria.* As required by § 1500.6(c) of the Guidelines, GSA must review the typical classes of actions that it undertakes and develop specific criteria and methods for identifying those actions likely to require environmental statements and those actions likely not to require environmental statements. The specific criteria, if applicable to existing actions and activities, shall be transmitted to the Director of Environmental Affairs (PWA) upon request or as new agency activities arise which could qualify under the Guidelines.

ATTACHMENT

CHAPTER 1. DEFINITIONS

1. *Environment.* The whole complex of physical, social, cultural, and aesthetic factors which affect individuals and communities and ultimately determine their form, character, relationships, and survival.

2. *Resources.* All actions and ideas, as well as living and nonliving materials devoted to the action.

3. *Public entities.* Any Federal, State, or local offices and legislatures, and any public or semipublic agencies.

4. *Relevant A-95 clearinghouse.* Clearinghouse(s) listed in OMB Circular No. A-95 (Revised) clearinghouse directory for the geographical area in which the GSA action is to take place. (OMB through its Circular No. A-95 (Revised) established this system of clearinghouses to facilitate intergovernmental and intragovernmental communication.)

5. *Corresponding service and staff office orders and instructions.* Service and staff office orders and instructions which provide guidelines, delineate procedures, and assign responsibilities relevant to the personnel and activities of the appropriate organization.

6. *Environmental assessment.* A document, occurring early in the approval process, for evaluating the potential environmental impacts of a project or activity. (The assessment begins when the planning on the project or activity is first initiated and ends with a decision to prepare either a full environmental impact statement or a negative declaration.)

7. *Environmental impact statement.* A detailed statement which, pursuant to section 102(2)(C) of NEPA, identifies and analyzes the anticipated environmental impact of a proposed GSA action and discusses how the adverse effects will be mitigated.

8. *Negative declaration.* An official administrative decision stating that an analysis of the environmental assessment has been made and that the proposed action is not considered a major GSA action having a significant impact on the environment, and, therefore, will not require the preparation of an environmental impact statement. (The declaration must also include a summary of the environmental assessment.)

9. *Significant environmental effects.* Socioeconomic and physical effects which may be beneficial and/or detrimental to the environment, even if the net effect is believed to be beneficial. (These effects may be influenced by the geographical location of the subject project or action. Significant detrimental effects include those that degrade the environment, curtail its range of uses, or sacrifice its long term productivity to serve only man's short term needs.)

10. *Comments.* All formal reactions by public and private entities to the proposed action and to the environmental impact statement.

11. *Areas of jurisdiction by law or special expertise.* Specific Federal agencies designated by appendix II of the Guidelines as competent to comment on environmental impact statements which have bearing on particular environmental concerns. (GSA's areas of jurisdiction by law or special expertise include energy and natural resource conservation (design and operation of buildings); property management; redevelopment and construction in built-up areas; historic, architectural, and archaeological preservation; and any other areas designated by the Council on Environmental Quality.)

12. *Lead agency.* The Federal agency which has primary authority for committing the Federal Government to a course of action with significant environmental impact.

CHAPTER 2. ENVIRONMENTAL IMPACT STATEMENT PROCESS, CONTENT, AND FORMAT

1. *Environmental assessment.* The preparation of an environmental assessment shall begin within the service or staff office in the early stages of planning an action. As the action develops, the assessment shall be prepared by all involved, using interdisciplinary expertise to insure complete assessment and full consideration of the range of environmental factors in the development of the action and to insure that:

a. Commitments are not made to courses of action that will unnecessarily complicate reconciliation with environmental factors;

b. Environmentally desirable alternatives are not inadvertently foreclosed; and

c. Negative environmental impacts are minimized.

2. *Lead agency.* a. If there is a question concerning the primary responsibility for statement preparation, the matter shall be referred through the Director of Environmental Affairs (PWA) to CEQ for resolution. However, it is possible for a statement to be submitted jointly by all agencies concerned, with the comments being returned to a single designated official.

b. If GSA is the "lead agency" and one or more other agencies have partial responsibility for the action, the other agencies shall be requested to provide to the responsible GSA official such information as may be necessary to prepare a suitable and complete environmental impact statement. If another agency is designated to be the "lead agency," the criteria for statement preparation for that agency shall apply. Thus, GSA should consider its planned action in relation to those of other agencies in the area, as well as those actions jointly undertaken by GSA and other Federal agencies.

3. *Clearinghouse consultation.* The relevant A-95 clearinghouse (as defined in chap. 1-4) shall be notified of plans for the project or action at the earliest practicable point. Thus, any comments germane to the decision to prepare an environmental impact statement or to the early planning of the action may be promptly received and incorporated.

4. *Decision to prepare an environmental impact statement or negative declaration.* a. As soon as it is determined that an environmental impact statement will be necessary, the service or staff office developing the action shall begin preparation of the statement.

b. If, however, after completion of a full environmental assessment it is concluded that the action will have no significant adverse environmental impact, the service or staff office shall:

(1) Forward the backup material contributing to the environmental assessment with a negative declaration through the Director of Environmental Affairs (PWA) to the Deputy Administrator for Special Projects (P) for his concurrence.

(2) Continue development of the action upon concurrence, and in the spirit of environmental enhancement, monitor the action for any subsequent development which may necessitate the preparation of an environmental impact statement.

(3) Maintain a copy of its negative declarations in a file available for public inspection. The original declarations shall be maintained in the Environmental Affairs office.

c. The Deputy Administrator for Special Projects shall reconcile any differences concerning the decision to prepare an environmental impact statement that may arise between the Director of Environmental Affairs and the services or staff offices.

5. *Environmental impact statement format.* a. Draft and final environmental impact statements shall be prepared in clear black type.

b. A cover page, following the format prescribed in figure 2-5 and containing all essential bibliographic information to facilitate subsequent identification and retrieval, shall be prepared for each statement.

c. The format of the summary sheet accompanying each statement is specified in appendix I of the Guidelines.

6. *Draft environmental impact statement preparation and content.* a. The draft shall describe in detail the environmental implications of a proposed GSA action and satisfy the substantive requirements of the final statement to the fullest extent possible. The minimum requirements for an environmental impact statement are set out in section 1500.8 of the Guidelines. They require discussions of the following points:

(1) The action itself;

(2) The purpose of the action;

(3) The environmental setting;

(4) The relation when appropriate, to other Federal actions in this area;

(5) The cumulative effects of the action;

(6) The probable impact of the action, including the national and international impact, when appropriate;

(7) The alternatives, including those outside of the agency's authority and the alternative of taking no action;

(8) Adverse effects, including a discussion of how they will be mitigated;

(9) Short and long term use of the environment; and

(10) The irreversible and irretrievable commitments.

b. Preparation of the draft environmental impact statement shall include input from all relevant disciplinary areas. Specialists to be consulted may include urban planners, land use planners, space planners, landscape architects, transportation experts, interior designers, design architects, sociologists, economists, psychologists, demographers, or any other experts, public or private, deemed necessary for full consideration of all relevant environmental factors. The solicitation of expert assistance from any public or private entity during the preparation of a GSA environmental impact statement does not detract from GSA responsibility for scope and content of the statement and the judgments relevant to GSA actions on the project.

c. Each statement shall show that the particular economic and technical benefits of its proposed action have been assessed against the environmental effects.

d. Public meetings shall be held during the course of development of the action either before the draft statement is prepared or at least 15 days following issuance of the draft statement when the Head of the Service or Staff Office or the Regional Administrator deems this an appropriate method of bringing forward and dealing with potential environmental problems. The agency's decision to hold a public meeting shall be based on the magnitude of the action, the complexity of the issue, and the extent of previous public involvement and interest.

e. When the service or staff office or regional office has completed the preliminary draft statement, it shall be transmitted to the Office of General Counsel (L) and to the Director of Environmental Affairs (PWA) for review and comment. The statement shall be revised as indicated in their comments and resubmitted to the same offices for concurrence. The appropriate Head of Service or Staff Office or Regional Administrator shall then forward the statement to the Deputy Administrator for Special Projects (P) for distribution as indicated in par. 7.

f. The Head of Service or Staff Office or Regional Administrator shall determine the extent of newspaper coverage and select the newspaper(s) which would most adequately inform the reading public in the area of the action that a GSA draft environmental impact statement has been prepared. Notice should be published at least once and should include how and where copies of the statement may be obtained. The paper(s) may be a weekly and very local in nature. If the action is not local in character, the Head of Service or Staff Office or Regional Administrator shall determine the best method of publicizing the availability of the environmental impact statement. The Director of Information in the Central Office and the Regional Administrators in the regions must clear notices regarding any GSA activity under their jurisdiction as provided in chap. 6-2 (OAD P 5410.1).

7. *Distribution of draft environmental impact statements.* The service or staff office or regional office responsible for the preparation of an environmental impact statement shall be responsible for compiling a list for its distribution. (See appendix II of the Guidelines.)

a. Included in this list shall be:

(1) The Council on Environmental Quality (10 copies);

(2) The relevant A-95 clearinghouse, appropriate elected officials, all State and local agencies that would be interested in the action;

(3) Federal agencies directly related to the specific action;

(4) EPA (7 copies);

(5) All other Federal agencies competent to comment owing to legal jurisdiction or special expertise;

(6) Any group or individual that requests a copy of the environmental statement; and

(7) Any entity, group, or individual that the Director of Environmental Affairs decides should be included.

b. The Deputy Administrator for Special Projects shall transmit copies of the statement to CEQ, the Governor and Senators from the affected State, the Congressman from the affected district, and any other appropriate officials. The Service or staff office planning the action shall distribute copies to the remaining required groups and individuals.

8. *Commenting period.* The service or staff office or regional office preparing the statement shall, in consultation with the Director of Environmental Affairs, establish a time limit of not less than 45 calendar days for comments on each draft. In establishing this time limit, the service or staff office or regional office should keep in mind the magnitude and complexity of the statement and the extent of citizen interests in the proposed action. The date the notice is published by CEQ in the FEDERAL REGISTER will mark the beginning of the commenting period. Upon request, GSA may extend the commenting period for up to 15 calendar days, whenever practicable. It may be assumed that entities that have not responded by the close of the commenting period do not wish to comment.

9. *Consideration of comments.* The service or staff office or regional office shall carefully reconsider its action in relation to the relevant and substantive comments received on the draft environmental impact statement, and shall make every attempt to reconcile its action with respect to any divergent recommendations by:

a. Altering its current plan of action;

b. Working with the commenting entities to develop mutually acceptable plans or workable compromises;

c. Working with any additional entities or private groups to initiate additional projects or programs designed to satisfy diverse objectives, when apppropriate.

If in the opinion of the Deputy Administrator for Special Projects (P) a substantial environmental consideration was not adequately dealt with in the draft statement, the draft shall be considered incomplete, and consideration shall be given to issuing a supplementary statement as provided in par. 13 or to issuing a new draft statement.

10. *Final environmental impact statement preparation and content.*

a. The final statement shall consist of all the information contained in the draft statement plus information on developments that arise subsequent to the filing of the draft. All substantive comments made on the draft statement shall be attached to the final statement, insofar as feasible, and the substantive comments must be addressed in the text through revisions and additions or by direct reference. Additionally, wherever a conflict exists, efforts to reconcile differences shall be described, including the activities listed in par 9.

b. When completed, the preliminary final statement shall be transmitted to the Office of General Counsel (L) and to the Director of Environmental Affairs (PWA) for review and comment. The statement shall be revised in accordance with their comments and resubmitted to them for concurrence. The appropriate Head of Service or Staff Office or Regional Administrator who prepared the statement shall then forward the statement to the Deputy Administrator for Special Projects (P) for distribution as indicated in par. 11.

11. *Distribution of the final environmental impact statement.* a. Copies of the final statement shall be sent simultaneously and free of charge to:

(1) All entities that offered substantive comments on the draft;

(2) The Environmental Protection Agency;

(3) The relevant A-95 clearinghouse;

(4) The applicant whose project is the subject of the statement; and

(5) The Council on Environmental Quality (10 copies).

b. The Deputy Administrator for Special Projects shall transmit copies of the statement to CEQ and other appropriate officials. The service or staff office or regional office which is planning the action shall make the remainder of the distribution.

c. All members of the public who request a copy shall receive one if feasible. When it is not feasible to comply with request for copies, the Director of Environmental Affairs shall consult with CEQ in devising alternative arrangements. Under no circumstances shall a charge be affixed greater than the National Technical Information Service cost of reproduction.

12. *Moratorium period.* The services and staff offices and regional offices shall take no administrative action in prosecution of any phase of the subject action within 90 calendar days of CEQ's publication in the FEDERAL REGISTER of the availability of the draft or within 30 calendar days of CEQ's publication of the availability of the final statement. The above 90- and 30-day periods may run concurrently. The Deputy Administrator for Special Projects shall receive all requests for reducing the minimum time requirements. If after weighing all considerations he deems the request justified, he shall instruct the Director of Environmental Affairs to consult with the Council on Environmental Quality in arriving at alternative arrangements. Each organization shall be responsible for defining in its orders what action will not constitute "an administrative action in prosecution of the action" for each of its typical classes of action for which environmental impact statements are often prepared.

13. *Supplementary statements.* The service or staff offices or regional office shall supplement or amend draft and final statements when substantial changes are made in the proposed action, when changes are made which significantly affect the environmental impact, or when significant new information becomes available concerning the environmental impact of the action. The service or staff office or regional office shall distribute these supplements or amendments pursuant to par. 11, and the Director of Environmental

Affairs (PWA) shall consult with CEQ regarding the necessity of reestablishing appropriate commenting or review periods.

14. *Recommendations or favorable reports on proposals for legislation.* a. If GSA makes a recommendation or favorable report on a legislative proposal the subject of which is the primary responsibility of GSA, then GSA must determine the environmental impact of that proposal. If in the opinion of the Head of a Service or Staff Office, the Director of Environmental Affairs (PWA), or the Deputy Administrator for Special Projects (P), the proposal may have significant environmental impact, an environmental impact statement shall be prepared on the proposal consistent with the provisions of section 1500.12(b) of the Guidelines.

b. Where possible, the final statement shall be available to the Congress and the public at the time the legislation is submitted to the Congress. If time is a constraint, the draft statement may be used.

15. *Early notice system.* a. Each service and staff office and regional office shall keep available for public inspection a current list of its contemplated actions for which environmental impact statements are being prepared. A copy of the current list shall be transmitted to the Director of Environmental Affairs (PWA) on the last workday prior to March 9, June 9, September 9, and December 9 of each year.

b. Each service and staff office and regional office shall also maintain for public inspection a current list of its actions for which negative declarations have been made, and shall transmit them pursuant to a, above.

c. The Director of Environmental Affairs shall compile the aforementioned lists and transmit composite agency lists for the previous quarter to the CEQ by March 15, June 15, September 15, and December 15 of each year.

d. Prompt notification shall be made to CEQ if an action is listed as one for which an environmental impact statement is being prepared and at a later date a decision is made that only a negative declaration is needed.

16. *Commenting on environmental impact statements prepared by other agencies.* Upon GSA receipt of a draft statement prepared by another agency, the Director of Environmental Affairs shall forward the statement to that GSA office competent to comment on it. That office shall then provide input for the Director of Environmental Affairs' official reply. Comments shall be specific, substantive, and factual, following the format of the draft statements. Within GSA's areas of jurisdiction by law or special expertise, GSA shall assess the degree of environmental impact and the acceptability of that impact. GSA may recommend modifications or alternatives to a project. (See section 1500.9e of the Guidelines.)

17. *Supplementary guidelines.* The CEQ Guidelines, upon which this order is based, may be supplemented as required by CEQ. The Guidelines became effective on January 28, 1974, and are effective for all draft and final impact statements filed with the Council after that date.

DRAFT (FINAL) ENVIRONMENTAL STATEMENT

(Name of action or property and location)
Environmental Statement Number ( ) prepared by_____

(Name, address, and telephone number of official who drafted statement)

(Organization)

(Date)

(This date shall be the date the Deputy Administrator for Special Projects (P) signs the letter transmitting the statement to CEQ)

[FR Doc.74-8720 Filed 4-15-74;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (74-25)]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL; COMMITTEE ON RESEARCH

Meeting

The NASA Research and Technology Advisory Council Committee on Research will meet on April 23-24, 1974, at the University of Washington, Seattle, Washington 98105. The meeting will be held in the Conference Room of the Aeronautical Research Laboratory, College of Engineering. Members of the public will be admitted on a first-come, first-served basis, up to the seating capacity of the room, which is about 25 persons.

The NASA Research and Technology Advisory Council Committee on Research serves in an advisory capacity only. The current Chairman is Prof. A. Hertzberg. There are 12 members. The following list sets forth the approved agenda and schedule for the April 23-24, 1974, meeting of the Research Committee. For further information, please contact Mr. F. C. Schwenk, Area Code 202, 755-2488.

APRIL 23, 1974

Time	*Topic*
8:30 a.m.	Discussion of Evaluation of the NASA Office of Aeronautics and Space Technology (OAST) FY 1974 Basic Research Program (Purpose: To obtain Committee comments on the OAST Research Council's evaluation and recommendations concerning the FY 1974 OAST basic research program).
1:00 p.m.	Committee Review of FY 1975 and FY 1976 Plans for OAST Basic Research (Purpose: To obtain Committee discussion and recommendations on proposed plans for new starts in FY 1976 and beyond).

APRIL 24, 1974

8:30 a.m.	Report of the Chairman (Purpose: To Summarize action taken at the November 1973 meeting of the Research and Technology Advisory Council).
9:00 a.m.	Discussion of Laser Research at the University of Washington (Purpose: To inform the Committee on recent results of basic laser research at the Chairman's laboratory).
11:30 a.m.	Tour of the University of Washington Laser Research Facilities.
1:30 p.m.	Preparation for the Fall 1974 Committee Meeting (Purpose: To discuss and select an appropriate subject for the next Committee meeting).
2:30 p.m.	Member Comments and Recommendations Purpose: To obtain roundtable comments, opinions and to formulate appropriate recommendations and position statements.
3:30 p.m.	Adjournment.

BOYD C. MYERS, II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

APRIL 11, 1974.

[FR Doc.74-8706 Filed 4-15-74;8:45 am]

NATIONAL ENDOWMENT FOR THE ARTS

PUBLIC MEDIA PROGRAM

Guidelines; Fiscal Year 1975

The following are guidelines for grants made under the Public Media Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadline for the following programs are: Media Studies, 3 June 1974; Regional Development, 15 August 1974; Programming in the Arts, 1 October 1974. Interested persons should contact Chloe Aaron, Director, Public Media Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-6178, for further information and application forms. Only the Public Media may distribute application forms.

Signed at Washington, D.C. on 3 April 1974.

FANNIE TAYLOR,
Director, Program Information

PUBLIC MEDIA PROGRAM

INTRODUCTION

In Fiscal Year 1975 (July 1, 1974-June 30, 1975), the Public Media Program will provide support in three main areas:

Programming in the arts. Support for production, research and development designed to improve the quality of arts programming on film, television, and radio by professional individuals and organizations.

Regional development. Support for regional film centers to build new audiences through regional showcases, to provide research and film study at a reasonable cost, and to provide information to encourage the development of broad-based film education.

Media studies. Support for projects, including accredited workshops and seminars, designed to develop information for the study of film and video.

The Endowment will continue support of The American Film Institute for its work in preserving and developing the nation's artis-

tic and cultural resources in film. The Institute is concentrating essentially in the following areas of endeavor: archives, education, advanced filmmaker training, filmmaker grants and research and publication.

The Public Media Program also works with the Corporation for Public Broadcasting by jointly funding specific projects which foster the arts on public television.

GENERAL INFORMATION

DEADLINES

There will be three deadlines in Fiscal Year 1975:

Programming in the Arts—October 1, 1974.
Media Studies—June 3, 1974.
Regional Development—August 15, 1974.

Applicants applying for support under General Programs may apply under any of the above deadlines. We regret because of review procedures, applications postmarked after the deadline date *cannot be considered.* Applicants who can are encouraged to mail early.

ELIGIBILITY

By statute, the National Endowment for the Arts is limited to the support of organizations which meet the following criteria:

(1) Only those organizations which meet the applicable requirements of Title VI of the Civil Rights Act of 1964 for the duration of any project supported in whole or in part by the National Endowment for the Arts.

(2) Only those organizations in which no part of net earnings inure to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under section 170(c) of the Internal Revenue Code of 1954, as amended. Copy of Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.

(3) *Only* those organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project supported in whole or in part by the National Endowment for the Arts.

(4) In addition to statutory requirements, applicants should note that the Public Media Program provides funds on a specific project basis. If the total cost of a project applied for represents a substantial portion of the organization's total fiscal activity, the application will not be considered eligible.

METHODS OF FUNDING

Program Funds Method. Generally, grants will be made on at least a dollar-for-dollar matching basis. Applicants requesting assistance from Program Funds must present evidence in the proper space (section X) on the application (Project Grant Application/NEA-3 Rev.) that at least one-half of the total cost of the project will be provided by the applicant. Anticipated sources of matching must be identified.

Treasury fund method. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation. This provision allows the Endowment to work in partnership with private and other non-federal sources of funding for the arts. Designed to encourage and stimulate continued private funding for the arts, the Treasury Fund allows non-federal contributors to join the Endowment in the grant-making process.

The Endowment encourages use of the Treasury Fund method as an especially effective way of combining federal and private support, and as an encouragement to all potential donors, particularly those representing new or substantially increased sources of funds.

Treasury Fund grants are project grants applied for and approved in the same manner and for the same purposes as regular grants.

Under the Treasury Fund method, when a donation is received, it frees an equal amount from the Treasury Fund, and the doubled amount is then made available to the grantee to match. Thus for every $1.00 given by private sources under this program, another $1.00 is released from the Treasury. The grantee then matches this $2.00 with an additional $2.00 since almost all Endowment grants are for only half the total budget of an approved project. Please see the enclosed brochure for further information.

BICENTENNIAL PROJECTS

The Endowment recognizes that the arts will play an important role in the next few years in the celebration of our country's bicentennial. The Endowment welcomes this involvement on the part of artists and cultural organizations. The Endowment has an active interest in participating in these efforts, within funds available to it, and insofar as they are directed to professional creation and presentation of new works, improvement of artistic standards, preservation of our cultural heritage, and increasing the availability of the arts for all Americans. If funds under these guidelines are sought for projects deemed by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

RESOLUTION ON ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (P.L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped. (Adopted by the National Council on the Arts, September 15, 1973.)

CATEGORIES OF FUNDING

PROGRAMMING IN THE ARTS

Matching grants up to $50,000 for production, research and development designed to improve the quality of arts programming on film, television and radio. Some of the grants made specifically in regard to programming on Public Television will be jointly funded by the Corporation for Public Broadcasting and the National Endowment for the Arts.

Applications for matching Treasury Fund grants will be accepted from recognized, nonprofit producing organizations for production, research and development of major programs on the arts, including those designed specifically for broadcast as a *series* over the Public Television network. There is no set maximum for applications in this area.

The Endowment also supports a grant program for independent filmmakers at The American Film Institute. Inquiries should be addressed to: The American Film Institute, 501 Doheny Drive, Beverly Hills, California 90210.

Deadline. Applications must be postmarked no later than October 1, 1974. Applicants should not anticipate announcement of awards and rejections before March 15, 1975. Projects should not be scheduled to begin before April 1, 1975.

Grant amounts. Grants generally will not exceed $50,000. Grants for radio projects will rarely exceed $10,000. Grants to individuals of exceptional talent will be made occasionally on a non-matching basis. These grants will generally not exceed $10,000.

Eligibility. Nonprofit, tax-exempt organizations that plan to utilize the services of a project director who has completed at least one film or program that has been broadcast or placed in educational or commercial distribution. (In the case of research and development, the project director should be a recognized expert in the field.)

Project Examples. (1) Film or television program designed to showcase the work of individual artists, or performing or visual arts groups; or to present specific art works or art movements.

(2) Experimental workshop at a Public Television station designed to explore new techniques and formats for presenting the performing or visual arts on television.

(3) Research and development such as a special study or seminar designed to encourage the presentation of outstanding short and feature films on television.

(4) Production of radio program(s) of and about drama, poetry, music, etc. designed for national distribution.

PROGRAMMING IN THE ARTS: INFORMATION TO BE SUPPLIED BY APPLICANT

Project Description. Applicants are requested to provide a complete, concise description of their project in the space provided on the first page of the application. The first paragraph of this description should clearly state the nature of the project. If additional space is needed to supplement this summary, one addition 8½" by 11" page may be attached.

Essential Information. All applicants requesting support for a project involving film, video or radio production *must submit with the application* the following:

(1) *Sample Work.* For Film Project: A loan print (16mm optical) of at least one completed work by the filmmaker.

For Video Project: A ¾ inch cassette or ½ inch reel sample of work by the video artist.

For Radio Project: Sample audio tape of at least one completed program by the project director on a 7" reel, 7½ speed, head out in a tape box.

Please be sure to clearly label all materials with the name of the applicant, address, title of work, and identification of the artists. All films, videotapes, and audio tapes received at the Endowment will be returned although the Endowment cannot accept responsibility for losses incurred en route.

Please note that failure to sumbit sample work will result in unavoidable delays which will prevent the scheduled consideration of your application.

(2) *Biographical information.* Please specify who will have primary artistic responsibility (filmmaker, video artists, etcetera) for the proposed work and include a career summary of his or her professional background.

(3) *Supporting information.* In the case of films or programs about an artist, a statement from the artist indicating willingness to participate should be included.

(4) *Distribution plans.* A statement of what arrangements, if any, have been made for distribution.

Budget. (1) All fiscal information should be provided in the appropriate sections on the application form. In the case of an individual request, a budget breakdown typed on a separate page should be submitted with the application form. In the case of a request from an organization or group, irrespective of the amount requested, all budget items should be broken down. It is important to fully explain all sources of matching funds.

(2) May not include amounts for past deficits, entertainment, construction of facilities, purchase of equipment, and/or contingencies.

(3) Indirect cost amounts, regardless of how established, will be subject of negotiation.

(4) Applicants requesting funds for film or television productions should include in their budgets the costs of providing two 16 mm prints or two ¾ inch video cassettes—one to be sent to the Endowment upon completion of the project and one to be provided to the Library of Congress. In addition, applicants requesting funds for radio productions should include the costs of providing two complete copies on 7 inch reels, 7½ speed—one to be sent to the Endowment upon completion of the project and one for the Library of Congress. This material will be used by the Endowment for internal purposes only.

REGIONAL DEVELOPMENT

Matching grants up to $25,000 to regional film centers to provide:

(1) High quality film programs to the public at the lowest possible cost.

(2) A resource for research and film study.

(3) Information to individuals, schools and institutions with film-related problems.

Deadline. Applications must be postmarked no later than August 15, 1974. Applicants should not anticipate announcement of awards and rejections before January 1, 1975. Projects should not be scheduled to begin before January 15, 1975.

Grant Amounts. Grants will generally be for less than $25,000. Applicants are advised to apply for what they need and can match rather than the maximum amount.

Eligibility. The general purpose is to encourage centers that will stimulate interest in the cinema, involving as many people as possible. For this reason, support will be restricted to those facilities which maintain the following policies:

(1) Showings open to the public at a reasonable cost.

(2) Access where practical to all materials in the study center to any person who needs access to films or articles of information in the collection without restriction to age level, education or affiliation.

Project examples. (1) Partial support for a curator to program films for public exhibition and/or daytime screenings for school children.

(2) Partial support for a media extension agent to provide information services to the region, possibly traveling throughout the region, but maintaining headquarters at the resource center.

(3) Partial support for a film information officer in residence to work with visitors to the center and handle telephone inquiries.

(4) Partial support of film rentals and costs of preparing program notes for a specific series, retrospective, et cetera.

Please note that the Public Media Program provides funds on a specific projected basis. Applicants with requests for unspecified general support of on-going programs will not be considered eligible.

Factors for review. In general, assistance to regional film centers in Fiscal Year 1975 will be determined by a review of the following factors:

(1) Program in operation for a minimum of one year.

(2) A sponsoring institution, which provides facilities and overhead.

(3) A nearby concentration of film audience, such as a large campus population, which can guarantee substantial audience support for nighttime showcase showings.

(4) Easy access, including some form of nearby public transportation.

(5) Demonstrated willingness to work with all film-related elements in the community, as well as other film centers in other regions.

(6) Willingness to maintain and respect the integrity of film use agreements.

(7) Accessible location within a geographic region.

REGIONAL DEVELOPMENT: INFORMATION TO BE SUPPLIED BY APPLICANT

Project Description. In addition to description of all elements of the project, a concise narrative response to "Factors for Review" listed above should be provided on the first page of the application. If additional space is needed, no more than two additional 8½" x 11" pages may be attached.

Essential information. Applicants are requested to submit with their application the following information:

(1) When and where project will be carried out.

(2) History of operation and programs, including sample program notes.

(3) Description of services provided to the region.

(4) Biographical material about the project director.

Budget. (1) All fiscal information should be provided in the appropriate sections on the application form. Irrespective of the amount requested, all budget items should be broken down. It is important to fully explain all sources of matching funds.

(2) May not include amounts for past deficits, entertainment, construction of facilities, purchase of equipment and/or contingencies.

(3) Indirect cost amounts, regardless of how established, will be subject to negotiation.

Note. The Museum Program, under its Museum Purchase Plan, will entertain applications from museums for the purchase of prints of films made by living independent American filmmakers. Inquiries should be addressed to the Museum Program, National Endowment for the Arts, Washington, D.C. 20506.

MEDIA STUDIES

Matching grants up to $10,000 to educational or similar institutions to:

(1) Develop information for film and video study that is responsive to the aims and needs of the field.

(2) Sponsor accredited workshops and seminars designed to bring teachers currently working in film and video together with professional filmmakers and video artists.

Deadline. Applications must be postmarked no later than June 3, 1974. Applicants should not anticipate announcement of awards and rejections before October 15, 1974. Projects should not be scheduled to begin before November 1, 1974.

Grant Amounts. Applicants are advised to apply for what they need and can match rather than the maximum amount.

Eligibility. Universities or film-related nonprofit, tax-exempt organizations with demonstrated skill in the administration of film or video programs. The project director should be a recognized authority in the field.

MEDIA STUDIES: INFORMATION TO BE SUPPLIED BY APPLICANT

Project description. All essential elements of the project must be included in a concise project summary in the space provided on the first page of the application. If additional space is needed, no more than two additional 8½" x 11" pages may be attached.

Essential information. Applicants are requested to submit with their applications the following information:

(1) When and where project will be carried out.

(2) Brief history of the institution's operations and programs in the field.

(3) Grade level that would benefit from the project (elementary, secondary, or university).

(4) Biographical material about the project director.

Budget. (1) All fiscal information should be provided in the appropriate sections on the application form. Irrespective of the amount requested, all budget items should be broken down. It is important to fully explain all sources of matching funds.

(2) May not include amounts for past deficits, entertainment, construction of facilities, purchase of equipment, and/or contingencies.

(3) Indirect cost amounts, regardless of how established, will be subject to negotiation.

For Summer Workshops and Seminars. Applicants requesting funds for summer workshops and seminars should provide the following additional information:

(1) Length of workshop or seminar.

(2) Number and type of participants—students, teachers, librarians, scholars, etc.

(3) Number of scholarships offered, specifically whether full or partial.

(4) Accredition—through what institution and how much?

(5) Curriculum of the workshop or seminar.

(6) What, if any, evaluation procedures have been planned?

(7) What, if any, contacts have been made for coordination with other groups, both in the area and nationally, engaged in similar projects.

(8) List of participating faculty, filmmakers and video artists.

GENERAL PROGRAMS

Projects which do not fit into any of the foregoing areas of support may be considered under General Programs. They may be one-time or on-going projects but in every case they must fit in with the overall Public Media Program guidelines of being responsive to the needs and aims of the field.

If funds are requested for productions in film, television or radio, applicants should carefully review the information provided under Programming in the Arts: Information to be Supplied by Applicant.

APPLICATION PROCEDURES

If, after careful review of the guidelines, you feel that your project falls within the scope of the Public Media Program, please request the appropriate application forms (either individual or project grant) by writing the Public Media Program, National Endowment for the Arts, Washington, D.C. 20506.

Typewritten application forms must be submitted in triplicate to:

Grants Office
National Endowment for the Arts
Washington, D.C. 20506

Only information requested on the application form itself is submitted in triplicate. The applicant should send only one copy of reviews supporting statements, letter(s) of interest and examples of previous work(s).

The application, if not completed properly, will be returned to the applicant for corrections. The Endowment cannot accept responsibility for delays occasioned by the late arrival of applications or requests which have been improperly submitted.

An application will be returned to the applicant if the project does not meet the eligibility criteria set forth in these guidelines or if the proposed project does not fall within the scope of these guidelines.

If an application form is incomplete and/or if all required material has not been submitted, the application may be rejected due to insufficient information for review.

Applicants are urged to retain duplicates of any print materials sent to the agency.

After an application with all the necessary information has been received it will be reviewed as follows:

(1) The Endowment's Public Media staff, the Public Media Advisory Panel, and the National Council on the Arts successively review the application.

(2) The applicant is then notified concerning final action taken by the Chairman of the Endowment.

Information regarding action taken on applications cannot be made available until after the groups listed above in Item 1 have made their recommendations and the Chairman of the Endowment has reached a final decision. Applicants are requested not to seek information on the status of their requests.

All inquiries in regard to the Public Media Program and application procedures for Public Media grants should be directed to:

Public Media Program
National Endowment for the Arts
Washington, D.C. 20506

PILOT PROGRAMS

In addition to the established areas of support, the Public Media Program has set up several new programs on a special pilot basis. These pilot programs will not be open to inquiries or applications in this fiscal year.

Short film showcasing. With the cooperation of theatre owners and distributors, the Endowment hopes to encourage the exhibition of a limited number of outstanding short films by American filmmakers in theatres throughout the country. The Endowment will contribute print costs, including blowups from 16mm to 35mm, and a fellowship to the filmmakers who are included in the program.

Post-graduate fellowships. The Endowment, through a pilot program with six universities, is giving selected students the opportunity to gain production experience necessary to their professional careers. The pilot program will be a threeway partnership between a host university, a local public broadcast station and a filmmaker.

Filmmakers in residence at public television stations. Jointly with the Corporation for Public Broadcasting, the Endowment will provide support for filmmakers in residence at four selected public television stations. The project is designed to provide an opportunity for an experienced filmmaker and a public television station to work together creatively in the production of programming for broadcast.

Filmmakers in residence at cable television stations. The pilot is aimed at utilizing the skills of young filmmakers with an interest in local programming in collaboration with the facilities and personnel of established cable television stations.

[FR Doc.74-8705 Filed 4-15-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

NEW FORMS

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on April 11, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529).

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service, Survey of Cost of Selected Foods Purchased by Schools, in Current School Year Form ----, Single time, HRD/Planchon, Schools.

REVISIONS

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service, Fire Ant Program Evaluation, Form ----, Single time, Sheftel, Southern U.S. fire ant infested regions.

Farmers Home Administration, Report of Loss (FHA Guaranteed Loan Programs), Form FHA 449-20, Occasional, Sheftel, Rural Areas—towns under 50,000.

Guarantee Fee Report—FHA Guaranteed Loan Program, Form FHA 449-19, Semi-annual, Sheftel, Lenders in towns less than 50,000.

Food and Nutrition Service, Reimbursement Voucher and Worksheet—Special Milk Program, Form FNS 807, FNS 807-1, Monthly, Sheftel, School food authority or sponsor.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Application for Federal Assistance (Construction), P.L. 81-815 (SAFA), Form OE 355-1, Occasional, Lowry, Local educational agencies.

Preapplication for Federal Assistance Supplementary Instructions for P.L. 81-815 (Construction-SAFA), Form OE 355, Occasional, Lowry, Local educational agencies.

Health Resources Administration, Systems of Reimbursement for Long-Term Care Services, Form HRABHSR 0403, Single time, HRD/Reese, Selected sample of agencies concerned with reimbursement.

Legal Issues in Medical Care Review Programs, Form HRABHSR 0403, Single time, HRD/Reese Medical review organization.

National Institutes of Health, Multiple Risk Factor Intervention Trial Forms, Form NIH H6, Occasional, Reese, Industrial employee general population.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration, FAA Landing Facilities Information Request on Airports-Heliports-Seaplane Bases-Stolports, Form FAA 5010-2, FAA 5010-5, Occasional, Sheftel, Airport sponsor.

VETERANS ADMINISTRATION

Comprehensive Evaluation of Health Services: Survey of Patients' Opinions, Form ----, Occasional, Caywood, VA. inpatients on medical and surgical services.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Report of Contract Awarded—State Education Agency, Report of Minimum Requirements for School Construction, Forms OE 4038, OE 4038-1, Annual, Evinger, Local Education agencies and SEA's.

Center for Disease Control, Trade Name Request Form for NOHS, Form CDC 0405, Occasional Ellett, Chemical manufacturers.

TENNESSEE VALLEY AUTHORITY:

Prevailing Wage Survey for TVA Construction Work, Form 3523, Annual, Raynsford, Local union rep. and contractor.

Prevailing Wage Survey for TVA Maintenance and Operating Work, Form TVA 5310, Annual, Raynsford, Companies in vicinity engaged in comparable work.

VETERANS ADMINISTRATION:

Survey of Veterans' Opinions, Study of Patient Satisfaction Questionnaire, Form ----, Single time, Caywood, Non-psychiatric inpatients in VA hospitals.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-8746 Filed 4-15-74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-74-24]

THOMPSON PIPE AND STEEL CO.

Notice of Application for Variance

Notice of application. Notice is hereby given that Thompson Pipe and Steel Company, P.O. Box 2852, 30th & Larimer Streets, Denver, Colorado 80201 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655), and 29 CFR 1905.11 for a variance from the standards prescribed in 29 CFR 1910.110(b)(6)(ii) concerning the location of storage tanks for liquified petroleum gases.

The address of the place of employment that will be affected by the application is as follows:

Thompson Pipe and Steel Company.
6030 North Washington Street
Denver, Colorado 80216

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is providing a place of employment as safe as that required by 29 CFR 1910.110(b)(6)(ii) which stipulates that a minimum distance of 50 feet be maintained between an LP gas container of 30,000 gallon water capacity and the nearest important building.

The applicant states that it uses LP gas (propane) in connection with heating devices or appliances on the same zone lot as its LP gas storage tank. It further states that because of the fuel shortage the Public Service Company of Colorado is unable to guarantee an uninterrupted gas supply. For these reasons, the applicant desires to install a second 30,000 gallon tank adjacent to its present one.

The applicant has submitted statements from the North Washington Fire Department and Improved Risk Mutuals approving the applicant's installation site.

The applicant contends that by placing the additional LP gas container adjacent to its present one and no less than 43 feet 9 inches from the curing building, and by building a fire wall (at least 9 feet in height above ground) which would enclose the two sides of the tanks in line with the curing building and the cement mortar line, it would establish conditions as safe as those provided by 29 CFR 1910.110(b)(6)(ii).

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 1726 M Street, NW, Room 210, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building, Room 15010
1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety and Health Administration
Squire Plaza Building
8527 W. Colfax Avenue
Lakewood, Colorado 80215

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than May 16, 1974. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than May 16, 1974, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and request for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

Signed at Washington, D.C., this 11th day of April, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-8714 Filed 4-15-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 486]

ASSIGNMENT OF HEARINGS

APRIL 10, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 138677 Sub 2, Mr. Enterprizes, Inc., dba Mason's Biological & Medical Transportation Courier Service, now being assigned hearing May 20, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 18459 Sub 8, Britton Motor Service, Inc., continued to May 15, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 134958 Sub 6, Hams Express, Inc., now assigned April 30, 1974, at Chicago, Ill., is postponed indefinitely.

MC 118288 Sub-33, Stephen F. Frost, now assigned May 6, 1974, Helena, Mont., will be held in the Senate Office Chambers, State Capitol Bldg.

MC 115716 Sub 17, Denver-Limon Burlington Transfer Co., now assigned May 13, 1974, at Denver, Colo., will be held in room 1430, Federal Building, 19th and Stout Street.

MC 92633 Sub-24, Zirbel Transport, Inc., now assigned June 3, 1974, at Boise, Idaho, is cancelled and reassigned September 9, 1974, at Boise, Idaho, in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-8729 Filed 4-15-74;8:45 am]

[Notice No. 487]

ASSIGNMENT OF HEARINGS

APRIL 11, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 133095 Sub 48, Texas Continental Express, Inc., now assigned May 16, 1974, at Dallas, Tex., is postponed indefinitely.

MC-C-8242, General Leaseways, Inc., Burk Distributing Co., Inc., Levi Distributing, Inc., Keith V. Knight, DBA Knight Distributing Co., and Joseph G. Bowers—Investigation of Operations, now assigned May 1, 1974, at Des Moines, Iowa, is postponed indefinitely.

MC 111545 Sub 191, Home Transportation Co., Inc., continued to May 22, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-20872 Sub 15, Lime City Trucking Company, Inc., now being assigned hearing June 10, 1974 (1 week), at Chicago, Ill., in a hearing room to be later designated.

MC 13693 Sub-14, J. W. Ward Transfer, Inc., now assigned continued hearing April 15, 1974, at Louisville, Ky., is postponed indefinitely.

MC 127642 Sub-2, Andrew T. Jones, DBA Andrew T. Jones Bus Service, now being assigned June 11, 1974, at Norfolk, Va., in a hearing room to be later designated.

MC 8500 Sub 31, Werner Continental, Inc., now assigned May 13, 1974, at Pittsburgh, Pa., is cancelled and the application is dismissed.

MC 87720 Sub-159, Bass Transportation Co., Inc., now being assigned June 5, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 134401 Sub-6, Sherwood W. Hume, DBA Hume Equipment Co., now being assigned June 10, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 124211 Sub 236, Hilt Truck Line, Inc., and MC 139278, Lambert & Banks, Inc., now being assigned June 11, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-74321 Sub 91, B. F. Walker, Inc., now assigned June 3, 1974, at San Francisco, Calif., and June 17, 1974, at Phoenix, Ariz., are postponed to September 9, 1974 (2 weeks), at San Francisco, Calif., and September 23, 1974 (1 week), at Phoenix, Ariz., in hearing rooms to be later designated.

MC-108449 Sub 358, Indianhead Truck Line, Inc., application is dismissed.

No. 35306, Hilton Head Island Chamber of Commerce-V-Overnite Transportation Company et al., now assigned May 6, 1974, at Atlanta, Georgia, is posponed to May 29, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

Ex Parte No. 295 Sub 1, Increased Freight Rates and Charges, 1973 Recyclable Materials, now assigned April 23, 1974, at Washington, D.C., is postponed to April 29, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-8730 Filed 4-15-74;8:45 am]

[Notice No. 62]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before May 6, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74790. By order of April 2, 1974, the Motor Carrier Board approved the transfer to Helmar Baggage Service, Inc., Middle Village, N.Y., of a portion of the operating rights in Certificates No. MC-116367 (Sub-No. 2) and MC-116367 (Sub-No. 4) issued March 29, 1960 and July 1, 1960 respectively to Miro's Express and Van Lines, Inc., Brooklyn, N.Y., authorizing the transportation of baggage and personal effects of campers during the season extending from June 1 to September 30, inclusive, of each year, between specified points in New York, New Jersey, Pennsylvania, Connecticut, and Massachusetts.

No. MC-FC-74982. By order of April 10, 1974, the Motor Carrier Board approved the transfer to Law Farms & Cattle Co., a corporation, doing business as Law Motor Lines, Rocky Ford, Colo., of Certificate of Registration No. MC-120626 (Sub-No. 1), issued February 25, 1972, to William M. Wilson, Doing Business As Wilson Truck Service, Rocky Ford, Colo., evidencing the authority to perform a transportation service in interstate or foreign commerce corresponding in scope to the intrastate authority granted in Certificate of Public Convenience and Necessity PUC No. 1025 granted prior to October 15, 1962, and transferred by Decision No. 77185, dated March 18, 1971, issued by The Public Utilities Commission of the State of Colorado. Mr. Joseph F. Nigro, attorney at Law, 1515 Cleveland Place, Denver, Colo. 80202.

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

[FR Doc.74-8731 Filed 4-15-74;8:45 am]

[Notice No. 63]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 11, 1974.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-75084. By application filed April 9, 1974, CONROY'S TOWING, LTD., 1034 Sutter St., Redding, CA 96001, seeks temporary authority to lease the operating rights of RONALD JAMES EHLE, doing business as CONROY'S TOWING SERVICE, 1034 Sutter St., Redding, CA 96001, under section 210a (b). The transfer to CONROY'S TOWING, LTD., of the operating rights of RONALD JAMES EHLE, doing business as CONROY'S TOWING SERVICE, is presently pending.

By the Commission.

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

[FR Doc.74-8732 Filed 4-15-74;8:45 am]

[Notice No. 52]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 10, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a (a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 2900 (Sub-No. 255 TA) (CORRECTION), filed March 21, 1974, published in the FR issue of April 2, 1974, and republished as corrected this issue. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32209. Applicant's representative: Mr. S. E. Somers, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), (1) Between Gainesville and Waldo, Fla., on the one hand, and, on the other, Tampa, Fla., serving all intermediate points and serving New Port Richey, Fla., and points in Pinellas County, Fla., as off-route points, (A) From Gainesville over U.S. Highway 441 to junction U.S. Highway 441 and 301, thence over U.S. Highway 301 to junction U.S. Highway 301 and U.S. Highway 92, thence over U.S. Highway 92 to Tampa and return over the same route; and (B) From Waldo over U.S. Highway 301 to junction U.S. Highway 301 and U.S. Highway 92, thence over U.S. Highway 92 to Tampa and return over the same route; (2) Between Sarasota, Fla., and junction U.S. Highway 41 and Florida Highway 951 serving all intermediate points and serving Arcadia, Fla., and points in Lee County, Fla., as off-route points, from Sarasota over U.S. Highway 41 to junction U.S. Highway 41 and Florida Highway 951 and return over the same route; and (3) Between junctions U.S. Highway 41 and Florida Highway 951 and junction U.S. Highway 41 and U.S. Highway 1 serving points in Dade County, Fla., as off-route points, from the junction of U.S. Highway 41 and Florida Highway 951 over U.S. Highway 41 to junction U.S. Highway 1 and return over the same route, for 180 days.

NOTE.—Applicant states it does intend to interline shipments at present interchange points but plans no interchange at points sought in MC-2900 and Subs. The purpose of this republication is to indicate the correct routes in (1) (a) above.

SUPPORTING SHIPPERS: There are approximately 129 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 W. Bay Street, Jacksonville, Fla. 32202.

No. MC 16903 (Sub-No. 38 TA), filed March 29, 1974. Applicant: MOON FREIGHT LINES, INC., P.O. Box 1275, 120 West Grimes Lane, Bloomington, Ind. 47401. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urethane foam products, component parts, and accessories* moving in the same vehicle, from Charleston, Ill., to points in West Virginia, Pennsylvania, North Carolina, Virginia, District of Columbia, Maryland, Delaware, New Jersey, New York, Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, and Vermont. RESTRICTION: Restricted to transportation originating at the plantsite of the Celotex Corporation, Charleston, Ill., for 180 days. SUPPORTING SHIPPER: The Celotex Corporation, 1500 N. Dale Mabry, Tampa, Fla. SEND PROTESTS TO: James W. Habermehl, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 802 Century Bldg., 36 S. Penn. Street, Indianapolis, Ind. 46204.

No. MC 69116 (Sub-No. 165 TA), filed March 29, 1974. Applicant SPECTOR

FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plantsite and facilities of Hiram Walker & Sons, Inc., at or near Delavan, Ill., as an off-route point, for 180 days.

NOTE.—Applicant states that it does intend to tack with all routes in Illinois reasonably pertinent to shipper's plantsite.

SUPPORTING SHIPPER: D. J. Anderson, General Traffic Manager, Hiram Walker & Sons, Inc., P.O. Box 479, Peoria, Ill. 61601. SEND PROTESTS TO: District Supervisor Richard O. Chandler, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 108676 (Sub-No. 63 TA), filed April 1, 1974. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue, NE., Knoxville, Tenn. 37917. Applicant's representative: Carl. U. Hurst, P.O. Box E. Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, uncrated and unpacked, from the plant site and warehouse facilities of PPG Industries, Inc., located at or near Cumberland, Md., and Crystal City, Mo., to points in the United States (except Alaska and Hawaii) for 180 days. SUPPORTING SHIPPER: PPG Industries, Inc., One Gateway Center, Pittsburgh, Pa. 15222. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 109431 (Sub-No. 14 TA), filed April 1, 1974. Applicant: FRANK C. KLEIN & CO., INC., 3600 E. 46th Avenue, Denver, Colo. 80216. Applicant's representative: Stockton and Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anti-stripping asphalt additive*, in bulk, in tank vehicles, from Rocky Mountain Arsenal, Denver, Colo. to Sugar Creek, Mo., Tucson, Ariz., St. Paul, Minn. Long Beach, Calif., and Portland, Oreg., for 180 days. SUPPORTING SHIPPER: No-strip Chemical Works, Inc., P.O. Box 160, Pedricktown, N.J. 08067. SEND PROTESTS TO: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 113908 (Sub-No. 312 TA), filed April 1, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, Glenstone Sta., P.O. Box 3180, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and vinegar concentrate*, in bulk, from Nixa and Springfield, Mo., to Tacoma and Sumner, Wash., for 180 days. SUPPORTING SHIPPER: Standard Brands, Inc., Midwest Vinegar Division, 3638 North Broadway, Chicago, Ill. 60613. SEND PROTESTS TO: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 113908 (Sub-No. 313 TA), filed April 1, 1974: Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, Glenstone Sta., P.O. Box 3180, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Denatured alcohol*, in bulk, from Lake Alfred, Fla., and the Commercial Zone thereof, to points in California, Connecticut, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, Ohio. Pennsylvania, and South Carolina, for 180 days. SUPPORTING SHIPPER: Florida Distillers Company, 530 Dakota Avenue, P.O. Box 1447, Lake Alfred, Fla. 33850. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut St., Kansas City, Mo. 64106.

No. MC 114106 (Sub-No. 102 TA), filed April 1, 1974. Applicant: MAYBELLE TRANSPORT COMPANY, Box 849, Lexington, N.C. 27292. Applicant's representative: David L. Morgan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, from Wilmington, N.C., to points in South Carolina, for 180 days. SUPPORTING SHIPPER: Carolina Salt Company, P.O. Box 26, Wilmington, N.C. 28401. SEND PROTESTS TO: Terrell Price, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, Room CC-516, Charlotte, N.C. 28205.

No. MC 118989 (Sub-No. 110 TA), filed March 21,1974. Applicant: CONTAINER TRANSIT, INC., 5223 South 9th Street, Milwaukee, Wis. 53221. Applicant's representative: Robert H. Levy, 29 S. La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *ocmmon carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard and fibreboard*, in rolls, from Ontonagaon, Mich., to points in Illinois, Indiana, Minnesota, Wisconsin, Iowa, and Missouri and *scrap paper* from points in Illinois, Indiana, Minnesota, Wisconsin, Iowa, and Missouri to Ontonagon, Mich., for 180 days. SUPPORTING SHIPPER: Hoener-Waldorf Corporation, 2250 Wabash Avenue, St. Paul, Minn. 55165 (Rodney C. Nelson, Transportation Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 133581 (Sub-No. 9 TA), filed April 1, 1974. Applicant: HOLDT POTATO COMPANY, INC., Rural Route 2, Red Cloud, Nebr. 68970. Applicant's representative: Harry Holdt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* (except in bulk), from Harvey, N. Dak., to Red Cloud, Nebr., and points in Arizona, California, Missouri, Kansas, New Mexico, Oklahoma, Utah, Texas, and Arkansas, for 180 days. SUPPORTING SHIPPER: Lyle H. Bauer, Vice President, Don Pauly Cheese, Inc., Box 686, 908 East Birch Avenue, Manitowoc, Wisc. 54220. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building and Courthouse, Lincoln, Nebr. 68508.

No. MC 133708 (Sub-No. 10 TA), filed March 29, 1974. Applicant: FIKSE BROS., INC., 12647 East South Street, Artesia, Calif. 90701. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed or pulverized limerock*, in bags, from the plantsite or Patins Limestone Products near Lucerne Valley, Calif. to Phoenix, Ariz., for 180 days. SUPPORTING SHIPPER: Aggregate Products, 1316 North 19th Avenue, Phoenix, Ariz. 85009. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 134341 (Sub-No. 4 TA), filed April 1, 1974. Applicant: CHARLES R. STROP, doing business as STROP TRANSPORTATION, R. 1, Box 1072, Hastings, Nebr. 68901. Applicant's representative: Charles R. Strop (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hides and packinghouse by-products*, from Hastings, Nebr., and the Hastings Industrial Park at or near Hastings, Nebr., to Kansas City, Kans.; Kansas City, Mo.; St. Louis and St. Joseph, Mo.; Red Wing, Minn.; Sheboygan and Milwaukee, Wis.; Chicago, Ill.; Whitehall, Mich.; Westfield and Cowansville, Pa.; Gloversville, and New York, N.Y.; Salem, Mass.; Nashua, N.H.; Biddeford and South Paris, Maine; New Orleans, La.; Hartland, Maine; Durbin, W. Va.; Waynesville, N.C.; Buford, Ga.; Bolivar, Tenn.; Houston and Laredo, Tex.; Denver, Colo.; Portland, Oreg.; Seattle, Wash.; and the ports of entry

between the United States and Canada at or near Buffalo, and Massena, N.Y., and Detroit, Mich.; and (2) *materials* used in processing of hides, from Kansas to Hastings Industrial Park, for 165 days. SUPPORTING SHIPPER: William E. James, President Hastings Hide, Inc., Hastings Industrial Park, Hastings, Nebr. 68901. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Building and Courthouse, Lincoln, Nebr. 68508.

No. MC 135542 (Sub-No. 5 TA), filed April 1, 1974. Applicant: TIMOTHY D. SHAW, R.D. #1, Sweet Valley, Pa. 18621. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum bars, rods, tubing and shapers*, (a) from Mountaintop, Pa.; and Dayton, N.J.; to points in Bronx, Nassau, New York, Queens, Richmond, and Suffolk Counties, N.Y.; Baltimore, Md.; Fairfield, Hartford, Litchfield, Middlesex, New Haven, New London, Tolland, and Windham Counties, Conn.; Middlesex, Norfolk, Suffolk, and Worcester Counties, Mass.; (b) from Mountaintop, Pa., to points in Bergen, Camden, Essex, Hudson, Hunterdon, Mercer, Middlesex, Passaic, Somerset, Sussex, and Union Counties, N.J.; and (c) from Dayton, N.J., to points in Bucks, Carbon, Cumberland, Dauphin, Delaware, Lackawanna, Luzerne, Lycoming, Montgomery, Northampton, Perry, Philadelphia, Wyoming, and York Counties, Pa., and (2) *scrap aluminum*, from Scranton, Pa., to Dayton, N.J., for 180 days. SUPPORTING SHIPPER: Mideast Aluminum Industries Corp., Crestwood Industrial Park, Mountaintop, Pa. 18707. SEND PROTESTS TO: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 136211 (Sub-No. 22 TA) (CORRECTION), filed March 21, 1974, published in the FR of April 5, 1974, and republished as corrected this issue. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC., 210 St. Mary's Drive, Suite G, P.O. Box 5067, Oxnard, Calif. 93030. Applicant's representative: Joseph E. Rebman, 1230 Boatmen's Bank Building, 314 N. Broadway, St. Louis, Mo. 63102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture* from the facilities of the Wickes Furniture Division of The Wickes Corporation at or near Merrillville, Ind. (Lake County), to points in that part of Illinois on, north and east of a line beginning at the Indiana-Illinois State line at the intersection of U.S. Highway 24 and said state line and extending westerly along U.S. Highway 24 to junction Illinois Highway 47, thence north along Illinois Highway 47 to junction U.S. Highway Alternate 30, thence east along U.S. Highway Alternate 30 to Lake Michigan (returned or rejected shipments of the above-specified commodities, over irregular routes, from points in the described territory to the described point of origin), for 180 days.

NOTE.—The purpose of this republication is to indicate the correct routes as described above.

SUPPORTING SHIPPER: Wickes Furniture Division of The Wickes Corporation, 351 West Dundee Road, Wheeling, Ill. 60090. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 136602 (Sub-No. 4 TA), filed March 26, 1974. Applicant: ARIZONA WESTERN TRANSPORT, INC., P.O. Box F, Chandler, Ariz. 85224. Applicant's representative: A. Michael Berstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate*, in bulk, from Chandler, Ariz., and five miles thereof, to Eagle Mountain, Calif., for 180 days. SUPPORTING SHIPPER: Hercules, Incorporated, One Maritime Plaza, Golden Gateway Center, San Francisco, Calif. 94111. SEND PROTESTS TO: Andrew V. Baylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 3427 Federal Bldg., 230 N. First Avenue, Phoenix, Ariz. 85025.

No. MC 138252 (Sub-No. 1 TA) (CORRECTION), filed March 26, 1974, published in the FR April 5, 1974 and republished in part as corrected this issue. Applicant: COURTESY BUS RENTAL SYSTEM, INC., Route 3, Box 617, Brandywine, Md. 20613. Applicant's representative: Daniel B. Johnson, 1123 Munsey Building, 1329 E Street NW., Washington, D.C. 20004.

NOTE.—The purpose of this partial republication is to set forth the correct applicant name as *Courtesy* Bus Rental System, Inc., in lieu of *Courtsey* Bus Rental System, Inc., shown in error in previous publication. And to assign a new MC number as MC 138252 Sub 1 in lieu of MC 139637 TA. The rest of the notice remains the same.

No. MC 139084 (Sub-No. 2 TA), filed March 30, 1974. Applicant: BIG VALLEY SUPPLY & ENTERPRISES, LTD., P.O. Box 8100, 8516 40th St., SE., Station F, Calgary, Alberta, Canada R2J 2V2. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which because of size or weight require the use of special equipment or handling; (2) *commodities* used in the development, exploration, transmission or processing of petroleum or petroleum products; (3) *machinery and equipment*; and (4) *parts and accessories* of the commodities listed in (1), (2), and (3) above, when moving in mixed loads with, or independent from the commodities listed in (1), (2), and (3) above; between points in the Boundary between the United States of America and Canada at Sweetgrass, Mont., and Portal, N. Dak., on the one hand, and, on the other, points in Montana, Idaho, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, restricted against traffic originating at or destined to the facilities of Flextrac Nodwell Ltd., Ferguson Supply, Alberta Ltd., and Percival Machinery Supply Co. (Calgary) Ltd., for 180 days.

NOTE.—Applicant states it does intend to tack at ports of entry with Canadian Authority.

SUPPORTING SHIPPERS: Commonwealth Drilling (Western) Limited, 535 7th Ave. SW., Calgary, Alberta, Canada; F & E Erection Co., Inc., 5411 Dietrich Rd., San Antonio, Tex. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 139623 (Sub-No. 1 TA), filed April 2, 1974. Applicant: ADKINS TRANSFER, INC., 2537 Eighth Avenue, Huntington, W. Va. 25701. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Supplies, stock, parts, and fixtures*, uncrated, for river boats (except commodities in bulk), between Huntington, W. Va., on the one hand, and, on the other, Cincinnati and Steubenville, Ohio; Paducah, Ky.; St. Louis, Mo.; and Pittsburgh, Pa., for 180 days. SUPPORTING SHIPPER: The Ohio River Co., P.O. Box 470, Huntington, W. Va. 25709. SEND PROTESTS TO: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Office Building, 500 Quarrier Street, Charleston, W. Va. 25301.

No. MC 139637 (Sub-No. 1 TA), filed March 29, 1974. Applicant: HERDIS E. GAMMON, doing business as HERDIS E. GAMMON TRUCKING, 140 West Lincoln, Chandler, Ind. 47610. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Spencer, Warrick, Pike, and Vanderburg Counties Ind., to points in Webster and Henderson Counties Ky., for 180 days. SUPPORTING SHIPPER: Valley Associates, Inc., 2100 S. Kentucky Avenue, Evansville, Ind. 47714. SEND PROTESTS TO: District Supervisor James W. Habermehl, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Penn Street, Indianapolis, Ind. 46204.

No. MC 139639 TA, filed March 25, 1974. Applicant: FREDDIE E. SMITH, doing business as FREDDIE'S TOWING SERVICE, 114 S. Tekoppel, Evansville, Ind. 47712. Applicant's representative: Frank M. Maley, 1060 Consolidated Building, 115 N. Penn Street, Indiana-

polis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Industrial ovens, metal prep machines, industrial washing machines, duct work, spray booths, compressors and chillers, custom industrial equipment*, such as but not limited to, conveyors and other related commodities, the raw materials used in the manufacture of these commodities, and the tools and equipment used in their installation, between points in Vanderburgh County, Ind., and points in the United States (except Hawaii). RESTRICTION: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts with George Koch Sons, Inc., Evansville, Ind., for 180 days. SUPPORTING SHIPPER: George Koch Sons, Inc., 10 South 11th Avenue, Evansville, Ind. SEND PROTESTS TO: James W. Habermhl, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 802 Century Bldg., 36 S. Penn St., Indianapolis, Ind. 46204.

No. MC 139641 TA, filed April 1, 1974. Applicant: CURTIS D. MORRIS AND ELSIE M. MORRIS, doing business as MORRIS TRANSFER, Box 129, Malin, Oreg. 97632. Applicant's representative: Curtis D. Morris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and produce* in mixed loads with bananas from Long Beach, Calif. terminal area to Medford, Oreg., for 180 days. SUPPORTING SHIPPER: Northwest Grocery Company, 2195 Sage Road, Medford, Oreg. 97501. SEND PROTESTS TO: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

PASSENGER APPLICATION

No. MC 139611 (Sub-No. 1 TA), filed April 1, 1974. Applicant: LUTHER H. ELLISON, doing business as ELLISON CHARTER BUS SERVICE, 215 SE. Houck, Roseburg, Oreg. 97470. Applicant's representative: Jerry R. Woods, 620 Blue Cross Building, 100 SW. Market Street, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in charter operations, between points in Douglas and Coos County, Oreg., on the one hand, and, on the other, points in Washington, Idaho, Utah, California, and Nevada, for 180 days. SUPPORTED BY: There are approximately 17 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

By the Commission.

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

[FR Doc.74-8733 Filed 4-15-74;8:45 am]

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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

■

PROFESSIONAL STANDARDS REVIEW

Notification and Polling of Physicians

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 101]

PROFESSIONAL STANDARDS REVIEW—NOTIFICATION AND POLLING OF PHYSICIANS

Notice of Proposed Rulemaking

Notice is hereby given that the Assistant Secretary for Health of the Department of Health, Education, and Welfare, with the approval of the Secretary of Health, Education, and Welfare, proposes to add a new Subpart B, entitled "Notification and Polling of Physicians," to Part 101 of Title 42, Code of Federal Regulations. The purpose of the new Subpart B of Part 101 is to establish regulations governing notification and polling, of physicians in any Professional Standards Review Organization area prior to entering into an agreement under which any organization is designated as the Professional Standards Review Organization for such area.

Interested persons are invited to submit written comments, suggestions or objections concerning the proposed regulations to the Director, Bureau of Quality Assurances, Health Services Administration, Room 16A-23, 5600 Fishers Lane, Rockville, Maryland 20852, on or before May 1, 1974. All comments received in response to this Notice will be available for public inspection in the above-named office during regular business hours.

It is therefore proposed to amend 42 CFR Part 101 by adding thereto a new

Approved: April 10, 1974.

Dated: March 21, 1974.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Subpart B—Notification and Polling of Physicians

CASPAR W. WEINBERGER,
Secretary.

Subpart B, as set forth below.

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AUTHORITY: Secs. 1102 and 1152(f), Social Security Act; (42 U.S.C. 1302, 1352(f))

§ 101.101 Policy and applicability.

(a) Section 1152(f) of the Social Security Act (42 U.S.C. 1352(f)) provides that in the case of agreements entered into prior to January 1, 1976 under Part B of Title XI of the Social Security Act under which any organization is designated by the Secretary of Health, Education, and Welfare as the Professional Standards Review Organization for any area, the Secretary shall, prior to entering into any such agreement with any organization for any area, inform the doctors of medicine or osteopathy who are in active practice in such area of the Secretary's intention to enter into such an agreement with such organization.

(b) Section 1152(f) further provides that if, within a reasonable time following the service of such notice, more than 10 percentum of such doctors object to the Secretary's entering into such an agreement with such organization on the ground that such organization is not representative of doctors in such area, the Secretary shall conduct a poll of such doctors to determine whether or not such organization is representative of such doctors in such area. If more than 50 percentum of the doctors responding to such poll indicate that such organization is not representative of such doctors in such area the Secretary may not enter into such agreement with such organization. The regulations of this subpart are applicable to the notification and polling by the Secretary of doctors pursuant to such section 1152(f).

§ 101.102 Definitions.

As used in this subpart:

(a) "Act" means the Social Security Act, as amended (42 U.S.C. Chap. 7).

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved may be delegated.

(c) "Doctor" means a doctor of medicine or osteopathy engaged in the active practice of medicine or osteopathy.

§ 101.103 Determination of number of doctors in PSRO area.

For the purposes of this Subpart, the Secretary will determine, on the basis of the latest available information which he deems appropriate for such purposes, the names, current mailing addresses, and total number of doctors in any area, designated in Subpart A of this Part as a Professional Standards Review Organization area, with respect to which the Secretary proposes to enter into an agreement with an organization designating such organization as the Professional Standards Review Organization for such area. The information on the basis of which the total number of doctors in such area is determined by the Secretary will be available for public inspection.

§ 101.104 Notification of doctors.

In the case of any agreement entered into prior to January 1, 1976, under Part B of Title XI of the Act, whereby any organization is designated as the Professional Standards Review Organization for any area, the Secretary, prior to entering into such agreement with any such organization, will, in accordance with the provisions of this section, notify the doctors in such area of the Secretary's intention to enter into such an agreement with such organization.

(a) *Method of notice.* The notice described in this section will be published in the FEDERAL REGISTER and at least one newspaper of general circulation in the Professional Standards Review Organization area. Notice in any newspaper of general circulation will be published in not less than three consecutive issues of such newspaper. In addition, copies of the notice will, not later than the date of publication in the FEDERAL REGISTER, be mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate state and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society and facility inform those doctors in its membership or on its staff who are engaged in active practice in the Professional Standards Review Organization area concerned of the contents of such notice.

(b) *Content of notice.* The notice required by this section will include the following:

(1) The date of publication in the FEDERAL REGISTER.

(2) A statement that the Secretary proposes to enter into an agreement with a named organization, designating such organization as the Professional Standards Review Organization for the area;

(3) A description of such organization, including its name, address, and the names of its principal officers;

(4) A statement that if any doctor in the area objects to the Secretary's entering into such an agreement with such organization on the ground that such organization is not representative of doctors in the Professional Standards Review Organization area, he may, within 30 days of the date of publication of the notice in the FEDERAL REGISTER, mail such objection in writing addressed to the Department of Health, Education, and Welfare to the mailing address set forth in the Notice; and

(5) A statement that if more than 10 percentum of the number of doctors determined by the Secretary pursuant to § 101.103 to be in the Professional Standards Review Organization area express timely objection as described in paragraph (b)(4) of this section (which number shall be set out in the notice), the Secretary will conduct a poll of all such doctors in accordance with § 101.106 to determine whether or not such organization is representative of such doctors in such area.

§ 101.105 Action by the Secretary pursuant to objections.

After the expiration of 30 days following the date of publication in the FEDERAL REGISTER of the Notice described in § 101.104, the Secretary will tabulate the objections described in § 101.104(b)(4) which have been received and which are postmarked prior to the end of such 30-day period. The Secretary will then publish a Notice in the FEDERAL REGISTER and in at least one newspaper of general circulation serving the Professional Standards Review Organization area, and will notify by letter the appropriate

State and County medical societies, as follows: Either

(a) That not more than 10 percentum of the total number of doctors determined by the Secretary, pursuant to § 101.103, to be engaged in active practice of medicine or osteopathy in a Professional Standards Review Organization area have expressed timely objection, as described in § 101.104(b)(4), to the Secretary's entering into an agreement with the organization, and that the Secretary may proceed to enter into such agreement designating such organization as the Professional Standards Review Organization for such area; or

(b) That more than 10 percentum of the total number of doctors determined by the Secretary, pursuant to § 101.103, to be engaged in the active practice of medicine or osteopathy in a Professional Standards Review Organization area have expressed timely objection, as described in § 101.104(b)(4), to the Secretary's entering into an agreement with the organization, and that the Secretary will conduct a poll of such doctors in accordance with § 101.106. A Notice published in the FEDERAL REGISTER pursuant to this paragraph will set forth the date on which such poll will be initiated, and will state that doctors in such area who have not received a ballot within 5 days after such date may request a ballot from the Secretary at an address specified in the Notice.

§ 101.106 Polling of doctors.

(a) *Conduct of poll.* In any case in which the Secretary determines that more than 10 percentum of the total number of doctors in a Professional Standards Review Organization area have expressed timely objection, as described in § 101.104(b)(4), to the Secretary's entering into an agreement with an organization, the Secretary will, at such time as he may select, conduct a poll of such doctors to determine whether or not such organization is representative of such doctors in such area. Such poll shall be conducted as follows: The Secretary will mail, by regular mail, to each individual doctor of medicine or osteopathy whom the Secretary determines, pursuant to § 101.103, to be engaged in the active practice of medicine or osteopathy in the Professional Standards Review Organization area, the following:

(1) A ballot in which the doctor is requested to check one of two boxes indicating that, in his opinion, the organization with which the Secretary proposes to enter into the agreement (i) is or (ii) is not representative of the doctors in such area;

(2) A preaddressed franked envelope; and

(3) A cover letter describing the purpose of the poll, and specifically including

(i) The date of initiation of the poll, which will be not more than two days prior to the date on which the polling material is mailed;

(ii) A request that the doctor complete the ballot and mail it by regular mail in the enclosed envelope;

(iii) A statement that if more than 50 percentum of the doctors responding to the poll indicate that the organization with which the Secretary proposes to enter into the agreement is not representative of the doctors in the area, the Secretary will not enter into such agreement with such organization; and

(iv) A statement that all completed ballots received which are postmarked within 30 days of the date of initiation of the poll by the Department of Health, Education, and Welfare officer, whose address appears on the enclosed envelope will be counted in determining the result of the poll.

(b) *Tabulation of ballots.* After the expiration of 30 days following the date of initiation of the poll as described in § 101.106(a)(3)(i), the Secretary will tabulate the ballots which have been received and which are postmarked prior to the end of such 30-day period.

(1) The ballots will be tabulated in such a fashion as to assure that the vote of each individual doctor responding to the poll will be secret.

(2) The tabulation proceeding will be publicly announced and will be open to the public.

(c) *Retention of ballots.* All ballots received by the Secretary will be retained for such period as may be necessary to assure their availability for a recount in accordance with § 101.107(c) and will be available for public inspection during such period at a place announced in the Notice published pursuant to § 101.107.

§ 101.107 Action by Secretary following poll.

After tabulating the ballots received under § 101.106, the Secretary will publish a notice in the FEDERAL REGISTER and in at least one newspaper of general circulation serving the Professional Standards Review Organization area, and will notify by letter the appropriate State and county medical societies, as follows:

(a) That not more than 50 percentum of the doctors responding to the poll indicated, by checking the appropriate box on the ballot, that the organization with which the Secretary had proposed to enter into an agreement is not representative of the doctors in the area, and that the Secretary may proceed to enter into such agreement designating such organization as the Professional Standards Review Organization for such area; or

(b) That more than 50 percentum of the doctors responding to the poll indicated, by checking the appropriate box on the ballot, that the organization with which the Secretary has proposed to enter into an agreement is not representative of the doctors in the area, and accordingly that the Secretary will not enter into such an agreement with such organization; and

(c) Such count will be final, except that the Secretary will conduct a recount if at least 5 doctors in the area so request in writing, postmarked within 10 days following the date of publication of such notice in the FEDERAL REGISTER. Such recount will be conducted in a public proceeding, and the result of the recount will be final.

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PART III

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

■

ENVIRONMENTAL IMPACT STATEMENTS

Proposed Amendments to Procedures For Preparation

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 6, 601]

ENVIRONMENTAL IMPACT STATEMENTS

Proposed Amendments to Procedures for Preparation

In the FEDERAL REGISTER of March 15, 1973 (38 FR 7001), the Commissioner of Food and Drugs, pursuant to section 102 (2)(C) of the National Environmental Policy Act of 1969, published final regulations in 21 CFR Part 6 of establishing procedures for the preparation of environmental impact statements by the Food and Drug Administration for every major agency action that significantly affects the quality of the human environment.

On August 1, 1973, the Council on Environmental Quality (CEQ) issued revised guidelines for the preparation of environmental impact statements by Federal agencies (38 FR 20550). The Commissioner has reviewed FDA's environmental impact statement regulations and has determined that, in light of the revised CEQ guidelines and other considerations, FDA's regulations should be amended.

A. The revised CEQ guidelines provide for several procedural changes in environmental impact statement regulations promulgated by Federal agencies which the Commissioner proposes to include in FDA's environmental regulations.

1. After careful review, further classes of actions will be identified which normally will not require environmental impact statements and are therefore exempt from environmental consideration except in unusual circumstances.

2. The agency shall maintain for public inspection on request a list of all draft and final environmental impact statements it prepares.

3. For each agency action that does not require an environmental impact statement, the agency is to make available for public inspection on request a determination of inapplicability or a marginal impact statement assessing the environmental effects of the action and stating its resulting decision not to prepare an environmental impact statement.

4. Public hearings are to be held when appropriate and for good cause shown on actions for which the agency prepares an environmental impact statement.

5. A cost-benefit analysis shall be included in each environmental impact statement prepared by the agency, and accordingly shall be required in each environmental impact analysis report submitted as part of an application or petition requesting action by the agency.

6. Copies of each final environmental impact statement prepared by the agency shall be forwarded to those persons who submitted substantive comments on the pertinent draft statement. A final environmental impact statement shall summarize each type of comment submitted on the draft environmental impact statement and the Commissioner's conclusions with respect to it.

7. When amendments to existing regulations are proposed, environmental impact assessments of those regulations will be made.

B. Section 6.1(b) of FDA's environmental regulations (21 CFR 6.1(b)) delineates those agency actions for which the need for preparing an environmental impact statement shall be considered. Further careful study has been given to this regulation and it has been determined, pursuant to the CEQ exemption provision described in paragraph (A)(1) above, that some of these actions normally do not significantly affect the quality of the human environment. It is proposed that an applicant or petitioner requesting action by FDA of any of the types specified by the amendments or a person proposing to destroy the types of articles specified by the amendments will not be required to submit an environmental impact analysis report on the action pursuant to § 6.1 unless the agency notifies him in writing that one is required. The actions covered by the amendments will remain included in § 6.1 (b) since there may be instances where they have significant environmental impact. The following actions are included in proposed § 6.1(f) on the determination that they normally do not significantly affect the quality of the human environment.

1. Approval of a new drug application, abbreviated new drug application, request to provide for certification of a new antibiotic drug, new animal drug application, supplemental new animal drug application, food additive petition, or biological product license for the following types of articles:

a. A drug or biological product intended for use in the prevention diagnosis or treatment of a rare disease, for infrequent use, or for use in insignificant amounts (taking into account projected effects on animal or man). Examples of such drugs are drugs indicated for use in the treatment of Addison's disease, hemophilia, Wilson's disease, or leprosy; a drug which is an anesthetic gas or a suture; or a drug which is used as a bone cement or in the manufacture of contact lenses. An example of such a biological product is a vaccine used to prevent rabies.

b. An animal drug intended for use in non-food animals; for ophthalmic or topical application; for local and general anesthesia; for use as an in vitro diagnostic product; for pharmacological use (i) under prescription on a limited number of animals, (ii) in the treatment of a disease or condition which requires individual dosage administration, or (iii) in animals which metabolize the drug so that no significant quantities of the drug are excreted into the environment.

FDA's approval for marketing such a drug or animal drug is virtually all instances will not significantly affect the quality of the human environment either because the marketing and use patterns of the drug will be limited or because the distribution of the drug is controlled. In those instances where there is a reasonable question raised concerning the potential environmental impact of an agency action involving such a drug, careful consideration will be given to the preparation of an environmental impact statement, and the applicant seeking FDA approval for marketing will be notified in writing that he is required to submit an environmental impact analysis report on the requested action.

c. A drug, animal drug or biological product which, in chemical structure or biological composition, or known pharmacological properties and indications for use, is identical, similar, or related to a drug, animal drug or biological product which is already being marketed, and there is no evidence that the marketing of such an additional "me-too" drug, animal drug or biological product will change the overall use pattern or the existing market for the article. An example of such a drug is a "me-too" drug which is covered by a Drug Efficacy Study Implementation announcement. Where there is no evidence that the marketing of an additional "me-too" drug, animal drug or biological product will change the overall use pattern or the existing market for the article, FDA's approval for marketing that article will not significantly affect the quality of the human environment. In those instances where a potential exists for extensive change in the overall use pattern or in the existing market for such a drug, animal drug or biological product requiring FDA approval is evident, careful consideration will be given to the preparation of an environmental impact statement, and the applicant or petitioner seeking such approval will be notified in writing that he is required to submit an environmental impact analysis report on the requested action.

d. A drug, animal drug, or food additive which meets all of the following criteria:

(i) The drug, animal drug, or food additive is composed of a substance or its derivative which naturally occurs in the environment and which may reasonably be considered to be non-toxic in the amounts used;

(ii) The drug, animal drug, or food additive is not metabolized in its use and is excreted back into the environment unchanged, or, if it is metabolized, the metabolites, in the amounts excreted into the environment are naturally occurring in the environment and may reasonably be considered to be non-toxic; and

(iii) The use of the drug, animal drug, or food additive can reasonably be expected, on the basis of all available evidence, not to alter significantly the prevalence and/or distribution of the substance or its derivative or their metabolites in the environment. Examples of such a drug are large volume parenterals of normal saline or dextrose, vitamins, minerals, polyunsaturated fats and oils, carbon dioxide and oxygen. Examples of such a food additive are food starch modified, fatty acids, sodium nitrate, silicon dioxide and potassium iodide.

Normally, FDA's approval for marketing such a drug, animal drug, or food additive will not significantly affect the quality of the human environment if the prevalence and/or distribution of the substance or its derivative or their metabolites remain substantially unchanged in the environment and may reasonably be considered to be non-toxic in the amounts used or excreted into the environment. In those instances where the prevalence and/or distribution of the substance or its derivative or their metabolites in the environment may be significantly altered as a result of the agency's action, careful consideration will be given to the preparation of an environmental impact statement, and the applicant or petitioner seeking FDA's approval for marketing will be notified in writing that he is required to submit an environmental impact analysis report on the requested action.

e. A food additive to be used as a minor constituent of food-packaging material which meets all of the following criteria:

(i) The food additive will not materially change the potential uses of the packaging material to which it is added;

(ii) The additive is intended as a replacement for a similar substance already in use;

(iii) The additive is used in small concentrations and normally does not significantly affect the environmental impact of the disposal of the packaging material to which it is added; and,

(iv) The use of the additive and the ultimate disposal of the packaging material to which it is added normally will not significantly alter the prevalance and/or distribution in the environment of the elements of which the additive is composed.

Examples of this type of food additive are components of adhesives, antioxidants and stabilizers for polymers, and surface lubricants. Normally, FDA's approval for marketing such a food additive will not significantly affect the quality of the human environment if it meets all the above criteria. In those instances where the food additive will change the potential uses of the packaging material, where it is not intended as a replacement for a similar substance already in use, where it may significantly affect the environmental impact of the disposal of the packaging material, or where its use and the ultimate disposal of the packaging material may significantly alter the prevalence and/or distribution in the environment of the elements of which the additive is composed, the petitioner seeking FDA's approval for marketing will be notified in writing that he is required to submit an environmental impact analysis report on the requested action.

2. Approval of new animal drug applications and supplemental new animal drug applications for:

a. The following types of new animal drugs intended for use in animal feed:

(i) A combination of previously approved animal drugs which provides for no more than the dosage levels and makes the same claims as the approved drugs;

(ii) A diluted premix for a previously approved animal drug;

(iii) An animal drug to be distributed under conditions of approval of a previously approved animal drug; and,

(iv) An animal drug covered by a Form FD-1800 application;

b. An animal drug for administration other than in animal feed to be distributed under conditions of approval of a previously approved animal drug.

Approval of these types of animal drugs cannot occur unless the new animal drug applications upon which they are based have been approved. Their approval constitutes a procedure to aid the convenient and orderly distribution of the drugs involved. The environmental impact of the marketing of the animal drugs involved will already have been considered during FDA's review of the prior approval of the original new animal drug applications.

3. Approval of a food additive to be used as a component of food-contact surfaces of permanent or semi-permanent equipment. This includes such substances as components of a conveyor belt or a bulk storage bin in food-processing plants. Use of such additions will not significantly affect the quality of the human environment, since the equipment is generally used within a plant and poses no disposal problem because of its permanent or semi-permanent nature.

4. Promulgation of a monograph for an old drug, old animal drug, over-the-counter (OTC) drug, or an in vitro diagnostic product. These monographs specify the conditions under which products already in commercial distribution may continue to be marketed. The Commissioner does not anticipate that the promulgation of these monographs will significantly change the existing market or commercial distribution of these products or significantly affect the quality of the human environment.

5. Promulgation of an antibiotic drug monograph. An antibiotic drug monograph specifies the conditions which must be met before the Commissioner will certify a particular batch of an antibiotic drug. The promulgation of such a monograph is not FDA's approval for marketing an antibiotic drug. This approval occurs prior to the promulgation of the monograph, and the environmental impact of the marketing of the antibiotic drug will already have been considered during FDA's review of the requested approval.

6. Approval of a color additive petition which involves the changing of a provisional listing to a permanent listing. Certain commercially established colors have been listed provisionally pending the completion of the scientific investigations necessary for permanent listing. Proof of safety is required before a provisional listing may be changed to a permanent listing. The approval of a permanent listing will have no substantial effect on the types of use for the color additive or quantity of the additive used, and therefore there will be no significant environmental impact involved in this type of action.

7. Testing and certification of a batch of color. The certification of a batch of color is not a major agency action significantly affecting the quality of the human environment since it merely involves the comparison of a specific batch against standards for that color.

8. Promulgation of "additional standards" for biological products already being manufactured under license, as well as "additional standards" for new biological products that are similar or related to a biological product already being marketed. These additional standards will specify the standards that must be met by biological products already in commercial distribution, or that are similar or related to products already in distribution. A "similar" or "related" drug is defined in 21 CFR 130.40. The Commissioner does not anticipate that the promulgation of such additional standards will significantly change the existing market or commercial distribution of these products, and therefore their promulgation will have no significant effect on the quality of the human environment.

9. Destruction of any article contaminated with filth or misbranded, if it will degrade naturally or is not or will not produce any toxic substance if incinerated or if disposed in a landfill, regardless of whether the destruction results from seizure, injunction, detention, or recall. Articles that are seized and condemned because of contamination with filth or misbranding will be disposed of by incineration or dumping in a landfill or municipal dump where it will not cause any significant effect on the quality of the human environment. This is true regardless of the type of article, amount condemned, or type of packaging.

10. Training grants and contracts. Since these actions do not usually affect the quality of the human environment in any manner, in virtually all instances no environmental impact statement will be required for them.

11. Approval of an investigational new drug application and an investigational new animal drug application. Since under the existing regulations this agency action is handled in terms of environmental consideration in the same manner as the actions covered by these proposed amendments, it will be removed from § 6.1(d) which establishes a complete exemption and included in these amendments establishing a conditional exemption.

In those instances where FDA determines that any of the actions specified in paragraphs 2 through 11 could significantly affect the quality of the human environment if taken, careful consideration will be given to the preparation of an environmental impact statement, and if there is an applicant or petitioner requesting such action, or if there is a person proposing the destruction specified in

paragraph 9, he will be notified in writing that he is required to submit an environmental impact analysis report on the action.

While an environmental impact analysis report will not usually be required for the actions covered by these proposed amendments, FDA must consider whether the manufacture, preparation, processing, or packaging of articles governed by these actions significantly affects the quality of the human environment. The applicant or petitioner requesting such an action will therefore be required to submit an analysis of the environmental effects of the manufacturing process of the article which is the subject of the requested action. This requirement will ordinarily be satisfied by an identification of pollutants expected to be emitted and of applicable Federal, State, and local emission requirements, and by a statement that such emission complies with these requirements. The submission of an analysis of the manufacturing process will not be required when the action involved is the promulgation of a monograph for an old drug, an old animal drug, an OTC drug, an in vitro diagnostic product, or an antibiotic drug; approval of a color additive petition to change a provisional to a permanent listing; testing and certification of a batch of color; promulgation of additional standards for a licensed biological product; or destruction of an article contaminated with filth or misbranded.

C. Since issuance of licenses for biological products is included in § 6.1(b) of the regulations as an agency action which is subject to environmental impact statement consideration, and since an applicant for an establishment or product license for a biological product must submit an environmental impact analysis report as part of his application pursuant to existing § 6.1(e), the prescribed form for each of these licenses should specify this requirement. Accordingly, the Commissioner proposes to amend § 601.2, the regulation setting forth the items required in an application for an establishment license and a product license for a biological product, to include a provision that the applicant is required to include in the application an environmental impact analysis report analyzing the environmental impact of the manufacturing process and the ultimate use or consumption of the biological product involved.

D. Destruction of a food, drug, device, cosmetic or electronic product after it has been recalled may in some instances require preparation of an environmental impact statement for which the agency needs environmental data and information. Therefore, the Commissioner proposes to amend existing § 6.1(f) of the regulations to require a manufacturer, distributor, or dealer who proposes to destroy any of these products which have been recalled to submit an environmental impact analysis report analyzing the environmental impact of the disposition of the article involved, except as modified by the exemption provisions of these amendments.

E. Approval of requests to provide for certification of new antibiotic drugs and intramural or extramural research supported in whole or in part through grants and contracts (except biostatistical and epidemiological studies) are agency actions for which the need to prepare an environmental impact statement must be considered. The Commissioner therefore proposes to amend § 6.1(b) accordingly.

F. The format in which an environmental impact analysis report must be submitted has been revised in existing § 6.1(g) to particularise more precisely the kind of environmental data and information required in the report.

G. Since the authority to promulgate regulations banning articles under the Federal Hazardous Substances Act has been transferred from FDA to the Consumer Product Safety Commission, the provision in existing § 6.1(f) requiring a manufacturer, distributor or dealer who proposes to destroy an article banned by regulation to submit an environmental impact analysis report on the disposition of the article is deleted.

H. Pursuant to the CEQ guidelines, § 6.3(a)(5) provides that to the maximum extent practicable, no agency action shall take place earlier than 30 days after a final environmental impact statement issued on the action has been forwarded to CEQ and made available to the public. Procedures of the Department of Health, Education, and Welfare require approval of an environmental impact statement by the Office of Environmental Affairs. The Commissioner proposes to amend § 6.3(a)(5) by adding a provision stating that, where the subject of a final environmental impact statement approved by the Department is also the subject of a regulation published in the FEDERAL REGISTER, this requirement is met by simultaneous publication of a notice of availability of the statement and the regulation, provided the regulation becomes effective at least 30 days after the date of publication.

The Food and Drug Administration will adhere to these regulations except where adherence would impair FDA's exercise of its regulatory responsibilities under the Federal Food, Drug, and Cosmetic Act and related laws. The Commissioner concludes that FDA must enforce the Federal Food, Drug, and Cosmetic Act to the full extent authorized by Congress, and that in those instances where the public health and safety is at issue or specific statutory requirements are involved, the Federal Food, Drug, and Cosmetic Act will be construed to prevail.

Therefore, pursuant to the National Environmental Policy Act of 1969 (sec. 102(2)(C), 83 Stat. 853; (42 U.S.C. 4332)), the revised Guidelines issued by the Council on Environmental Quality (38 FR 20550), Executive Order 11514 of March 4, 1970 (35 FR 4247), and pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055–1056, as amended by 70 Stat. 919 and 72 Stat. 948; (21 U.S.C. 371)), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Part 6 of Subchapter A and Part 601 of Subchapter F of Chapter I, Title 21 of the Code of Federal Regulations as follows:

PART 6—ENVIRONMENTAL IMPACT CONSIDERATIONS

1. In Part 6:

a. By amending § 6.1 by deleting the words "and old drug monographs" in paragraph (b)(8), by deleting the words "and old animal drug monographs" in paragraph (b)(9), by revising paragraph (b)(10), by redesignating existing paragraph (b)(13) as (b)(14) and by adding a new paragraph (b)(13), by deleting paragraph (d)(5), by redesignating existing paragraphs (e), (f), (g), (h), and (i) as paragraphs (i), (j), (k), (l), and (m), respectively, and by adding new paragraphs (e), (f), (g), and (h), by adding the word "recalled", and by deleting the words "banned by regulation," immediately following the words "detained, or" in redesignated paragraph (j), and by revising the format of the "Environmental Impact Analysis Report" in redesignated paragraph (k).

As revised by these proposed amendments, § 6.1 would read as set forth below:

§ 6.1 Applicability.

(a)(1) An environmental impact statement shall be prepared, circulated, and filed pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 for every major agency action that significantly affects the quality of the human environment.

(2) Agency decisions shall include a careful consideration of all environmental effects of proposed actions.

(b) The need for preparing an environmental impact statement shall be considered for the following agency actions pursuant to environmental criteria established by the agency and the department.

(1) Recommendations or reports made to Congress on proposals for legislation in instances where the agency has primary responsibility for the subject matter involved;

(2) Destruction of articles condemned after seizure or enjoined;

(3) Destruction of articles following detention or recall at agency request;

(4) Disposition of Food and Drug Administration laboratory waste materials;

(5) Issuance of licenses for biological products;

(6) Establishment by regulation of labeling or other requirements for marketing articles;

(7) Establishment by regulation of standards for articles (except food standards);

(8) Approval of new drug and abbreviated new drug applications;

(9) Approval of new animal drug and abbreviated new animal drug applications;

(10) Approval of requests to provide for certification of new antibiotic drugs

for which no provision for certification is made in the existing regulations in this chapter;

(11) Approval of food additive petitions;

(12) Approval of color additive petitions;

(13) Intramural or extramural research supported in whole or in part through grants and contracts (except biostatistical and epidemiological studies); and,

(14) Policy, regulations, and procedure making which significantly affect the quality of the human environment.

(c) An environmental impact statement will not be required for amendments to existing regulations and approvals of supplements to existing approvals unless in the judgment of the Commissioner the change is substantial.

(d) The agency has carefully considered the environmental effects of the following types of actions and has concluded that since they are not major agency actions significantly affecting the quality of the human environment, environmental impact statements are not required for them:

(1) Recommendations for court action concerning foods, drugs, devices, cosmetics, and electronic products;

(2) Factory inspections;

(3) Seafood inspections; and,

(4) Issuance or amendment of food standards.

(e) After further careful review of the classes of actions the agency takes, further types of actions will be published which normally are not major agency actions significantly affecting the quality of the human environment and which will thereby be exempt from the requirements of this part to the extent specified in paragraphs (f) and (g) of this section.

(f) The agency has carefully considered the environmental effects of the following types of actions and, in the judgment of the Commissioner, has concluded that, since these actions normally do not significantly affect the quality of the human environment, environmental impact statements, except in rare and unusual circumstances, are not required for them:

(1) Approval of new drug applications, abbreviated new drug applications, requests to provide for certification of new antibiotic drugs, new animal drug applications, supplemental new animal drug applications, food additive petitions, or biological product licenses for the following articles:

(i) A drug or biological product intended for use in the prevention, diagnosis, or treatment or a rare disease, for infrequent use, or for use in insignificant amounts (taking into account projected effects on animal or man);

(ii) An animal drug intended:

(a) For use in non-food animals;

(b) For ophthalmic or topical application;

(c) For local and general anesthesia;

(d) For use as an in vitro diagnostic product; or,

(e) For pharmacological use:

(1) Under prescription on a limited number of animals; or

(2) In the treatment of a disease or condition which requires individual dose administration; or

(3) In animals which metabolize the drug so that no significant quantities of the drug are excreted into the environment.

(iii) A drug, animal drug, or biological product, which, in chemical structure or biological composition, or known pharmacological properties and indications for use, is identical, similar, or related to a drug, animal drug, or biological product which is already being marketed, and there is no reason to conclude that the marketing of such an additional "me-too" drug, animal drug, or biological product will change the overall use pattern or the existing market for the article involved;

(iv) A drug, animal drug, or food additive which meets all of the following criteria:

(a) The drug, animal drug, or food additive is composed of a substance or its derivative which naturally occurs in the environment and which may reasonably be considered to be non-toxic in the amounts used;

(b) The drug, animal drug, or food additive is not metabolized in its use and is excreted unchanged back into the environment or, if it is metabolized, the metabolites in the amounts excreted into the environment are naturally occurring in the environment and may reasonably be considered to be non-toxic; and

(c) The use of the drug, animal drug, or food additive can reasonably be expected, on the basis of all available evidence, not to alter significantly the prevalence and/or distribution of the substance or its derivative or their metabolites in the environment.

(v) A food additive to be used as a minor constituent of food-packaging material which meets all of the following criteria:

(a) The food additive will not materially change the potential uses of the packaging material to which it is added;

(b) The additive is intended as a replacement for a similar substance already in use;

(c) The additive is used in small concentrations and normally does not significantly affect the environmental impact of the disposal of the packaging material to which it is added; and,

(d) The use of the additive and the ultimate disposal of the packaging material to which it is added normally will not significantly alter the prevalence and/or distribution in the environment of the elements of which the additive is composed.

(2) Approval of new animal drug applications and supplemental new animal drug applications for:

(i) The following types of drugs used in animal feeds:

(a) A combination of previously approved animal drugs which provides for no more than the dosage levels and makes the same claims as the approved drugs;

(b) A diluted premix for a previously approved animal drug;

(c) An animal drug to be distributed under conditions of approval of a previously approved animal drug; and

(d) An animal drug covered by a Form FD-1800.

(ii) An animal drug for administration other than in animal feed to be distributed under conditions of approval of a previously approved animal drug.

(3) Approval of food additives to be used as components of food-contact surfaces of permanent or semi-permanent equipment;

(4) Promulgation of monographs for old drugs, old animal drugs, over-the-counter (OTC) drugs, or in vitro diagnostic products;

(5) Promulgation of antibiotic drug monographs;

(6) Approval of color additive petitions to change provisional listings to permanent listings;

(7) Testing and certification of batches of color;

(8) Promulgation of additional standards for licensed biological products;

(9) Destruction of articles contaminated with filth or misbranded, if they will degrade naturally or are not or will not produce any toxic substance if incinerated;

(10) Training grants and contracts; and,

(11) Approval of investigational new drug applications and investigational new animal drug applications.

(g) Whenever a person submits an application or petition requesting action by the agency of any of the types specified in paragraph (f) of this section, or proposes to destroy an article contaminated with filth or misbranded as provided in paragraph (f)(9) of this section, he is not required to submit an environmental impact analysis report on the requested action pursuant to paragraphs (i) or (j) of this section unless the agency notifies him in writing that one is required. Whenever any of the types of actions specified in paragraph (f) of this section could significantly affect the quality of the human environment, the agency shall notify such a person that he is required to submit an analysis report on the action. However, such an applicant or petitioner shall submit an analysis of the environmental effects of the manufacturing process of the article which is the subject of the requested action. Such an analysis shall include:

(1) An identification of the pollutants expected to be emitted;

(2) A citation of applicable Federal, state and local emission requirements; and,

(3) A certification that such emission complies with these requirements.

(h) When amendments to existing regulations are proposed, environmental impact assessments of those regulations will be made.

(i) Whenever a person submits any application or petition requesting action by the agency (except action specified in paragraph (d) of this section), he shall

include an environmental impact analysis report on the requested action, except as provided by paragraph (g) of this section. Failure to include an adequate environmental impact analysis report in an application or petition shall be sufficient grounds to refuse to accept or file the application or petition.

(j) Whenever a manufacturer, distributor, or dealer proposes to destroy a food, drug, cosmetic, device, or electronic product which has been condemned, enjoined, detained or recalled, he shall submit to the agency an environmental impact analysis report analyzing the environmental impact of the disposition of such articles, except as provided by paragraph (g) of this section.

(k) An environmental impact analysis report shall be submitted to the agency in the following format:

ENVIRONMENTAL IMPACT ANALYSIS REPORT

A. Date:
B. Name of applicant/petitioner:
C. Address:
D. Environmental information.

1. *Describe the proposed action.* In this description include:

a. The purpose of the action.

b. The environment to be affected if the action is taken.

2. *Discuss the probable impact of the proposed action on the environment, including primary and secondary consequences.*

a. Describe probable adverse and beneficial environmental effects of the use, consumption and disposal of the article which is the subject of the action, including but not limited to the following areas of environmental impact (where applicable):

1. Pollution (air, water, soil).
2. Solid and Liquid Wastes (compliance).
3. Toxic Substances (heavy metals, pesticides, radiation).
4. Populations (human, animal, plant).
5. Human Values (health).
6. Food Contamination.
7. Natural Resources.
8. Energy.

b. Describe measures taken to avoid or mitigate potential adverse environmental effects.

c. Analyze the environmental impact of the manufacturing process of the article which is subject of the requested action. Include:

(1) An identification of pollutants expected to be emitted;

(2) A citation of applicable Federal, state and local emission requirements; and,

(3) A certification that such emission complies with said requirements.

where there are no applicable Federal, state or local emission requirements, citation and certification shall be made to appropriate industry, advisory, or voluntary standards acceptable to the agency.

d. Specific data, including pertinent references, shall be included to substantiate the information provided above.

3. *Describe the probable adverse environmental effects which cannot be avoided.* Identify the adverse environmental effects which cannot be avoided even when the precautionary measures outlined in item 2 are taken.

4. *Evaluate alternatives to the proposed action.* Describe in detail the environmental impact of all reasonable alternatives to the proposed action, particularly those that will enhance the quality of the environment and avoid some or all of the adverse environmental effects of the proposed action. Discuss in detail the environmental benefits, risks, and costs of each such alternative.

5. *Describe the relationship between local short-term use of the environment with respect to the proposed action and the maintenance and enhancement of long-term productivity.* Discuss the extent to which the proposed action involves trade-offs between short-term gains at the expense of cumulative, long-term environmental losses and discuss the extent to which the proposed action prevents future options for utilizing environmental resources. Special attention should be given to environmental effects which reduce the range of beneficial uses of the environment or pose long-term risks to health or safety.

6. *Describe any irreversible and irretrievable commitment of resources which would be involved if the proposed action should be implemented.* The term "resource" should not be construed to be only the labor and materials devoted to a proposed action. "Resource" also means the natural resources committed to loss or destruction by the action. If no irreversible or irretrievable commitment of resources will result, so state.

7. *Discuss the objections raised by other agencies, organizations, or individuals which are known to the applicant.* If no such objections are known, so indicate.

8. *If the proposed action should be taken prior to 90 days from the circulation of a draft environmental impact statement or 30 days from the filing of a final environmental impact statement, explain why.*

9. *Omit any data or information constituting trade secrets or confidential information. Refer to, instead, the appropriate part of the detailed statement accompanying your application/petition.*

10. *Cost-Benefit Analysis.* Prepare a cost-benefit analysis to determine whether the benefit to the public of the proposed action will outweigh the action's potential risks to the environment. Where practicable, benefits and costs should be quantified, or if described qualitatively, in a manner which will permit an objective judgment of their value.

E. *Certification.* The undersigned applicant/petitioner certifies the information furnished in this Environmental Impact Analysis Report is true, accurate and complete to the best of his knowledge.

---------- Date	---------- Signature of responsible official
	---------- Title

(l) Data and information which constitute trade secrets or confidential information under Part 4 of this chapter shall not be submitted in an environmental impact analysis report.

(m) Upon receipt of an environmental impact analysis report, the responsible agency official shall make an independent assessment as to whether an environmental impact statement shall be prepared for the proposed action.

b. By amending § 6.2 by adding a new paragraph (a) (8) to read as follows:

§ 6.2 Content and format of environmental impact statements.

(a) * * *

(8) A cost-benefit analysis must be included, analyzing what benefits of the proposed action offset any adverse environmental effects of the action. The analysis should also indicate the extent to which these benefits could be realized by following reasonable alternatives to the proposed action as described in paragraph (a) (4) of this section that would avoid some or all of any adverse environmental effects.

* * * * *

c. By amending § 6.3 by adding a new sentence to follow at the end of paragraph (a) (5), by redesignating existing paragraph (c) as paragraph (e) and by adding new paragraphs (c) and (d), as follows:

§ 6.3 Preparation and review procedures.

(a) * * *

(5) * * * Where the subject of a final statement is also the subject of a regulation published in the FEDERAL REGISTER, this later requirement may be met by simultaneous publication of a notice of availability of the final statement approved by the Department and the regulation, provided the regulation becomes effective at least 30 days after the date of publication.

* * * * *

(c) Public hearings will be held when appropriate and for good cause shown on those agency actions for which an environmental impact statement is prepared.

(d) For each agency action that does not require an environmental impact statement, except those actions specified in paragraph (d) of § 6.1, the agency shall make available for public inspection on request a marginal impact statement assessing the environmental effects of the action and stating its resulting decision not to prepare an environmental impact statement. Such a marginal impact statement shall be made available for actions specified in paragraph (f) of § 6.1 only when the agency requests and receives an environmental impact analysis report on such an action.

* * * * *

d. By amending § 6.6 by adding new paragraphs (c) and (d) as follows:

§ 6.6 Public availability of environmental impact statements.

* * * * *

(c) The agency shall maintain for public inspection on request a list of those agency actions for which draft and final environmental impact statements have been prepared.

(d) Copies of each final environmental impact statement prepared shall be forwarded to those persons who submitted substantive comments on the pertinent draft statements. A final environmental impact statement shall summarize each type of comment submitted on the pertinent draft statement and the Commissioner's conclusions with respect to it.

PART 601—LICENSING

2. In Part 601 of Subchapter F by adding a new sentence to follow at the end of § 601.2 (formerly § 273.201) to read as follows:

§ 601.2 Application for establishment and product licenses; procedure for filing.

* * * The applicant shall also include an environmental impact analysis report analyzing the environmental impact of the manufacturing process and the ultimate use or consumption of the biological product pursuant to § 6.1 of this chapter.

Interested persons may, on or before June 17, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: April 9, 1974.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

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