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federal register

Area Code 202 Phone 523–5240

Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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rules and regulations

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

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

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2686]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Amerada Hess Corp.

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(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; sec. 8, 38 Stat. 732; 49 Stat. 717; 15 U.S.C. 19)

In the Matter of Amerada Hess Corp., a Corporation.

Consent order requiring a New York City energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of Newmont Mining Corp.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

It is ordered, That Amerada Hess Corporation (Amerada), its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of Newmont Mining Corporation.

II. *It is further ordered,* That Amerada shall, within thirty (30) days after service of this Order, and annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of any corporation in which Amerada controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the exploration, production and sale of natural gas and crude petroleum; and exclusive of any corporation not engaged in "commerce" as defined in Section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

III. *It is further ordered,* That for a period ending five (5) years after service of this Order, Amerada shall, at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing or proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of the Board of Directors but has not been a member of the Board of Directors during the previous year, a written statement which discloses the information described in Paragraph II.

IV. *It is further ordered,* That for a period ending five (5) years after service of this Order, Amerada shall not permit on its Board of Directors any person who fails to submit a written statement pursuant to Paragraphs II and III, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs II and III when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of Amerada by virtue of its business and location of operation in the exploration, production or sale of crude petroleum or natural gas. If compliance with Paragraphs I and IV requires any member of Amerada's Board of Directors to resign or to be removed from the Board of Directors of either Amerada or such other corporation, Amerada shall be allowed a reasonable period of time within which to take any legal or other steps which are necessary to secure compliance with this Order.

V. *It is further ordered,* That Amerada notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this Order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

VI. *It is further ordered,* That respondent Amerada shall, within thirty (30) days after service upon it of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order, and shall within sixty (60) days submit copies of those lists provided by all current directors of Amerada pursuant to Paragraphs II and III designating all other corporations of which they are directors.

The Decision and Order was issued by the Commission July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23532 Filed 9-4-75;8:45 am]

[1] Copies of the Complaint, Decision and Order, filed with the original document.

[Docket No. 8905]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Associated Dry Goods Corp.

Subpart—Acquiring corporate stock or assets: § 13.5 Acquiring corporate stock or assets.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18)

In the Matter of Associated Dry Goods Corporation, a corporation.

Consent order requiring a New York City department store organization, among other things to divest itself of all stocks, assets, properties, etc.; which it acquired in 1972, comprising Ayr-Way Stores, Inc.

The Divestiture Order, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

I. Respondent shall, as soon as possible and in no event later than two years from the effective date of this Order, divest all of the assets, properties, stores, goodwill, rights, privileges and interests of whatever nature, real, personal, tangible and intangible (subject to liabilities and to the other provisions of this Order) comprising Ayr-Way Stores, Inc., a division of respondent Associated. Divestiture shall include but shall not be limited to the Ayr-Way stores and warehouse listed in the schedule attached hereto as exhibit A and all Ayr-Way facilities opened after December 1, 1974, and prior to divestiture.

Respondent may, but shall not be required to divest the names, trademarks, service names, service marks, or logos "Ayr-Way" or "Ayr-Way Stores, Inc." Nothing in this order shall be deemed to require the divestiture of respondent of the names, trademarks, service names, service marks, or logos "Associated Dry Goods Company," "Ayres," "L. S. Ayres" or "L. S. Ayres and Company, Inc.," or to require the divestiture of any other assets relating to the business of Associated Dry Goods Corporation or L. S. Ayres and Company, Inc.

Divestiture shall be in a manner which preserves the assets and business of Ayr-Way Stores, Inc. as a going concern and fully effective competitor.

[1] Copies of the Complaint, Appendices, Decision and Order, filed with the original document.

In the event that respondent elects to divest itself of the assets or capital stock of Ayr-Way Stores, Inc. by a sale of such assets or capital stock other than by means of a public offering of capital stock which is registered pursuant to the Securities Act of 1933, the acquirer or acquirers shall be approved in advance by the Commission. Nothing in this Order shall be deemed to preclude divestiture to a firm which is engaged in operating department stores or GMAF stores, as defined by the Complaint, if such acquirer is otherwise acceptable to the Commission. Respondent shall not knowingly sell, divest, or otherwise transfer, directly or indirectly, any assets or stock of Ayr-Way Stores, Inc. to any person (other than an underwriter or selling dealer) who is at the time of the transfer the beneficial owner of more than two (2) percent of the outstanding stock of Associated.

If divestiture has not been effected within the two-year period provided by this Order, the Commission, on request submitted at least 30 days prior to the expiration of the period shall grant respondent an opportunity to file a written submission which it will consider before issuing any further order or orders which may be deemed appropriate.

II. Associated or its subsidiaries may be obligated on the effective date of this Order as lessee, guarantor or otherwise with respect to leases pertaining to Ayr-Way stores, its land or buildings, and other obligations of Ayr-Way. Associated will use its good faith efforts to obtain releases of such obligations in connection with the divestiture. In the event that Associated is unable to obtain such releases, the divestiture herein provided shall be deemed to have been accomplished notwithstanding the continuance of any such obligations on the part of Associated provided that at the time of divestiture the acquiring entity assumes responsibility for the operation of the divested facilities; and provided further that the continuance of any such obligation on the part of Associated does not give rise to any influence or control, on the part of Associated in, over or with respect to the operations by said entity of the facilities divested.

In the event of default by the acquiring entity with respect to any such lease or other obligation upon which Associated may remain obligated, Associated shall be entitled, without being deemed to have violated any provisions of this Order, to take whatever action may be necessary with respect to the defaulted facility or facilities to hold itself harmless from the consequences of any such default or defaults, including the right to repossess and to reoperate any such retail facility or facilities the lease of which is in default, provided that Associated notifies the Commission within 48 hours of taking such action, and Associated shall redivest itself of any such retail facilities so repossessed within one year from the date of repossession unless a longer period is approved by the Commission, or unless the Commission approves the continued operation by Associated of any such facility.

Associated shall not utilize the names, trademarks, service names, service marks, or logos "Ayr-Way" or "Ayr-Way Stores, Inc." in the course of any retail business operated by Associated for a period of at least two years from the date of the divestiture.

III. (1) Pending divestiture, respondent shall make every reasonable effort to maintain and preserve the assets and business of Ayr-Way Stores, Inc. in good operating condition with such replacements and additions and such effective overall organization as may be necessary to divest Ayr-Way Stores, Inc. as a viable competitive entity; provided, however, that nothing contained herein shall be deemed to require respondent to continue to operate any store which has become so unprofitable that sound business judgment requires its closing or which is rendered inoperative as a result of force majeure or other event beyond the control of respondent.

(2) Whether the operation of a particular store has become so unprofitable during the pendency of divestiture that sound business judgment requires its closing shall be determined on the basis that such operation shall have yielded an aggregate operating loss during the last previous two calendar years, taken together. An "operating loss" occurs when the total operating revenues of a store fail to cover its total reasonable operating costs. "Operating costs" shall not include taxes on net income or any provision for the general and administrative overhead of L. S. Ayres and Company, Inc. or Associated Dry Goods Corporation. Other general and administrative expenses, provision for doubtful accounts and inventory adjustments shall be deemed to be reasonable if they do not exceed by more than one-third Associated Dry Goods' average for stores of similar size. Corrections to year-end statements and inventory shall be made in accordance with the methods and procedure used by Ayr-Way Stores, Inc. for the two years prior to the making of corrections.

(3) The judgment of respondent that a particular store should be closed prior to divestiture shall be communicated in writing to the Commission at least 30 days before the proposed closing, together with a full statement of (a) the reasons for such closing; (b) in case unprofitability is alleged, the store's sales and profitability history; (c) respondent's plans, if any, for the disposition of the store's assets, the consideration to be received therefor and the identity of proposed transferees so far as then known; and (d) such other information, including production of and/or access to original accounting records, as may be required for consideration of the proposed closing.

It is further ordered, That respondent shall, within ninety (90) days from the date of service of this Order, and every one hundred eighty (180) days thereafter until the divestiture required by this Order has been completed submit in writing to the Commission, a report setting forth its plans, actions and progress in complying wtih the divestiture required by this Order and such other reports related to the divestiture as may, from time to time, be requested by the Commission.

EXHIBIT A

APPENDIX A

1. Ayr-Way East, 6800 Pendleton Pike, Indianapolis, Indiana 46226.
2. Ayr-Way West, 2333 Lafayette Road, Indianapolis, Indiana 46222.
3. Ayr-Way South, 3700 South East Street, Indianapolis, Indiana 46227.
4. Ayr-Way Washington East, 8101 East Washington Street, Indianapolis, Indiana 46219.
5. Ayr-Way Richmond, 4401 National Road East, Richmond, Indiana 47374.
6. Ayr-Way Evansville East, 730 South Green River Road, Evansville, Indiana 47715.
7. Ayr-Way Anderson, 5501 Scatterfield Road, Anderson, Indiana 47401.
8. Ayr-Way Evansville North, 4000 First Avenue, Evansville, Indiana 46268.
9. Ayr-Way Indianapolis N.W., 6901 North Michigan Road, Indianapolis, Indiana 46268.
10. Ayr-Way Kokomo, 1037 South Reed Road, Kokomo, Indiana 46901.
11. Ayr-Way Nora, 1300 East 86th Street, Indianapolis, Indiana 46240.
12. Ayr-Way Bloomington, 601 College Mall Road, Bloomington, Indiana 47401.
13. Ayr-Way Fort Wayne North, 3801 Coldwater Road, Fort Wayne, Indiana 46805
14. Ayr-Way Fort Wayne South, 7601 South Anthony Boulevard, Fort Wayne, Indiana 46806.
15. Ayr-Way Washington West, 1225 S. High School Road, Indianapolis, Indiana 46241.
16. Ayr-Way South Bend, McKinley Square, 3512 East Cedar, South Bend, Indiana 46615.
17. Ayr-Way St. Matthews, 4714 West Port Road, Louisville, Kentucky 40207.
18. Ayr-Way Clarksville, 1500 Greentree Boulevard, Clarksville, Indiana 47130.
19. Ayr-Way Columbus, 2985 N. National Road, Columbus, Indiana 47201.
20. Ayr-Way Champaign, 2002 Glen Park Drive, Champaign, Illinois 61820.
21. Ayr-Way Danville, 2917 N. Vermilion, Danville, Illinois 61832.
22. Ayr-Way Bashford Manor, 2034 Bashford Manor Lane, West Buechel, Kentucky 40218.
23. Ayr-Way Middletown, 1701 University Boulevard, Middletown, Ohio 45042.
24. Ayr-Way Preston Road, 7100 Preston Road, Louisville, Kentucky 40218.
25. Ayr-Way Lafayette, 3100 Sagamore Parkway, North, Lafayette, Indiana 47904.
26. Ayr-Way Scottsdale, 1112 Scottsdale Mall Road, South Bend, Indiana 46612.
27. Ayr-Way Downtown Louisville, 427-437 South 4th Street, Louisville, Kentucky 40202.
28. Ayr-Way Distribution Center, 8250 Zionville Road, Indianapolis, Indiana 46268.

The Decision and Order was issued by the Commission July 28, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23533 Filed 9-4-75;8:45 am]

[Docket No. C-2712]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Credit Data Northwest, et al.

Subpart—Collecting, assembling, furnishing or utilizing consumer reports: § 13.382 Collecting, assembling, furnishing or utilizing consumer reports; 13.382-1 Confidentiality, accuracy, relevancy,

and proper utilization; 13.382–1(a) Fair Credit Reporting Act; 13.382–5 Formal regulatory and/or statutory requirements; 13.382–5(a) Fair Credit Reporting Act. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533–45 Maintain records; 13.533–45(k) Records, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 84 Stat. 1127–36; 15 U.S.C. 1601, *et seq.*)

In the Matter of Credit Data Northwest, a partnership, doing business as Seattle Credit Bureau; and Olympia Credit Bureau, Inc., a corporation, individually and as a partner in Credit Data Northwest; and Credit Bureau of Spokane, Inc., a corporation, individually and as a partner in Credit Data Northwest; and Retail Credit Grantors Bureau, Ltd., a corporation, individually and as a partner in Credit Data Northwest; and Terry B. Smith, individually and as General Manager of Credit Data Northwest; and Allen F. Leiter, individually and as Credit Reporting Manager of Credit Data Northwest.

Consent order requiring a Seattle, Wash., credit reporting agency and three affiliated agencies located in Washington and Canada, among other things to cease collecting, assembling, furnishing or utilizing consumer reports in violation of the Fair Credit Reporting Act.

The Order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

It is ordered, That respondents Credit Data Northwest, a partnership; Olympia Credit Bureau, Inc., Credit Bureau of Spokane, Inc., and Retail Credit Grantors Bureau, Ltd., corporations, individually and as partners in Credit Data Northwest; and Terry B. Smith and Allen F. Leiter, individually, and as principal operating officials of Credit Data Northwest; and respondents' agents, representatives, employees, successors and assigns, directly or through any corporation, subsidiary, division, or other device, in connection with the collecting, assembling, evaluating or furnishing of consumer reports, as "consumer report" is defined in the Fair Credit Reporting Act (15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Failing to make reasonable efforts to verify the identity of new members and nonmember consumer report applicants who are unknown to respondents by checking references, such as the yellow pages, a city directory, business reports, on-site inspection of the business premises or other methods adequate to reasonably ensure that such entities or persons are who they represent themselves to be.

2. Failing to require nonmember consumer report applicants at the time they apply for each consumer report to certify in writing the purposes for which the consumer report is sought and that it will be used for no other purpose.

3. Furnishing consumer reports to members and nonmember applicants who have not, through the execution of a membership contract or an application for a single report, clearly stated a purpose for the report which is listed in Section 604 of the Fair Credit Reporting Act.

4. Failing to specifically inquire of prospective members concerning the particular purposes for which information will be used, to set out such purposes in the membership contract, and to require that prospective members certify to such purposes and certify that the information will be used for no other purposes as required by Section 607(a) of the Fair Credit Reporting Act.

5. Failing to require attorneys, private investigators and private clubs, and such other classes of members who respondents have substantial cause to believe have reason to obtain consumer reports for impermissible purposes, to certify orally or in writing at the time such members seek each consumer report, the purpose for which the information is sought, and that the information will be used for no other purpose, in accordance with Section 607(a) of the Fair Credit Reporting Act. The respondents shall require such members to agree in their membership contracts with respondents that if oral certification is given such members must provide written certification of the said purpose within 5 business days of such oral certification. If certification is made orally, the respondents shall make a written record of such oral certification at the time of the request.

6. Failing to make reasonable efforts to verify the uses certified by prospective members and to make reasonable efforts to reverify the purposes certified by members in the membership agreement every three (3) years.

7. Failing to make reasonable efforts to verify the uses certified by nonmember applicants for consumer reports. Such efforts shall include (a) when consumer reports are requested for purported credit transactions, inquiry shall be made to seek verification of such transactions through contacting the other party to the transaction or other knowledgeable parties; (b) in the case of a property owner purportedly seeking a consumer report on a prospective buyer or tenant, inquiry shall be made to seek verification of the applicant's ownership of the property in question and whether it is for sale or rent; (c) in the case of a party seeking a report for purported employment purposes, inquiring whether the consumer is employed by the party or has applied for employment and, if so, verifying whether the consumer is so employed or has applied for employment; and (d) when consumer reports are requested in connection with business transactions having a personal, family or household purpose for the consumer, inquiry shall be made to seek verification of such transactions through contacting the other party to the transaction or other knowledgeable parties.

8. Failing, prior to the dissemination of any consumer report, to separate or delete adverse items of information in the consumer's file which antedate the date of the report by more than the applicable period specified in Section 605(a) of the Fair Credit Reporting Act.

9. Making any consumer report containing any item of information prohibited by Section 605(a) of the Fair Credit Reporting Act, except as provided in Section 605(b) of that Act, including the giving of any consumer report concerning the delinquency of an account more than seven years after such delinquency.

10. Recording information in a consumer's file, unless the source of the information provides at least one type of identification for the consumer in addition to the consumer's name, such as address, social security number, employer, or name of spouse.

11. Failing, when the completeness or accuracy of information in his or her file is disputed by a consumer, to:

a. (i) Initiate reinvestigation within three business days, (ii) continue to make reasonable efforts to complete the reinvestigation and (iii) to complete the reinvestigation within thirty days of the initiation thereof or, in the alternative, delete such information. Such reinvestigations with creditors shall include, but not necessarily be limited to, requesting examination by the creditor, where relevant, of any original documentation relating to the dispute in addition to credit records; such reinvestigations concerning suits and judgments shall include making inquiry of original creditors, where relevant and possible, and making inquiry in official records to determine if the judgment has been satisfied, the suit dismissed or other relevant action taken;

b. Reinvestigate with the original creditor when an account placed for collection is disputed;

c. Record immediately after reinvestigation the current status of information disputed by the consumer;

d. Immediately delete information which is found to be inaccurate or not verifiable after reinvestigation;

e. Inform the consumer, orally or in writing by mailing the information, of the results of the reinvestigation within five business days after the completion of the reinvestigation.

12. Failing to explicitly orally disclose to the consumer his or her right to request that all deletions, notations and consumer statements with respect to disputed information be sent by respondents to persons designated by the consumer who have received the deleted or disputed information within two years for employment purposes or within six months for any other purpose. Such dis-

[1] Copies of the Complaint, Exhibits, Decision and Order, filed with the original document.

closure shall be made at or prior to the time the information is deleted or the consumer's statement regarding the disputed information is received

13. Failing to furnish notification of deletion of information and any consumer statement, codification or summary thereof to any person designated by the consumer and qualified under Section 611(d) of the Fair Credit Reporting Act to receive such information. Such notification shall take place within five business days after the deletion or receipt of the consumer's request that the statement, codification or summary be sent.

14. Failing, whenever a statement of dispute has been filed, unless there are reasonable grounds to believe that the statement of dispute is frivolous or irrelevant, to clearly note in any subsequent consumer report containing the information in question that it is disputed by the consumer, and to provide either the consumer's statement or a clear and accurate codification or summary thereof.

15. Failing to provide each consumer who requests disclosure of information in his or her file with an exact facsimile of Exhibit A attached hereto.

It is further ordered, That respondents shall, at all times subsequent to the effective date of this order, maintain complete business records relative to the manner and form of their compliance with this order during the immediately preceding two-year period. Such records shall include all correspondence with consumers and consumer report applicants, policy directives, completely filled out interview reports, complaints from consumers and consumer report applicants, and other pertinent documents. Such records shall be kept in chronological order separate from the consumer files and shall be made available for inspection and photocopying by any authorized representative of the Federal Trade Commission upon reasonable notice at respondents' place of business or other properly designated location.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all employees now or hereafter engaged in the collecting, assembling, evaluating or furnishing of consumer information to third parties and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That respondents notify the Commission at least thirty days prior to any proposed changes in the corporate respondents or in the partnership entity, such as dissolution, assignment or sale, resulting in the emergence of successor corporations or partnerships, creation or dissolution of subsidiaries, or any other changes in the legal entities which may affect compliance obligations arising out of this order.

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment in the event of such discontinuance or affiliation, Such notice shall include respondents' current business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That respondents shall, within sixty days after service upon them of this order, file with the Commission a written report setting forth in detail the manner and form of their compliance with this order.

The Decision and Order was issued by the Commission July 29, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23534 Filed 9-4-75;8:45 am]

[Docket No. C-2688]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

El Paso Natural Gas Co.

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(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; sec. 8, 38 Stat. 732; 49 Stat. 717; 15 U.S.C. 19)

In the Matter of El Paso Natural Gas Company, a corporation.

Consent order requiring a Houston, Texas, energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of Transcontinental Gas Pipeline Corporation.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:[1]

ORDER

It is ordered, That El Paso Natural Gas Company (El Paso), its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of Transcontinental Gas Pipe Line Corporation.

It is further ordered, That El Paso shall, within thirty days after service of this order, and annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of any corporation in which El Paso controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the exploration, production and sale of natural gas; and exclusive of any corporation not engaged in "commerce" as defined in Section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

It is further ordered, That for a period ending five (5) years after service of this order, El Paso shall, at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing of proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of the Board of Directors, but has not been a member of its Board of Directors during the previous year, a written statement which discloses the information described in Paragraph II.

It is further ordered That for a period ending five (5) years after service of this order, El Paso shall not permit on its Board of Directors any person who fails to submit a written statement pursuant to Paragraphs II and III, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs II and III when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of El Paso by virtue of its business and location of operation in the exploration, production or sale of natural gas. If compliance with Paragraphs I and IV requires any member of El Paso's Board of Directors to resign or to be removed from the Board of Directors of either El Paso or such other corporation, El Paso shall be allowed a reasonable period of time within which to take any legal or other steps which are necessary to secure compliance with this order.

It is further ordered, That El Paso notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

It is further ordered, That respondent El Paso shall, within thirty (30) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order, and shall within sixty (60) days submit copies of those lists provided by all current directors of El Paso pursuant to Paragraphs II and III designating all other corporations of which they are directors.

The Decision and Order was issued by the Commission July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23535 Filed 9-4-75;8:45 am]

[1] Copies of the Complaint, Decision and Order, filed with the original document.

[Docket No. C-2694]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Kerr-McGee Corp.

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(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; sec. 8, 38 Stat. 732; 49 Stat. 717; 15 U.S.C. 19)

In the Matter of Kerr-McGee Corporation, a corporation.

Consent order requiring an Oklahoma City, Okla., energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of Oklahoma National Gas Company.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

I. *It is ordered,* That Kerr-McGee Corporation (Kerr-McGee), its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of Oklahoma Natural Gas Company.

II. *It is further ordered,* That Kerr-McGee shall, within thirty days after service of this order, and annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of any corporation in which Kerr-McGee controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the exploration, production and sale of natural gas, the purchase and refining of crude oil, and the sale of refined petroleum products; and exclusive of any corporation not engaged in "commerce" as defined in Section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

III. *It is further ordered,* That for a period ending five (5) years after service of this order, Kerr-McGee shall, at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing of proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of the Board of Directors, but has not been a member of the Board of Directors during the previous year, a written statement which discloses the information described in Paragraph II.

IV. *It is further ordered,* That for a period ending five (5) years after service of this order, Kerr-McGee shall not permit on its Board of Directors any person who fails to submit a written statement pursuant to Paragraphs II and III, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs II and III when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of Kerr-McGee by virtue of its business and location of operation in the exploration for, production or sale of natural gas or in the purchase or refining of crude oil, or in the sale of refined petroleum products. If compliance with Paragraphs I and IV requires any member of Kerr-McGee's Board of Directors to resign or to be removed from the Board of Directors of either Kerr-McGee or such other corporation, Kerr-McGee shall be allowed a reasonable period of time within which to take any legal or other steps which are necessary to secure compliance with this Order.

V. *It is further ordered,* That Kerr-McGee notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

VI. *It is further ordered,* That respondent Kerr-McGee shall, within thirty (30) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order, and shall within sixty (60) days submit copies of those lists provided by all current directors of Kerr-McGee pursuant to Paragraphs II and III designating all other corporations of which they are directors.

The Decision and Order was issued by the Commission July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23536 Filed 9-4-75;8:45 am]

[1] Copies of the Complaint, Decision and Order, filed with the original document.

[Docket No. C-2711]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Maralco Enterprises, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.55 Demand, business or other opportunities; § 13.60 Earnings and profits; § 13.73 Formal regulatory and statutory requirements; 13.73–92 Truth in Lending Act; § 13.110 Endorsements, approval and testimonials; § 13.143 Opportunities; § 13.155 Prices; 13.155–95 Terms and conditions; 13.155–95(a) Truth in Lending Act; § 13.175 Quality of product or service; § 13.205 Scientific or other relevant facts. Subpart—Claiming or using endorsements or testimonials falsely or misleadingly: § 13.330 Claiming or using endorsements or testimonials falsely or misleadingly. Subpart—Contracting for sale in any form binding on buyer prior to specified time period: § 13.527 Contracting for sale in any form binding on buyer prior to end of specified time period. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533–20 Disclosures; 13.533–45 Maintain records; 13.533–45 (k) Records, in general. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception. Subpart—Misrepresenting oneself and goods—Goods: § 13.1610 Demand for or business opportunities; § 13.1615 Earnings and profits; § 13.1665 Endorsements; § 13.1670 Jobs and employment; § 13.1697 Opportunities in product or service; § 13.1715 Quality; § 13.1740 Scientific or other relevant facts. —Prices: § 13.1823 Terms and conditions; 13.1823–20 Truth in Lending Act; —Promotional sales plans: § 13.1830 Promotional sales plans. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements; 13.1852–75 Truth in Lending Act; § 13.1892 Sales contract, right-to-cancel provision; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms and conditions; 13.1905–60 Truth in Lending Act. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1935 Earnings and profits; § 13.2015 Opportunities in product or service.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 15 U.S.C. 45, 1601, et seq.)

In the Matter of Maralco Enterprises, Inc., a corporation, New York School of Computer Technology, Inc., a corporation, Education Beneficial, Inc., a corportion, Tuition Payments, Inc., a corporation, and Hyman Marcus, Bartholomew Colangeli, and Fred Rosenberg, individually and as officers of said corporation.

Consent order requiring four New York City corporations operating a computer programming school, among other things to cease misrepresenting the demand for its graduates, job opportunities, earnings, and using testimonials and endorsements unfairly; and violating the Truth in Lending Act in connection with the sale of its courses.

The Order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

It is ordered, That respondents Maralco Enterprises, Inc., New York School of Computer Technology, Inc., Education Beneficial, Inc., and Tuition Payments, Inc., corporations, their successors and

[1] Copies of the Complaint, Appendices, Decision and Order, filed with the original document.

assigns, and their officers, and Hyman Marcus, Bartholomew Colangeli and Fred Rosenberg, individually and as officers of said corporations, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, or under any other name, in connection with the advertising, offering for sale, sale of courses of instruction in electronic data processing, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Failing to send by certified mail, return receipt requested, to each person that shall contract with respondents for the sale of any course of instruction, a notice which shall disclose the following information and none other:

(a) The title "IMPORTANT INFORMATION" printed in bold face type across the top of the form.

(b) Paragraphs containing the information set forth below, which shall be compiled and updated at least once every month. Such information shall be computed separately for each course of instruction offered by respondents at each school, location or facility.

(1) A paragraph as follows: "The information below relates to the (name of vocational school). The placement rate is the percentage of graduating students who obtained employment within three months of their graduation, in positions for which they were trained by this school."

(2) The "Placement Rate", using this term, to be determined as follows:

A. Respondents shall ascertain whether each graduate has obtained employment within three months of graduation in a position for which respondents' course has prepared him. If such employment has been obtained, respondents shall further ascertain the name of the employer, the position and the starting salary obtained by the graduate.

B. The placement rate shall be the percentage of students who have graduated within the base period (as defined in paragraph 1(b)(2)C) who have obtained employment as determined in 1(b)(2)A. The placement rate need not include those students exempted pursuant to subparagraph 1(b)(2)D.

C. The base period shall be the one year period ending four months prior to the date on which the information required under 1(b) is compiled or updated.

D. At the time each student signs his enrollment contract, respondents shall have him complete the form set forth in Appendix A of this order. Students who indicate their intention not to seek employment in the computer field (by checking box number 3 on such form) need not be included in the computation of the school's placement rate.

(3) The "Salary Range" and the "Average Salary (Median)", using these terms, of the graduates who have obtained employment as determined pursuant to 1(b)(2)A.

(4) The dropout rate, using the term "Students Not Completing Course", which shall be the percentage of students who were scheduled to graduate from respondents' course during the base period who have discontinued or interrupted their studies without completing such course. Provided, however, the dropout rate need not include:

A. Any student who indicates in writing his desire to interrupt his course of study, provided such interruption not exceed six months; or

B. Any student whose enrollment contract, and all obligations thereunder, are expressly conditioned upon the receipt by the student of an educational loan guaranteed by a federal or state agency, if the student's application for such a loan is in fact rejected; or

C. Any student who cancels his enrollment contract pursuant to his right of cancellation set forth in Paragraph 8 of this order.

(5) A sentence which sets forth the time period upon which the data in subparagraphs (1)–(4) above are based.

Provided, however, subparagraph (b) shall be inapplicable, and no disclosures shall be made thereunder, in the case of any newly established school or course, as described in subparagraph (c), until such time as the new school or course has been in operation for 16 months.

(c) In the case of any newly established school that respondents may establish in any metropolitan area or county, whichever is larger, where they did not previously operate a school, or to any course newly introduced by respondents, until such time as the new school or course has been in operation for 16 months, the following paragraph:

"This school (course) has not been in operation long enough to indicate, what, if any, actual employment or salary may result upon graduation from this school (course)."

(d) A paragraph which states that a list is available for inspection during respondents' business hours which contains the names of employers who have hired graduates of respondents' courses. Such list shall contain the names of those firms who employed students graduating in the most recent base period as ascertained by respondent in 1(b)(2)A.

(e) An explanation of the cancellation procedure provided in this order, namely that any contract or other agreement may be cancelled for any reason within three business days after receipt by the customer of this notice, or any other cancellation procedure provided by applicable state or local laws more favorable to the customer. Respondents shall include with the notice a detachable form or post card, or other separate form as may be applicable under state or local law, which the person may use as a notice of cancellation, and, which indicates the proper address for accomplishing any such cancellation.

The notice required under this paragraph shall be sent by respondents no sooner than the day after the person shall have contracted for the sale of any course of instruction. No other information or materials shall be sent with this notice except for the form or postcard provided to the consumer which can be used by him as a means of cancellation. During the period provided in paragraph (e), respondents shall not initiate contact with such persons other than required by this paragraph. This shall not prohibit respondents from conducting classes for those students who have begun their classes prior to signing a contract, provided that such classes are solely instructional in nature.

2. Making any representations, orally or in writing, directly or by implication, concerning any of the following:

(a) The demand for persons completing any of the courses offered by respondents in the area of electronic data processing, or any other course in any field;

(b) The opportunities or prospects for employment, or the opportunities of any type or number, available to persons completing any of respondents' courses;

(c) The likelihood of placement in positions for which respondents' graduates have been trained; or

(d) The salaries that might be earned by graduates or potential graduates of respondents' courses; or the salaries of such graduates or potential graduates as compared to their previous or present salaries; or the salaries of such graduates or potential graduates as compared to the salaries of any other persons or groups of persons.

Provided, however, that respondents may disclose in advertising, promotional materials or in any other manner the information otherwise disclosable pursuant to subparagraphs 1(b), 1(c) and 1(d) of this order. Such information shall be disclosed in the form and manner set forth in subparagraphs 1(b), 1(c), and 1(d) except that for the purposes of this provision, the information need only be updated once every six (6) months. If any such information is disclosed, all the information shall be disclosed.

3. Representing, by the use of photographs, testimonials or otherwise, the positions or salaries obtained by graduates of respondents' courses, or the employers who have hired such graduates. However, respondents may make such representations provided that:

(a) In immediate conjunction therewith, respondents disclose the information required to be disclosed under subparagraphs 1(a), 1(b), 1(c) and 1(d) of this order. Such information shall be disclosed in the form and manner set forth in subparagraphs 1(a), 1(b), 1(c) and 1(d) except that for the purposes of this provision, the information shall be updated at least once every six (6) months. Such disclosures shall be made clearly, conspicuously and with the prominence afforded to the salary, job, and other employment representations.

(b) Any such representations are based on the experiences of persons who graduated from respondents' courses during the base period used to compute the information to be disclosed pursuant to Paragraph 3(a).

(c) The arithmetic average of the salaries disclosed is no greater than the

median salary disclosed pursuant to paragraph 3(a).

4. Representing, orally or in writing, directly or by implication that:

(a) College education, training beyond a high school diploma or job experience is not necessary or advantageous for the placement of persons in the field of electronic data processing, or otherwise representing that persons with a high school education or its equivalent will achieve employment in the electronic data processing field, unless in every such instance it is disclosed, in immediate and conspicuous conjunction therewith, that college education or job experience is highly advantageous for placement; or misrepresenting in any manner the qualifications necessary to achieve employment in any field.

(b) Any number of occupationally useful programming languages are taught in respondents' courses of instruction in excess of those actually provided; or representing in any manner the materials available to enrollees in said courses unless true; or representing that types or brands of computers are used, unless true and the designation of the computer is disclosed.

(c) Individual instruction adapted to the needs of each student is provided in respondents' courses of instruction; or misrepresenting in any manner the quality or type of instructional method used in said courses. Provided, however, respondents may represent that a student can proceed at his or her own rate through the respondents' course material, if such is the fact.

5. Representing, orally or in writing, directly or by implication, that any courses of instruction are the equivalent of practical experience in the field of computer programming, or that the graduates of any such courses can represent themselves to prospective employers as experienced programmers.

6. Providing students of respondents' courses of instruction with resumes containing untrue information, suggesting to students that such resumes be prepared, or aiding in any way in the preparation of such resumes, or in any way verifying or attesting to false information included in resumes by graduates of respondents' courses of instruction.

7. Misrepresenting directly or by implication the significance or importance of any courses of instruction in qualifying any persons for employment in a particular field of endeavor, or misrepresenting in any manner the positions which graduates have obtained.

8. Contracting for any sale of any course of instruction in the form of a sales contract or other agreement which shall become binding prior to midnight of the third business day after the receipt by the customer of the form of notice provided for in Paragraph One above. Upon cancellation of any said sales contract or other agreement, as provided in Paragraph 1(e) above, respondents are obligated to refund within three business days to any person exercising the cancellation right all monies paid or remitted up until the notice of cancellation.

9. Making any representations of any kind whatsoever in connection with the advertising, promoting, offering for sale, sale or distribution of courses of study, training or instruction in the field of electronic data processing or any other course offered to the public in any field of commerce, for which respondents have no reasonable basis prior to the making or dissemination thereof.

II. *It is further ordered,* That respondents Maralco Enterprises, Inc., New York School of Computer Technology, Inc., Education Beneficial, Inc., and Tuition Payments, Inc., corporations, their successors and assigns and their officers, and Hyman Marcus, Bartholomew Colangeli and Fred Rosenberg, individually and as officers of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with any extension of consumer credit or in connection with any advertisement to aid, promote, or assist directly or indirectly any extension of consumer credit, as "consumer credit" and "advertisement" are defined in Regulation Z (12 C.F.R. 226) and the Truth in Lending Act (Pub. L. 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Failing, when offering a reduction from the cash price to those who elect to meet their obligation on or before a specified date, to disclose, as required by § 226.8(o)(1) of Regulation Z:

(a) The rate of discount, and date by which or period within which the discount may be taken;

(b) The amount of the discount, designated as a "finance charge", using that term; and

(c) The "annual percentage rate", using that term.

2. Failing to accurately disclose the "cash price", using that term, as required by § 226.8(c)(1), computed in accordance with § 226.8(o)(7) of Regulation Z.

3. Failing to disclose the downpayment in money, and to describe that amount as the "cash downpayment," as required by § 226.8(c)(2) of Regulation Z.

4. Failing to disclose the difference between the cash price and the total downpayment, and to describe that amount as the "unpaid balance of cash price," as required by § 226.8(c)(3) of Regulation Z.

5. Failing to disclose the amount of credit extended, and to describe that amount as the "amount financed," as required by § 226.8(c)(7) of Regulation Z.

6. Failing to disclose the sum of the payments scheduled to repay the indebtedness, and to describe that sum as the "total of payments," as required by § 226.8(b)(3) of Regulation Z.

7. Failing to disclose the sum of the cash price and the finance charge, and to describe that sum as the "deferred payment price," as required by § 226.8(c)(8)(ii) of Regulation Z.

8. Stating the period of payments which can be arranged in connection with a consumer credit transaction, without also stating all of the following items, in terminology prescribed under § 226.8 of Regulation Z, as required by § 226.10(d)(2) thereof:

(a) The cash price;

(b) The amount of the downpayment required or that no downpayment is required, as applicable;

(c) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if credit is extended;

(d) The amount of the finance charge expressed as an annual percentage rate; and

(e) The deferred payment price.

9. Failing in any consumer credit transaction or advertising to make all disclosures determined in accordance with §§ 226.4 and 226.5 of Regulation Z, at the time and in the manner, form and amount required by §§ 226.6, 226.8 and 226.10 of Regulation Z.

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

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent 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 respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business address and a statement as to the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That respondents maintain adequate records, to be furnished upon request of the staff of the Federal Trade Commission, which evidence compliance with the provisions of this order, including, but not limited to, the names, addresses and scores of all persons who take an aptitude test of any kind, copies of all contracts entered into between respondents and customers, copies of all correspondence between respondents and their customers, records showing the name and address of each student, the dates of his attendance, the date of his graduation or other termination of his studies, the names and addresses of any employers he was referred to, and his position and starting salary.

It is further ordered, That no provision of this order shall be construed in any way to annul, invalidate, repeal, terminate, modify or exempt respondents from complying with agreements, orders or directives of any kind obtained by any other agency or act as a defense to actions instituted by municipal or state regulatory agencies. No provision of this

order shall be construed to imply that any past or future conduct of respondents complies with the rules and regulations of, or the statutes administered by the Federal Trade Commission.

It is further ordered, That the respondents herein 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.

APPENDIX A

IMPORTANT NOTICE

The (name of school), in accordance with an agreement with the Federal Trade Commission, must determine the job placement rate of its graduates. To make this determination, it is necessary to know the intention of each student with regard to his or her desire to obtain employment in the computer field.

In order to assist the school in computing the placement rate of its graduates, *please read and complete this form carefully.*

Name: _____
Last First Middle

Address: _____
Number and Street

_____
City State Zip

Please *check one* of the following boxes:

☐ 1. I am not presently working, and I am taking this course to help me get a job in the computer field.

☐ 2. Although I am presently employed, I am taking this course to help me get a job in the computer field or to help me get a promotion in the computer field.

☐ 3. I do not plan to look for a job in the computer field after I graduate.

If you checked box number 3, please indicate why you do not plan to look for a job in the computer field. Please *circle* the appropriate letter: (Do not fill out this part if you checked #1 or #2 above.)

A. I am presently employed and I am taking this course to help me better understand my current job and better perform my duties.

B. I am taking this course solely because I am interested in computers, but I do not wish to look for a job in the computer field.

C. Other (Please specify) _____
_____
_____
_____

Date

_____
Signature

The Decision and Order was issued by the Commission July 25, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23537 Filed 9-4-75;8:45 am]

[Docket No. C-2687]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Newmont Mining Corp.

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(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; sec. 8, 38 Stat. 732; 49 Stat. 717; 15 U.S.C. 19)

In the Matter of Newmont Mining Corp., a corporation.

Consent order requiring a New York City energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of Amerada Hess Corp.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

I. *It is ordered,* That Newmont Mining Corporation (Newmont) its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of Amerada Hess Corporation.

II. *It is further ordered,* That Newmont shall, within thirty (30) days after service of this Order, and annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of any corporation in which Newmont controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the exploration, production and sale of natural gas and crude petroleum; and exclusive of any corporation not engaged in "commerce" as defined in Section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

III. *It is further ordered,* That for a period ending five (5) years after service of this order, Newmont shall, at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing of proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of the Board of Directors, but has not been a member of the Board of Directors during the previous year, a written statement which discloses the information described in Paragraph II.

IV. *It is further ordered,* That for a period ending five (5) years after service of this Order, Newmont shall not permit on its Board of Directors any person who fails to submit a written statement pursuant to Paragraphs II and III, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs II and III when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of Newmont by virtue of its business and location of operation in the exploration, production or sale of crude petroleum or natural gas. If compliance with Paragraphs I and IV requires any member of Newmont's Board of Directors to resign or to be removed from the Board of Directors of either Newmont or such other corporation, Newmont shall be allowed a reasonable period of time within which to take any legal or other steps which are necessary to secure compliance with this order.

V. *It is further ordered,* That Newmont notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

VI. *It is further ordered,* That respondent Newmont shall, within thirty (30) days after service upon it, of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order, and shall within sixty (60) days submit copies of those lists provided by all current directors of Newmont pursuant to Paragraphs II and III designating all other corporations of which they are directors.

The Decision and Order was issued by the Commission July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23538 Filed 9-4-75;8:45 am]

[Docket No. C-2695]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Oklahoma Natural Gas Company

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(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; sec. 8, 38 Stat. 732; 49 Stat. 717; 15 U.S.C. 19)

In the Matter of Oklahoma Natural Gas Company, a corporation.

Consent order requiring an Tulsa, Okla., energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of Kerr-McGee Corporation.

[1] Copies of the Complaint, Decision and Order, filed with the original document.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

I. *It is ordered,* That Oklahoma Natural Gas Company (ONG), its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of Kerr-McGee Corporation.

II. *It is further ordered,* That ONG shall, within thirty (30) days after service of this order, and annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of any corporation in which ONG controls directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the exploration for, production and sale of natural gas; and exclusive of any corporation not engaged in "commerce" as defined in Section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

III. *It is further ordered,* That for a period ending five (5) years after service of this order, ONG at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing of proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of the Board of Directors, but has not been a member of the Board of Directors during the previous year, a written statement which discloses the information described in Paragraph II.

IV. *It is further ordered,* That for a period ending five (5) years after service of this order, ONG shall not permit on its Board of Directors any person who fails to submit a written statement pursuant to Paragraphs II and III, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs II and III when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of ONG by virtue of its business and location of operation in the exploration for, production, or sale of natural gas. If compliance with Paragraphs I and IV requires any member of ONG's Board of Directors to resign or to be removed from the Board of Directors of either ONG or such other corporation, ONG shall be allowed a reasonable period of time within which to take any legal or other steps which are necessary to secure compliance with this order.

V. *It is further ordered,* That ONG notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

VI. *It is further ordered,* That respondent ONG shall, within thirty (30) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order, and shall within sixty (60) days submit copies of those lists provided by all current directors of ONG pursuant to Paragraphs II and III designating all other corporations of which they are directors.

The Decision and Order was issued by the Commission July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23539 Filed 9-4-75;8:45 am]

[Docket 8991]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Serr of Washington, D.C., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.135 Nature of product or service; § 13.155 Prices; 13.155-5 Additional charges unmentioned; § 13.170 Qualities or properties of product or service; 13.170-24 Cosmetic or beautifying; 13.170-30 Durability or permanence; § 13.195 Safety; § 13.205 Scientific or other relevant facts. Subpart—Contracting for sale in any form binding on buyer prior to specified time period: § 13.527 Contracting for sale in any form binding on buyer prior to end of specified time period. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-10 Corrective advertising; 13.533-20 Disclosures. Subpart—Misrepresenting oneself and goods —Goods: § 13.1685 Nature; § 13.1710 Qualities or properties; § 13.1730 Results; § 13.1740 Scientific or other relevant facts. —Prices: § 13.1778 Additional costs unmentioned. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1882 Prices; 13.1882-10 Additional prices unmentioned; § 13.1885 Qualities or properties; § 13.1890 Safety; § 13.1892 Sales contract, right-to-cancel provision; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms and conditions; 13.1905-50 Sales contract. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.2063 Scientific or other relevant facts.

(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)

In the Matter of Serr of Washington, D.C., Inc., a corporation, and Herb Mann, individually and as an officer of said corporation.

Consent order requiring a Washington, D.C., promoter of a hair implant replacement system, among other things to cease misrepresenting the nature, appearance and other related characteristics of its system; and failing to disclose that their system involves surgical procedures and continually requires special care. Further, respondents are required to devote 15% of all of their advertisements to warning prospective customers of the inherent dangers associated with their system of hair implant replacement.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

It is ordered, That respondent Serr of Washington, D.C., Inc., a corporation, its successors and assigns and its officers, and Herb Mann, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device or through franchisees or licensees, in connection with the advertising, offering for sale, sale, or distribution of the implant replacement system or other hair replacement product or process involving surgery (hereinafter sometimes referred to as the "System"), in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, or by the United States mails within the meaning of section 12(a)(1) of the Federal Trade Commission Act do forthwith cease and desist from representing, directly or by implication, that:

1. The System does not involve wearing a device or cosmetic which is like a hairpiece or toupee;

2. After the System has been applied, the hair applied becomes part of the anatomy like natural hair, and has the following characteristics of natural hair.

a. The same appearance in all applications as natural hair, upon normal observation, and upon extreme close-up examination;

b. It may be cared for like natural hair, particularly in that actions such as washing, combing, brushing and mussing might be performed on it in the same manner as might a person with natural hair;

c. The wearer may engage in physical activity and movement with the same disregard for his hair as he would if he had natural hair.

3. After the System has been applied, the wearer can care for it himself, and will not have to seek professional or skilled assistance in maintaining the System, and that the customer will not incur maintenance costs over and above the cost of applying the System.

It is further ordered, That respondents, in advertising, offering for sale, selling or distributing the System, disclose clearly and conspicuously that:

1. The System involves a surgical procedure resulting in the implantation of synthetic sutures in the scalp, to which hair is affixed.

[1] Copies of the Complaint, Decision and Order, filed with the original document.

[1] Copies of the Complaint, Decision and Order, filed with the original document.

2. By virtue of the surgical procedure involving implantation of synthetic sutures in the scalp, and by virtue of the synthetic suture remaining in the scalp, there is a risk of discomfort, pain, infection, scarring, and other skin disorders.

3. Continuing special care of the System is necessary to minimize the probabilities and risks referred to in Subparagraph Two of this Paragraph, and such care may involve additional costs for medications and assistance.

4. The purchaser is advised to consult with his personal physician about the System before deciding whether to purchase it.

Respondents shall set forth the above disclosures separately and conspicuously from the balance of each advertisement or presentation used in connection with the advertising, offering for sale, sale, or distribution of the System, and shall devote no less than 15% of each advertisement or presentation to such disclosures. Provided, however, that in advertisements which consist of less than ten column inches in newspapers and periodicals, and in radio and television advertisements with a running time of one minute or less, respondents may substitute the following statement, in lieu of the above requirements:

Warning: This application involves surgery whereby synthetic sutures are placed in the scalp. Discomfort, pain, and medical problems may occur. Continuing care is necessary. Consult your own physician.

No less than 15% of such advertisements shall be devoted to this disclosure, such disclosure shall be set forth clearly and conspicuously from the balance of each of such advertisements, and if such disclosure is a newspaper or periodical, it shall be in at least eleven point type.

It is further ordered, That respondents, in connection with the sale of the System, provide prospective purchasers with a separate disclosure sheet containing the information required in the immediately preceding Paragraph of this Order, Subparagraphs One (1). through Four (4) thereof, and that respondents require that, prior to executing any contract to purchase said System, such prospective purchasers, sign and date the disclosure sheet after the sentence, "I have read the foregoing disclosures and understand what they mean," and that Serr of Washington, D.C., Inc. provide a copy of said disclosure sheet to the customer and retain such signed disclosure sheet for at least three years.

It is further ordered, That, in connection with the sale of the System, no contract for application of the System shall become binding on the purchaser prior to midnight of the third day, excluding Sundays and legal holidays, after the day on which said contract for application of the System was executed, and that:

1. Respondents shall clearly and conspicuously disclose, orally prior to the time of sale, and in writing on any contract, promissory note or other instrument executed by the purchaser in connection with the sale of the System, that the purchaser may rescind or cancel any obligation incurred by mailing or delivering a notice of cancellation to the office responsible for the sale prior to midnight of the third day, excluding Sundays and legal holidays, after the day on which said contract for application of the System was executed.

2. Respondents shall provide a separate and clearly understandable form which the purchaser may use as a notice of cancellation.

3. Respondents shall not negotiate any contract, promissory note, or other instrument of indebtedness to a finance company or other third party prior to midnight of the fifth day, excluding Sundays and legal holidays, after the day on which said contract for application of the System was executed.

It is further ordered, That respondents, in connection with the advertising, offering for sale, sale, or distribution of the System, serve a copy of this Order upon each present and every future licensee or franchisee, and upon each physician participating in application of respondents' System, and obtain written acknowledgment of the receipt thereof; and that respondents obtain from each present and future licensee or franchisee an agreement in writing, (1) to abide by the terms of this Order, and (2) to cancellation of their license or franchise for failure to do so; and that respondents cancel the license or franchise of any licensee or franchisee that fails to abide by the terms of this Order. Respondents shall retain such acknowledgments and agreements for so long as such persons or firms continue to participate in the application or sale of respondents' System.

It is further ordered, That respondents, in connection with the advertising, offering for sale, sale, or distribution of the System, forthwith distribute a copy of this Order to each of their operating divisions or departments.

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

It is further ordered, That in the event that the corporate respondent merges with another corporation or transfers all or a substantial part of its business or assets to any other corporation or to any other person, said respondent shall require such successor or transferee to file promptly with the Commission a written agreement to be bound by the terms of this Order; provided that if said respondent wishes to present to the Commission any reasons why said Order should not apply in its present form to said successor or transferee, it shall submit to the Commission a written statement setting forth said reasons prior to the consummation of said succession or transfer.

It is further ordered, That the individual respondent Herb Mann 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 respondents herein 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.

The Decision and Order was issued by the Commission July 28, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23540 Filed 9-4-75;8:45 am]

[Docket C-2684]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

The Standard Oil Co.

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(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; sec. 8, 38 Stat. 732; 49 Stat. 717; 15 U.S.C. 19)

In the Matter of The Standard Oil Company, a corporation.

Consent order requiring a Cleveland, Ohio, energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of Diamond Shamrock Corporation.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:[1]

ORDER

I. *It is ordered,* That The Standard Oil Company, an Ohio corporation (Sohio), its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of Diamond Shamrock Corporation.

II. *It is further ordered,* That Sohio shall, within thirty days after service of this Order annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of The British Petroleum Company Limited, a United Kingdom Corporation, and any corporation in which Sohio or The British Petroleum Company Limited controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the

[1] Copies of the Complaint, Decision and Order, filed with the original document.

exploration, production, and sale of natural gas and crude petroleum; and exclusive of any corporation not engaged in "commerce" as defined in section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

III. *It is further ordered,* That for a period ending five (5) years after service of this Order, Sohio shall, at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing of proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of its Board of Directors, but has not been a member of the Board of Directors during the previous year, a written statement which disclose the information described in Paragraph II.

IV. *It is further ordered,* That for a period ending five (5) years after service of this Order, Sohio shall not permit on its Board of Directors any individual who fails to submit a written statement pursuant to Paragraphs — and —, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs — and — when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of Sohio by virtue of its business and location of operations in the exploration, production, or sale of crude petroleum or natural gas. If compliance with Paragraphs I and IV requires any member of Sohio's Board of Directors to resign or to be removed from the Board of Directors of Sohio or such other corporation, Sohio shall be allowed a reasonable period of time within which to take any legal or other steps which are necessary to secure compliance with this Order. For purposes of this Order, Sohio, The British Petroleum Company Limited and any corporation which Sohio or The British Petroleum Company Limited controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock shall not be considered competitors.

V. *It is further ordered,* That Sohio notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this Order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

VI. *It is further ordered,* That respondent Sohio shall, within thirty (30) days after service upon it of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order, and shall within sixty (60) days submit copies of those lists provided by all current directors of Sohio pursuant to Paragraphs — and — designating all other corporations of which they are directors.

Decision and order issued by the Commission, July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23541 Filed 9-4-75;8:45 am]

[Docket C-2689]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Transcontinental Gas Pipe Line Corp.

Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5. 38 Stat. 719, as prets or applies sec. 5, 38 Stat. 719, as 49 Stat. 717; 15 U.S.C. 19)

In the Matter of Transcontinental Gas Pipe Line Corp., a corporation.

Consent order requiring a Houston, Texas, energy company, among other things to cease permitting any individual to serve on its board of directors if such individual is or would be at the same time a director of El Paso Natural Gas Company.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

I. *It is ordered,* That Transcontinental Gas Pipe Line Corporation (Transcontinental), its successors and assigns, do forthwith cease and desist from permitting any individual to serve on its Board of Directors if such individual is or would be at the same time a director of El Paso Natural Gas Company.

II. *It is further ordered,* That Transcontinental shall, within thirty (30) days after service of this order, and annually for a period ending five (5) years thereafter, request from each member of its Board of Directors a written statement which discloses the name, business, and location of operations of each other corporation of which such member is also a director, exclusive of any corporation in which Transcontinental controls, directly or indirectly through subsidiaries, more than 50 percent of the voting stock; exclusive of any corporation which derives annual gross revenues of less than $1,000,000 from the exploration, production and sale of natural gas; and exclusive of any corporation not engaged in "commerce" as defined in Section 1 of the Clayton Act as amended or Section 4 of the Federal Trade Commission Act.

III. *Is further ordered,* That for a period ending five (5) years after service of this order, Transcontinental shall, at least thirty (30) days prior to any directors' meeting at which one or more directors will be elected or the mailing of proxy statements for any shareholder meeting at which one or more directors will be elected, request from each person who is being considered as a member of its Board of Directors, but has not been a member of the Board of Directors during the previous year, a written statement which discloses the information described in paragraph II.

IV. *It is further ordered,* That for a period ending five (5) years after service of this order, Transcontinental shall not permit on its Board of Directors any person who fails to submit a written statement pursuant to Paragraphs II and III, or any person who is a director of another corporation named in response to the statements required pursuant to Paragraphs II and III when said statement reveals or when a reasonably diligent investigation would reveal to respondent that such other corporation is a competitor of Transcontinental by virtue of its business and location of operations in the exploration, production or sale of natural gas. If compliance with Paragraphs I and IV requires any member of Transcontinental's Board of Directors to resign or to be removed from the Board of Directors of either Transcontinental or such other corporation, Transcontinental shall be allowed a reasonable time within which to take any legal or other steps which are necessary to secure compliance with this order.

V. *It is further ordered,* That Transcontinental notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent which may affect compliance obligations arising out of this order, such changes to include, but not be limited to, dissolution, assignment or sale resulting in the emergence of a successor corporation.

VI. *It is further ordered,* That respondent Transcontinental shall, within thirty (30) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order, and shall within sixty (60) days submit copies of those lists provided by all current directors of Transcontinental pursuant to Paragraphs II and III designating all other corporations of which they are directors.

The Decision and Order was issued by the Commission July 17, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23542 Filed 9-4-75;8:45 am]

[Docket C-2683]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

World Wide Systems, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or

[1] Copies of the Complaint, Decision and Order, filed with the original document.

misleadingly; § 13.15 Business status, advantages or connections; 13.15–30 Connections or arrangements with others; 13.15–70 Financing activities; § 13.55 Demand, business or other opportunities; § 13.60 Earnings and profits; § 13.71 Financing; § 13.115 Jobs and employment service; § 13.135 Nature of product or service; § 13.143 Opportunities; § 13.155 Prices; 13.155–5 Additional charges unmentioned; 13.155–95 Terms and conditions; § 13.190 Results; § 13.205 Scientific or other relevant facts; § 13.260 Terms and conditions. Subpart—Contracting for sale in any form binding on buyer prior to specified time period: § 13.527 Contracting for sale in any form binding on buyer prior to end of specified time period. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533–20 Disclosures; 13.533–45 Maintain records; 13.533–45 (c) Complaints. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 Delaying or withholding corrections, adjustments or action owed. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1395 Connections or arrangements with others; § 13.1417 Financing activities; § 13.1490 Nature.—Goods: § 13.1610 Demand for or business opportunities; § 13.1615 Earnings and profits; § 13.1670 Jobs and employment; § 13.1740 Scientific or other relevant facts. —Prices: § 13.1778 Additional costs unmentioned; § 13.1823 Terms and conditions. —Services: § 13.1882 Prices; 13.1882–10 Additional prices unmentioned; § 13.1892 Sales contract, right-to-cancel provision; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms and conditions; 13.1905–50 Sales contract. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1935 Earnings and profits; § 13.1995 Job guarantee and employment; § 13.2015 Opportunities in product or service; § 13.2063 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 46)

In the Matter of World Wide Systems, Inc., a corporation, and Francis J. Witherbee, individually and as an officer of said corporation, and doing business as Associated Systems, and d/b/a Atlas Systems, and d/b/a Coastway American Systems, and d/b/a Great Lakes Development Corporation and Steven L. Bradshaw, individually and as former officer of said corporation, and d/b/a Associated Systems, and d/b/a Atlas Systems, and d/b/a Coastway American Systems, and d/b/a Great Lakes Development Corporation, and d/b/a New Horizons Unlimited and others, and Eugene C. Kobylarz, individually and d/b/a New Horizons Unlimited, and d/b/a Rapidway Systems, and d/b/a Trailmasters, and d/b/a Roads and Lands.

Consent order requiring an Indianapolis, Ind., training school for truck drivers and heavy equipment operators, among other things to cease using deceptive and unfair means to sell instruction courses or any other product or service.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

ORDER

It is ordered, That respondents World Wide Systems, Inc., a corporation, its successors and assigns and Francis J. Witherbee, individually and as an officer of said corporation and doing business as Associated Systems, Atlas Systems, Coastway American Systems and Great Lakes Development Corporation and Steven L. Bradshaw, individually and as a former officer of said corporation and doing business as Associated Systems, Atlas Systems, Coastway American Systems, Great Lakes Development Corporation, New Horizons Unlimited and others, and Eugene C. Kobylarz, individually and doing business as New Horizons Unlimited, Rapidway Systems, Trailmasters and Roads and Lands, and respondents' officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of courses of study and distribution of courses of study and instruction in heavy equipment operation, truck driving or courses of study and instruction in any other subject, trade or vocation, or in connection with any other product or service, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

I. 1. Representing, directly or by implication, orally or in writing, that:

A. They are, or represent, or are affiliated with, construction or trucking companies or any industry for which enrollees of any courses offered by respondents are being trained; or misrepresenting, in any manner, the nature of their business.

B. Persons receiving training will, or may, earn any specified amounts or misrepresenting in any manner the prospective earnings of such persons after completion of said training.

C. They have been requested by construction and trucking companies or any other business or organization to train persons for specific jobs, or misrepresenting, in any manner, respondents' connection or affiliation with any industry or any member thereof.

D. Graduates of any courses offered by respondents will be qualified thereby for employment at jobs for which said graduates were purportedly trained when additional training or experience is required.

E. The nature of the initial payment by prospective enrollees of courses offered by respondents prior to the undertaking of a formal obligation to respondents is not that of a non-refundable tuition fee; or misrepresenting in any other manner the nature of any payment made by prospective enrollees of any courses offered by respondents.

F. They, or others, will permit enrollees of any courses to defer payment of the balance of the cost of said courses remaining after the initial or registration fee has been paid until after the enrollee has completed said courses and commenced employment; or misrepresenting in any other manner the terms or conditions under which payment is to be be made for said courses.

G. They, or others, will handle or arrange financing of the balance of the cost of said courses remaining after the initial or registration fee has been paid, unless respondents, or others specifically named, will, in fact, handle or arrange said financing.

H. They, or others, provide a placement service which will secure a job for graduates of said courses.

I. Graduates of said courses are assured jobs as a consequence of graduating from said courses.

J. There is a substantial demand, or a demand of any size or proportion, for persons completing any of the courses offered by the respondents in the field of truck driving or heavy equipment operations, or any other field, or otherwise representing, orally or in writing, that opportunities of any type or number, are available to such persons, except as hereinafter provided in Paragraph 6 of this Order. Provided, however, that respondents shall cease and desist making such representations unless the respondents in each and every instance:

(1) until the passage of a base period to be determined pursuant to Paragraph 6(b) of Part I of this Order, after the establishment of a new school location by respondents in any metropolitan area or county, whichever is larger, where they did not previously operate a school, and after the introduction by respondents of any new course of instruction at any school or location, shall:

(A) have in good faith conducted a statistically valid survey which establishes the validity of any such representation at all times when the representation is made, and

(B) have disclosed in immediate and conspicuous conjunction with any such representation, that: "All representations for potential employment demand or opportunities for graduates of this school (course) are merely estimates. This school (course) has not been in operation long enough to indicate what, if any, actual employment may result upon graduation.

(2) After the passage of a base period to be determined pursuant to Paragraph 6(b) of Part I of this Order, and until two years after the establishment of a new school location by respondents in any metropolitan area or county, whichever is larger, where they did not previously operate a school, and after the introduction by respondents of any new course of instruction at any school or location, shall:

(A) make any representations in the form and manner provided in Paragraph 6(b) of Part I of this Order, and

(B) disclose in immediate and conspicuous conjunction with any such representation, that:

[1] Copies of the Complaint, Decision and Order, filed with the original document.

"This school (course) has not been in operation long enough to indicate what, if any, actual employment may result upon graduation."

2. Placing ads in "Help-Wanted" columns or representing by any means that employment is being offered when such offer is not a bona fide offer of employment.

3. Failing to disclose, in writing, clearly and conspicuously, prior to the signing of any contract, to any prospective enrollee of any course offered by respondents, the full cost of such courses including the fee for any home study lessons and for any residential training.

4. Failing to place the title "CONTRACT", in bold face type, or any document which evidences an agreement between a person and respondents relating to the purchase of any of the courses offered by respondents; and failing to remove from any such document the word "application", or words of similar import or meaning.

5. Failing to show each prospective purchaser the home study portion of said courses and allow said prospective purchaser a reasonable time for examination of said home study materials before said prospective purchaser has paid any money or has signed any contract, or has obligated himself in any other way.

6. Failing to send by certified mail, return receipt requested, to each person that shall contract with respondents for the sale of any course of instruction a notice, the specific provisions of which will be based upon the record in adjudicative proceedings in this matter, which shall disclose the following information and none other:

(a) The title "IMPORTANT INFORMATION" printed in bold face type across the top of the form.

(b) Paragraphs providing the following information computed in the manner and using a form and for a base period to be approved by the Commission:

(1) The placement rate, ratio or percentage for graduates, and also the numbers upon which such rates, ratios or percentages are based;

(2) A list of firms or employers which are currently hiring graduates of respondents' courses in substantial numbers and in the positions for which such graduates have been trained, and the number of such graduates hired, as to the same graduates used to compute the placement percentage in (b) (1) above;

(3) The salary range of respondents' graduates as to the same graduates used to compute the placement percentage in (b) (1) above;

(4) The percentage of enrollees who have failed to complete their course of instruction, such percentage to be computed separately for each course of instruction offered by respondents at each school, location or facility.

(c) An explanation of the cancellation procedure provided in this Order, namely that any contract or other agreement may be cancelled for any reason until midnight of the third business day after receipt by the customer, via the U.S. Mails, of this notice.

(d) A detachable form which the person may use as notice of cancellation, which indicates the proper address for accomplishing any such cancellation.

This notice shall be sent by respondents no sooner than the next day after the person shall have contracted for the sale or any course of instruction; respondents, during such period provided for in subparagraph (c) above, shall not initiate contact with such person other than that required by this paragraph.

Provided, however, that subparagraph (b) above shall be inapplicable to any newly established school that respondents may establish in any metropolitan area or county, whichever is larger, where they did not previously operate a school, or to any course newly introduced by respondents, until such time as the new school or course has been in operation for the base period to be established pursuant to subparagraph (b) above. The following statement shall be included in such notice during such period:

"All representations of potential employment or salaries are merely estimates. This school (course) has not been in operation long enough to indicate what, if any, actual employment or salary may result upon graduation from this school (course)."

After such time as the new school or course has been in operation for the base period to be established pursuant to subparagraph (b) above, and until two years after the establishment of a new school location in any metropolitan area or county, whichever is larger, where they did not previously operate a school, or the introduction of any new course by respondents, the following statement shall be included in such notice:

"This school (course) has not been in operation long enough to indicate what, if any, actual employment or salary may result upon graduation from this school (course)."

7. Contracting for any sale of any course of instruction in the form of a sales contract or other agreement which shall become binding prior to midnight of the third business day after the date of receipt by the customer of the form of notice provided for in Paragraph 6 above. Upon cancellation of any said sales contract or other agreement as provided in Paragraph 6(c) above, respondents are obligated to refund within three business days to any person exercising the cancellation right, all monies paid or remitted up until the notice of cancellation.

8. Failing to disclose, clearly and conspicuously, in advertisements, in catalogs, brochures and on letterheads that respondents' business is solely and exclusively that of a private school, not affiliated with any members of the construction industry, the trucking industry or any member of any other industry.

9. Failing to refund promptly to purchasers who have cancelled their contracts such monies as may be due and owing according to the terms of such contracts.

II. 1. *It is further ordered,* That:

(a) Respondents herein deliver, by registered mail, a copy of this Decision and Order to each of their present and future franchisees, licensees, employees, sales representatives, agents, solicitors, brokers, independent contractors or to any other person who promotes, offers for sale, sells or distributes any course of instruction included within the scope of this Order:

(b) Respondents herein provide each person or entity so described in subparagraph (a) of this Paragraph with a form returnable to the respondents clearly stating his or her intention to be bound by and to conform his or her business practices to the requirements of this Order; retain said statement during the period said person or entity is so engaged; and make said statement available to the Commission's staff for inspection and copying upon request;

(c) Respondents herein inform each person or entity described in subparagraph (a) of this paragraph that the respondents will not use or engage or will terminate the use or engagement of any such party, unless such party agrees to and does file notice with the respondents that he or she will be bound by the provisions contained in this Order;

(d) If such party as described in subparagraph (a) of this paragraph will not agree to file the notice set forth in subparagraph (b) above with the respondents and be bound by the provisions of this Order, the respondents shall not use or engage or continue the use or engagement of such party to promote, offer for sale, sell or distribute any course of instruction included within the scope of this Order;

(e) Respondents herein inform the persons or entities described in subparagraph (a) above that the respondents are obligated by this Order to discontinue dealing with or to terminate the use or engagement of persons or entities who continue on their own the deceptive acts or practices prohibited by this Order;

(f) Respondents herein institute a program of continuing surveillance adequate to reveal whether the business practices of each said person or entity described in subparagraph (a) above conform to the requirements of this Order;

(g) Respondents herein discontinue dealing with or terminate the use or engagement of any person described in subparagraph (a) above, who continues in his or her own any act or practice prohibited by this Order as revealed by the aforesaid program of surveillance.

(h) Respondents herein maintain files containing all inquiries of complaints from any source relating to acts or practices prohibited by this Order, for a period of two years after their receipt, and that such files be made available for examination by a duly authorized agent of the Federal Trade Commission during the regular hours of the respondents' business for inspection and copying.

2. *It is further ordered,* That respondents herein present to each interested

applicant or prospective student immediately prior to the commencement of any interview or sales presentation during which the purchase of or enrollment in any course of instruction offered by respondents herein is discussed or solicited a 5" x 7" card containing only the following language:

"YOU WILL BE TALKING TO A SALESPERSON"

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

4. *It is further ordered,* That the respondent World Wide Systems, Inc., shall notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sales resulting in the emergency of a successor corporation, the creation or dissolution of subsidiaries or any other change in the respondents which may affect compliance obligations arising out of this Order.

5. *It is further ordered,* That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That the respondents herein 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.

The Decision and Order was issued by the Commission July 16, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23543 Filed 9-4-75;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[TD 75-221]

PART 112—CARRIERS, CARTMEN, AND LIGHTERMEN

Private Carriers of Bonded Merchandise

On April 7, 1975, there was published in the FEDERAL REGISTER (40 FR 15389) a notice of a proposal to amend § 112.11 (a) (4) (iii) of the Customs Regulations (19 CFR 112.11(a) (4) (iii)) to expand the authority granted to private carriers in the transportation of their own bonded merchandise.

Presently, § 112.11(a) (4) (iii) of the Customs Regulations (19 CFR 112.11(a) (4) (iii)) only permits a private carrier to carry his own bonded merchandise from the port of importation or port of entry for warehouse to his own bonded warehouse for physical deposit. Private carriers have advised the United States Customs Service that this limitation has resulted in an extravagant consumption of fuel and use of vehicles by prohibiting possible "two-way" hauling operations that could be instituted if this limitation was removed.

In order to conserve fuel and to better utilize the vehicles and equipment of private carriers, it was proposed to amend § 112.11(a) (4) (iii) of the Customs Regulations by also permitting a private carrier to transport his own merchandise under bond from his Customs bonded warehouse to another Customs bonded warehouse for physical deposit or, if for exportation, to transport his own merchandise under bond from his Customs bonded warehouse to a Customs bonded warehouse at the port of exportation. After consideration of the comments received in response to the notice of proposed rulemaking, it has been decided to adopt the proposed amendment without change.

Accordingly, § 112.11(a) (4) (iii) of the Customs Regulations (19 CFR 112.11(a) (4) (iii)) is amended to read as follows:

§ 112.11 Carriers which may be authorized.

(a) * * *

(4) * * *

(iii) The merchandise is to be transported from the port of importation or port of entry for warehouse to the private carrier's Customs bonded warehouse for physical deposit, or from the private carrier's Customs bonded warehouse to another Customs bonded warehouse for physical deposit, or, if for exportation, from a Customs bonded warehouse of which the private carrier is the proprietor to a Customs bonded warehouse at the port of exportation.

* * * * *

(R.S. 251, as amended, secs. 551, 565, 624, 46 Stat. 742, as amended, 747, as amended, 759 (19 U.S.C. 66, 1551, 1565, 1624))

Effective date. This amendment will become effective October 7, 1975.

VERNON D. ACREE,
Commissioner of Customs.

Approved: August 26, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-23633 Filed 9-4-75;8:45 am]

[T.D. 75-220]

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

Public International Organizations Entitled to Free Entry Privileges

By Executive Order No. 11866 signed June 18, 1975 (40 FR 26015), the President designated the World Intellectual Property Organization as a public international organization entitled to enjoy all the privileges, exemptions, and immunities provided for by the International Organizations Immunities Act of December 29, 1945 (59 Stat. 669).

The names of public international organizations currently designated as entitled to free entry privileges under the International Organizations Immunities Act are set forth in § 148.87(b) of the Customs Regulations (19 CFR 148.87 (b)) together with the number and date of the Executive order by which they were designated.

Accordingly, § 148.87(b) is amended by the following addition (in proper alphabetical order):

Organization	Executive Order	Date
World Intellectual Property Organization	11866	June 18, 1975

(R.S. 251, as amended, secs. 498, 624, 46 Stat. 728, as amended, 759, sec. 1, 59 Stat. 669 (19 U.S.C. 66, 1498, 1624, 22 U.S.C. 288))

Inasmuch as these amendments merely correct the listing of organizations entitled by law to claim free entry privileges as public international organizations, notice and public procedure thereon is found to be unnecessary and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: August 26, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-23634 Filed 9-4-75;8:45 am]

Title 20—Employees' Benefits

CHAPTER II—RAILROAD RETIREMENT BOARD

PART 200—PROCEDURES AND FORMS

PART 260—APPEALS WITHIN THE BOARD

Additional Types of Determinations

This document provides a revision of the Board's Regulations with respect to the additional types of determinations, in addition to determinations on applications for benefits, which are considered to be "initial decisions" from which a claimant may appeal.

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (50 Stat. 314, as amended; 45 U.S.C. 228j), § 200.1(a) of Part 200 (20 CFR 200.1(a)) and §§ 260.1, 260.2 (a), (b), and (d) of Part 260 (20 CFR 260.1 and 260.2 (a), (b), and (d)) of the Regulations under such act are amended as follows:

§ 200.1 The general course and method by which the Board's functions are channeled and determined.

(a) *Retirement and death benefits.* Retirement and death benefits must be applied for by filing application therefor. (For details as to application, see Parts 210 and 237 of this chapter.) The Bureau of Retirement Claims considers the application and the evidence and information submitted with it. Wage and service records maintained by the Board are checked and if necessary, further evidence is obtained from the employee, the employer, fellow employees, public records and any other person or source

available. The Bureau makes initial decisions on the following matters:

(1) Applications for benefits;

(2) Requests for the withdrawal of an application;

(3) Requests for a change in an annuity beginning date;

(4) The termination of an annuity;

(5) The modification of the amount of an annuity or lump sum;

(6) Requests for the reinstatement of an annuity which had been terminated or modified;

(7) The existence of an erroneous payment; and

(8) The eligibility of an individual for a supplemental annuity or the amount of such supplemental annuity.

A claimant dissatisfied with the Bureau's decision may, upon filing notice within one year from the date the decision is mailed to the claimant, appeal to the Bureau of Hearings and Appeals. There he may have an oral hearing before a referee of which a stenographic record is made, submit additional evidence, be represented, and present written and oral argument. If dissatisfied with the decision of the referee, the claimant may appeal to the Board itself. This appeal must be made on a prescribed form within four months of the date a copy of the referee's decision was mailed to him. If new evidence is received, the Board may remand the case to the referee for investigation and recommendation concerning the new evidence. (For details on appeals procedure, see Part 260 of this chapter.) A claimant, after he has unsuccessfully appealed to the Board itself and has thus exhausted all administrative remedies within the Board, may obtain a review of a final decision of the Board by filing a petition for review, within one year after the entry of the decision on the records of the Board and its communication to the claimant, in the United States court of appeals for the circuit in which the claimant resides, or in the United States Court of Appeals for the Seventh Circuit, or in the United States Court of Appeals for the District of Columbia Circuit.

* * * * *

§ 260.1 Initial decisions by the Bureau of Retirement Claims.

(a) Claims shall be adjudicated and initial decisions made by the Bureau of Retirement Claims concerning:

(1) Applications for benefits;

(2) Requests for the withdrawal of an application;

(3) Requests for a change in an annuity beginning date;

(4) The termination of an annuity;

(5) The modification of the amount of an annuity or lump sum;

(6) Requests for the reinstatement of an annuity which had been terminated or modified;

(7) The existence of an erroneous payment; and

(8) The eligibility of an individual for a supplemental annuity or the amount of such supplemental annuity.

Adjudication and initial decision shall be in accordance with instructions issued by the Director of the Bureau and shall be made upon the basis of evidence submitted by the claimant and evidence otherwise available.

(b) Notice of an initial decision shall be communicated by the Bureau of Retirement Claims to the claimant in writing within thirty days after such decision is made.

§ 260.2 Appeal from an initial decision of the Bureau of Retirement Claims.

(a) Every claimant shall have a right to appeal to the Bureau of Hearings and Appeals from any initial decision of the Bureau of Retirement Claims by which he claims to be aggrieved.

(b) Appeal from an initial decision of the Bureau of Retirement Claims shall be made by the execution and filing of the appeal form prescribed by the Board. Such appeal must be filed with the Bureau of Hearings and Appeals within one year from the date upon which notice of the initial decision is mailed to the claimant at the address furnished by him.

* * * * *

(d) Within a reasonable time after the claimant has filed a properly executed appeal, the Director of the Bureau of Hearings and Appeals shall appoint a referee to act in the appeal. Such referee shall not have any interest in the parties or in the outcome of the proceedings, shall not have directly participated in the initial decision from which the appeal is made, and shall not have any other interest in the matter which might prevent a fair and impartial decision.

* * * * *

By Authority of the Board.

Dated: August 29, 1975.

[SEAL] R. F. BUTLER,
Secretary of the Board.

[FR Doc.75-23563 Filed 9-4-75;8:45 am]

Title 21—Food and Drugs

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

PART 121—FOOD ADDITIVES

PART 556—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

Medroxyprogesterone Acetate

Elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs is issuing a notice withdrawing approval for use of the drug Repromix (contains medroxyprogesterone acetate for the synchronization of estrus and ovulation in breeding cattle and ewes). Use of the drug was provided for by new animal drug application No. 13-573V held by The Upjohn Co., Kalamazoo, MI 49001.

The notice is based on a request from the firm that the application be withdrawn since the drug is no longer being marketed. Since approval of the drug product is being withdrawn, corresponding regulations in Parts 121 and 556 (21 CFR Parts 121, 556), which provide for the use of the drug in feed and establish an appropriate tolerance for residues in food, are accordingly revoked.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 340-351 (21 U.S.C. 360b(i))) and under the authority delegated to him (21 CFR 2.120), Parts 121 and 556 are amended as follows:

§ 121.276 [Revoked]

1. In Part 121, § 121.276 *Medroxyprogesterone acetate* is revoked.

§ 556.370 [Revoked]

2. In Part 556, § 556.370 *Medroxyprogesterone acetate* is revoked.

Effective date. This regulation becomes effective September 5, 1975.

(Sec. 512(i), 82 Stat. 340-351 (21 U.S.C. 360b (i)))

Dated: August 28, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-23614 Filed 9-4-75;8:45 am]

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF AGRICULTURE

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

Miscellaneous Revisions and Amendments

Part 2, Subtitle A of Title 7, Code of Federal Regulations, is amended to revise the delegations of authority to the Under Secretary, the Assistant Secretary for Administration, the Director of Agricultural Economics, the Director, Office of Management and Finance, the Director, Office of Audit, and the Administrator, Economic Research Service, relating to the planning and evaluation responsibilities within the Department, and to make other revisions as follows:

1. Section 2.15(b) relating to planning, evaluation and budgeting is revoked and reserved, as follows:

§ 2.15 Delegations of authority to the Under Secretary.

* * * * *

(b) [Reserved]

* * * * *

2. Section 2.25 is amended to read as follows:

§ 2.25 Delegations of Authority to the Assistant Secretary for Administration.

The following delegations of authority are made by the Secretary of Agriculture to the Assistant Secretary for Administration:

* * * * *

(b) *Related to management and finance.*

* * * * *

(14) Develop comprehensive long-range program plans.

(15) Administer the Department's program evaluation system; maintain an integrated multi-year programming and

budgeting structure; and monitor performance of agencies in meeting budgeting targets and objectives.

* * * * *

(i) *Related to Audit.* * * *

(iii) Conduct all required audits of program results.

* * * * *

3. Section 2.27 is amended to read as follows:

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

The following delegations of authority are made by the Secretary of Agriculture to the Director of Agricultural Economics:

* * * * *

(b) *Related to economics research.*

* * * * *

(12) Conduct long-range forecasting, technology assessments and alternative futures research, and serve as the Department's liaison with the Office of Technology Assessment.

* * * * *

4. Section 2.45 is revoked and reserved as follows:

§ 2.45 [Reserved]

5. Section 2.75 is amended to read as follows:

§ 2.75 Director, Office of Management and Finance.

(a) *Delegations.* * * *

* * * * *

(15) Develop comprehensive long-range program plans.

(16) Administer the Department's program evaluation system; maintain an integrated multi-year programming and budgeting structure; and monitor performance of agencies in meeting budgeting targets and objectives.

* * * * *

6. Section 2.81 is amended to read as follows:

§ 2.81 Director, Office of Audit.

(a) *Delegations.* * * *

* * * * *

(5) Conduct all required audits of program results.

* * * * *

7. Section 2.86 is amended to read as follows:

§ 2.86 Administrator, Economic Research Service.

(a) *Delegations.* * * *

* * * * *

(11) Conduct long-range forecasting, technology assessment and alternative futures research, and serve as the Department's liaison with the Office of Technology Assessment.

* * * *

Effective Date: These amendments shall become effective on September 5, 1975.

Dated: September 2, 1975.

For Subpart C:

EARL L. BUTZ,
Secretary of Agriculture.

Dated: August 29, 1975.

For Subpart E:

RICHARD A. ASHWORTH,
Deputy Under Secretary.

Dated: August 28, 1975.

For Subpart J:

JOSEPH R. WRIGHT, Jr.,
Assistant Secretary for Administration.

Dated: August 27, 1975.

For Subpart K:

DON PAARLBERG,
Director,
Agricultural Economics.

[FR Doc.75-23594 Filed 9-4-75;8:45 am]

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

[Lemon Regulation 9]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period September 7–13, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.309 Lemon Regulation 9.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is active on all fruit, thus for this week. Average f.o.b. price was $7.99 per carton the week ended August 30, 1975, compared to $7.48 per carton the previous week. Track and rolling supplies at 102 cars were down 10 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 2, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which

may be handled during the period September 7, 1975, through September 13, 1975, is hereby fixed at 225,000 cartons.

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

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

Dated: September 3, 1975.

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

[FR Doc.75-23842 Filed 9-4-75;11:22 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

[CCC Grain Price Support Regulations, 1975 Crop Peanut Farm-Stored Loan and Purchase Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Loan and Purchase Rates

On January 27, 1975, notice of proposed rulemaking regarding loan and purchase rates for 1975 crop peanuts and operating provisions to carry out the 1975 crop peanut loan and purchase program was published in the FEDERAL REGISTER, 40 FR 4019.

Six responses were received from individual producers and other interested parties. None of the written comments, suggestions, or objections received, pertained to the aspects of the loan and purchase program covered by this subpart. The regulations contained in 7 CFR, §§ 1421.291 through 1421.295 are revised to read as follows, effective as to the 1975 crop of peanuts. The material previously appearing in these sections remains in full force and effect as to the crops to which it was applicable.

Subpart—1975 Crop Farm Stored Peanut Loan and Purchase Program

Sec.
1421.291 Purpose.
1421.292 Availability.
1421.293 Maturity of loans.
1421.294 Loan and purchase rates.
1421.295 Eligible peanuts.

AUTHORITY: Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714 (b) and (c)); Secs. 101, 401, 403 and 405, 63 Stat. 1051, as amended (7 U.S.C. 1441, 1421, 423, 425).

Subpart—1975 Crop Farm Stored Peanut Loan and Purchase Program

§ 1421.291 Purpose.

This supplement contains program provisions which, together with the applicable provisions of the General Regulations Governing Price Support for the 1970 and Subsequent Crops of Grains and Similarly Handled Commodities (35 FR 7363 and 7761, 7 CFR 1421.1–29), as amended, and the provisions of the 1970 and Subsequent Crops Peanut Farm-Stored Loan and Purchase Supplement (35 FR 12706, 7 CFR 1421.280–289), as amended, (hereinafter referred to as "the continuing supplement"), which contain regulations of a general nature with respect to loan and purchase operations, apply to farm-stored loans and purchases for the 1975 crop of peanuts.

§ 1421.292 Availability.

(a) *Farm-stored loans.* Producers must request a loan on 1975 crop eligible peanuts on or before March 31, 1976.

(b) *Purchases.* Producers desiring to offer for purchase, eligible peanuts not under loan must execute and deliver to the appropriate county ASCS office, on or before April 30, 1976, a Purchase Agreement (Form CCC–614) indicating the approximate quantity of 1975 crop peanuts he may sell to CCC.

§ 1421.293 Maturity of loans.

Unless demand is made earlier, farm-stored loans on farmers' stock peanuts will mature on April 30, 1976.

§ 1421.294 Loan and purchase rates.

(a) *Loan rate.* Subject to the discounts specified in paragraph (b) of this section, the loan rates for farmers' stock peanuts placed under farm-stored loan shall be the following rates by types per ton:

Type:	*Dollars per ton*
Virginia	394
Runner	393
Southeast Spanish	385
Southwest Spanish	381
Valencia (suitable for cleaning and roasting in southwest)[1]	394

(b) *Location adjustment to support prices.* The loan rates specified in paragraph (a) of this section shall be subject to the following discounts for farmers' stock peanuts placed under a farm-stored loan in the States specified where peanuts are not customarily shelled or crushed:

State:	*Dollars per ton*
Arizona	25
Arkansas	10
California	33
Louisiana	7
Mississippi	10
Missouri	10
Tennessee	25

(c) *Settlement values.* The support prices, premiums, and discounts for use in computing the settlement value, under § 1421.289(b)(2) of the continuing supplement, of peanuts acquired by CCC under loan or purchase shall be those specified in § 1446.12 of the 1975 crop peanut warehouse storage loan supplement (39 FR 26715, 7 CFR 1446.12), including the location adjustments specified therein for peanuts delivered to CCC in States where peanuts are not customarily shelled or crushed.

§ 1421.295 Eligible peanuts.

In addition to meeting the requirements of § 1421.228 of the continuing supplement, farmers' stock peanuts to be eligible for farm-stored loan and purchase must be free of Aspergillus flavus mold as determined by a Federal-State inspector.

Effective date: September 5, 1975.

Signed at Washington, D.C., on August 27, 1975.

KENNETH E. FRICK,
Executive Vice President, Commodity Credit Corporation.

[FR Doc.75-23593 Filed 9-4-75;8:45 am]

[1] The price for all Valencia-type peanuts in the Southeast and Virginia-Carolina areas and for those Valencia-type peanuts in the Southwest area which are not suitable for cleaning and roasting will be the same as for Spanish-type peanuts in the same area.

[CCC Grain Price Support Regulations, 1975 Crop Honey Supplement]

PART 1434—HONEY

Purchase Rates

On January 15, 1975, notice of proposed rulemaking regarding purchase rates for 1975 crop honey and detailed operating provisions to carry out the 1975 crop honey purchase program was published in the FEDERAL REGISTER (40 FR 2726).

Two responses were received, one from an interested individual honey producer and the other from a marketing association. The responses recommended that a proposed purchase program permit producers to make declaration of intent to sell honey to CCC through March 31 for the previous year's production, that producers be notified of their delivery date and destination by June 1, and that delivery be made by producers on or about July 1. Specific delivery dates are not being adopted by CCC because of their impracticability under the purchase program.

The regulations contained in 7 CFR 1434.40 through 1434.44 are revised to read as follows, effective as to 1975 crop honey. The material previously appearing in these sections remains in full force and effect as to the crops to which it was applicable.

Subpart—1975 Crop Honey Purchase Program

Sec.
1434.40 Purpose.
1434.41 Availability.
1434.42 Purchase rates.
1434.43 Discounts.

AUTHORITY: Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714 b and c); secs. 201, 401, 63 Stat. 1052, 1054 (7 U.S.C. 1446, 1421).

Subpart—1975 Crop Honey Purchase Program

§ 1434.40 Purpose.

This subpart contains program provisions which, together with (a) the Honey Purchase Regulations for 1975 and Subsequent Crops (40 FR 39798), (b) the Cooperative Marketing Association Eligibility Requirements for Price Support in Part 1425 of this chapter, and (c) any amendments to such regulations set forth the requirements with respect to purchases of 1975-crop honey.

§ 1434.41 Availability.

Producers desiring to offer eligible honey for purchase must complete a pur-

chase agreement (Form CCC-614) at the county ASCS office on or before March 31, 1976.

§ 1434.42 Purchase rates.

(a) *Table and nontable honey.* The rate for the quantity of 1975-crop honey purchased shall be the rate for the respective class and color set forth below:

Class and color: Table honey:	Cents per pound
1. White and lighter	26.3
2. Extra light amber	25.3
3. Light amber	24.3
4. Other table honey	22.3
Nontable honey	22.3

(b) *Objectionable flavor, fermentation, or caramelization.* The settlement value for a lot of honey delivered for purchase which grades substandard on account of objectionable flavor, fermentation, or caramelization shall be the lower of its market value as determined by CCC or a value determined on the basis of the purchase rate for nontable honey.

(c) *Grade not certified.* The settlement value for a lot of honey for purchase on which the grade cannot be certified shall be the lower of its market value as determined by CCC or a value as determined on the basis of the purchase rate for nontable honey.

(d) *Substandard.* The rate for a lot of honey delivered for purchase which grades substandard on account of defects or moisture or a combination of defects and moisture shall be adjusted by the discounts in § 1434.43.

§ 1434.43 Discounts.

(a) *Defects.* The purchase rate for a lot of honey delivered for purchase which grades substandard on account of defects shall be adjusted by the following discount:

Substandard account of:	Discount (cents per pound)
Defects	2

(b) *Moisture.* The purchase rate for a lot of honey delivered for purchase which contains moisture in excess of 18.5 percent shall be adjusted by the following discounts which shall be in addition to the discount for defects:

Moisture (percent):	Discount (cents per pound)
18.5	$0.0
19.0	.5
19.5	1.0
20.0	1.5
20.5	2.0
21.0	2.5
21.5	3.0
22.0	3.5
22.5	4.0
23.0	4.5
23.5	5.0
24.0	5.5
24.5	6.0

(c) *Commingled storage.* The purchase rate for a lot of honey tendered for purchase by CCC while stored commingled in a warehouse, or delivered to a warehouse in bulk, shall be adjusted by the following discount:

	Discount (cents per pound)
Bulk commingled	1.5

Effective date: September 5, 1975.

Signed at Washington, D.C., on August 27, 1975.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.75-23593 Filed 9-4-75;8:45 am]

Title 9—Animals and Animal Products

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

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

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments

• **Purpose: To make minor editorial changes for scientific accuracy in the choice of words and to correct spelling and printing errors.** •

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158), Part 113, Subchapter E, Chapter 1 of Title 9 of the Code of Federal Regulations is amended by making corrections as follows:

"Perfringens" was incorrectly capitalized in § 113.96 and § 113.97 and the plural of "gram" was incorrectly used in § 113.97. The word "samples" was inadvertently omitted from § 113.162(d)(3) and "per chicken" from § 113.164(e)(2)(iii). An incorrect reference was made in § 113.164(e)(3)(i). The word "centrifuge" was misprinted in § 113.202(a).

For scientific accuracy, "Potency Test" has been changed to "Virus titer requirements" and "0.7 logs" has been changed to $10^{0.7}$" where they occur in paragraphs 113.139(d)(2), 113.140(d)(2), 113.141(d)(2), 113.142(d)(3), 113.143(c)(3)(v), 113.144(d)(3), 113.145(d)(3), 113.146(d)(3), 113.160(d)(3), 113.161(d)(2), 113.162(d)(3)(iii), 113.163(d)(3), and 113.164(d)(3). Other minor editorial changes have been made for correctness, consistency, and clarity.

Also for consistency, the parenthesis has been deleted from the headings for sections 113.125, 113.128, and 113.129.

All words in the headings should be capitalized.

1. Section 113.96 is amended by revising the introductory paragraph to read:

§ 113.96 Clostridium Perfringens Type C Toxoid and Bacterin-Toxoid.

Clostridium Perfringens Type C Toxoid and Clostridium Perfringens Type C Bacterin-Toxoid shall be produced from a culture of *Clostridium perfringens* Type C which has been inactivated and is nontoxic. Each serial shall meet the applicable requirements in § 113.85 and shall be tested for purity, safety, and potency as prescribed in this section. Any serial found unsatisfactory by a prescribed test shall not be released.

* * * * *

2. Section 113.97 is amended by revising the introductory paragraph and paragraph (c)(1)(vi) to read:

§ 113.97 Clostridium Perfringens Type D Toxoid and Bacterin-Toxoid.

Clostridium Perfringens Type D Toxoid and Clostridium Perfringens Type D Bacterin-Toxoid shall be produced from a culture of *Clostridium perfringens* Type D which has been inactivated and is nontoxic. Each serial shall meet the applicable requirements in § 113.85 and shall be tested for purity, safety, and potency as prescribed in this section. Any serial found unsatisfactory by a prescribed test shall not be released.

* * * * *

(c) * * *

(1) * * *

(vi) *Diluent.* The solution used to make proper dilutions prescribed in this test. Such solutions shall be made by dissolving 1 gram of peptone and 0.25 gram of sodium chloride in each 100 ml of distilled water; adjusting the pH to 7.2; autoclaving at 250° F for 25 minutes; and storing at 4° C until used.

3. Section 113.125 is amended by revising the heading to read:

§ 113.125 Newcastle Disease Vaccine, Killed Virus.

* * * * *

§ 113.128 Avian Encephalomyelitis Vaccine, Killed Virus.

4. Section 113.128 is amended by revising the heading as set forth above.

§ 113.129 Rabies Vaccine, Killed Virus.

5. Section 113.129 is amended by revising the heading as set forth above.

6. Section 113.139 is amended by revising paragraph (d)(2) to read:

§ 113.139 Feline Panleukopenia Vaccine.

* * * * *

(d) * * *

(2) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c)(2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{3.0}$ $TCID_{50}$ per dose.

7. Section 113.140 is amended by revising paragraph (d)(2) to read:

§ 113.140 Canine Hepatitis Vaccine.

* * * * *

(d) * * *

(2) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c)(2) of this section. To be eligible for release, each serial and each subserial shall

have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{3.0}$ $TCID_{50}$ per dose.

8. Section 113.141 is amended by revising paragraph (d) (2) to read:

§ 113.141 Canine Distemper Vaccine, Ferret Avirulent.

* * * * *

(d) * * *

(2) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{3.0}$ ID_{50} per dose.

9. Section 113.142 is amended as follows:

§ 113.142 Canine Distemper Vaccine, Ferret Virulent.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer. To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the virus dose used in the immunigenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test when tested by the ferret injection method.

10. Section 113.143 is amended by revising paragraph (c) (3) (v) to read:

§ 113.143 Encephalomyelitis Vaccine, Venezuelan.

* * * * *

(c) * * *

(3) * * *

(v) Final container samples of completed product shall be tested for virus titer. To be eligible for release, each serial of vaccine shall have a $GPIPID_{50}$ titer of sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (b) of this section to assure that when tested at any time within the expiration period, each serial shall have a $GPIPID_{50}$ titer $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{3.7}$ $GPIPID_{50}$ per dose.

11. Section 113.144 is amended by revising paragraph (d) (3) to read:

§ 113.144 Bovine Parainfluenza Vaccine.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{2.7}$ greater than that used in such immunogenicity test but not less than $10^{3.7}$ $TCID_{50}$ per dose.

12. Section 113.145 is amended by revising paragraph (d) (3) to read:

§ 113.145 Bovine Rhinotracheitis Vaccine.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{3.7}$ $TCID_{50}$ per dose.

13. Section 113.146 is amended by revising paragraph (d) (3) to read:

§ 113.146 Bovine Virus Diarrhea Vaccine.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{2.7}$ greater than that used in such immunogenicity test but not less than $10^{3.5}$ $TCID_{50}$ per dose.

14. Section 113.160 is amended by revising paragraph (d) (3) and the introductory paragraph in (e) to read:

§ 113.160 Avian Encephalomyelitis Vaccine.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{2.7}$ greater than that used in such immunogenicity test but not less than $10^{2.5}$ EID_{50} per dose.

(e) Until a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the applicable requirements prescribed in § 113.135, except paragraph (c) in paragraph (d) (1) of this section, and in this paragraph.

* * * * *

15. Section 113.161 is amended by revising paragraph (d) (2) to read:

§ 113.161 Avian Pox Vaccine.

* * * * *

(d) * * *

(2) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{2.7}$ greater than that used in such immunogenicity test but not less than $10^{2.0}$ EID_{50} per dose.

16. Section 113.162 is amended by revising the introductory portion of paragraph (d) (3) and paragraph (d) (3) (iii) to read:

§ 113.162 Bronchitis Vaccine.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the procedure prescribed in paragraph (c) (2) of this section and in this paragraph.

* * * * *

(iii) To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{2.7}$ greater than that used in such immunogenicity test but not less than $10^{2.0}$ EID_{50} per dose.

17. Section 113.163 is amended by revising paragraph (d) (3) to read:

§ 113.163 Fowl Laryngotracheitis Vaccine.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product

shall be tested for virus titer using the titration method provided in paragraphs (c) (2) or (3) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{2.5}$ EID_{50} per dose for chicken embryo origin vaccine and $10^{2.0}$ EID_{50} or $10^{2.5}$ $TCID_{50}$ per dose for tissue culture origin vaccine.

* * * * *

18. Section 113.164 is amended by revising paragraphs (b), (d) (3), (e) (1), (e) (2) (iii), and (e) (3) (i) to read:

§ 113.164 Newcastle Disease Vaccine.

* * * * *

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37, except that, if the test is inconclusive because of a vaccine virus override, the test may be repeated and if the repeat test is inconclusive for the same reason, the chicken inoculation test prescribed in § 113.36 may be conducted and the virus judged accordingly.

* * * * *

(d) * * *

(3) *Virus titer requirements.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of $10^{0.7}$ greater than that used in such immunogenicity test but not less than $10^{5.5}$ EID_{50} per dose.

(e) * * *

(1) A virus titration shall be conducted on final container samples of completed product in accordance with the titration methods used in paragraph (c) (2) of this section. A serial or subserial which does not contain at least $10^{5.5}$ EID_{50} per dose of Newcastle disease virus through the expiration date is unsatisfactory.

(2) * * *

(iii) Twenty to twenty-eight days post-vaccination, the vaccinates and the controls shall be challenged intramuscularly with at least $10^{4.0}$ EID_{50} per chicken of Newcastle disease virus provided or approved by Veterinary Services. The chickens shall be observed each day for 14 days.

* * * * *

(3) * * *

(i) Vaccines recommended for use in chickens 10 days of age or younger shall be tested in accordance with paragraphs (d) (2) (i), (ii), and (iii) of this section.

* * * * *

(37 Stat. 832–833; 21 U.S.C. 151–158)

These amendments are administrative or editorial and the changes are corrective or conformative in nature and make no substantive changes in the affected regulations.

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

The foregoing amendments shall become effective upon issuance.

Done at Washington, DC, this 29th day of August 1975.

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

[FR Doc.75-23591 Filed 9-4-75;8:45 am]

Title 12—Banks and Banking

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

Cashing Checks and Money Orders

On pages 30291–30292 of the July 18, 1975, edition of the FEDERAL REGISTER (40 FR 30291–30292) there was published a proposal to amend Part 701 (12 CFR 701) by revising § 701.23(d). The purpose of the proposal is to give to each Federal credit union the option of charging a fee when the cashing of a check or money order is not applied in its entirety for payment of a loan, payment of interest, payment of any obligation to the credit union, or the purchase of shares. Interested persons were given until August 11, 1975, to submit written comments, suggestions and objections regarding the proposed amendment. As a result of the comments, no changes were deemed necessary.

Accordingly, the proposed amendment to Part 701 (12 CFR 701) is adopted as set forth below and is effective immediately.

HERMAN NICKERSON, Jr.,
Administrator.

AUGUST 28, 1975.

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

§ 701.23 Cashing checks and money orders.

* * * * *

(d) No fee shall be charged by a Federal credit union to a member for the cashing of a check or money order when such check or money order is applied in its entirety for payment of a loan, payment of interest, payment of any obligation to the credit union, or the purchase of shares. Nor shall any fee be charged to the member for the cashing of a check or money order drawn by the Federal credit union on its own bank account and issued to the member in connection with a withdrawal by the member from a share account or in connection with the disbursement of a loan.

[FR Doc.75-23562 Filed 9-4-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 75-WE-1-AD; Amdt. 39-2357]

PART 39—AIRWORTHINESS DIRECTIVES

AiResearch Model GTCP660-4 and -4R Auxiliary Power Units (APU)

Pursuant to a Notice of Proposed Rule Making, published June 12, 1975, in the FEDERAL REGISTER, (40 FR 25027), the agency proposed to amend Amendment 39-2108 (40 FR 8541), AD 75-05-17, as amended by Amendment 39-2224 (40 FR 23722), to require accomplishment of modifications and inspections described in AiResearch Service Bulletin GTCP 660-49-3713, dated May 15, 1975, or later FAA-approved revisions, within six months of the effective date of the adopted rule on certain Boeing 747 aircraft. When the modifications and inspections were performed, the placard required by paragraph (a) of the AD may be removed, and the inspections required by paragraph (b) may be discontinued.

The agency considered the incorporation of these modifications and inspections as necessary to minimize the hazard of injury to persons near the aircraft during ground operations.

Interested persons have been afforded an opportunity to participate in the making of the amendment.

Three comments were received. The Air Transport Association on behalf of member air carriers, British Airways, and Belgian World Airlines (Sabena), as Central Agency for the ATLAS group (Air France, Lufthansa, Alitalia, Iberia and Sabena) submitted comments. The comments stressed problems of parts availability, scheduling capabilities of the operators, and spare APU availability; Sabena also noted that there had been only one penetration of the aircraft Body Station 2658 firewall due to non-containment of fragments during over more than 2,900,000 total aircraft hours of operation. Based on the foregoing, the comments requested substantial extensions of the compliance time within which the actions were to be taken in the adopted rule, while concurring in the agency's intent to effect a terminating action with some time frame.

The Sabena comment referencing the incident in which there had been penetration of the firewall at Body Station 2658 is true, but is not pertinent to the agency's intent to protect ground personnel from shrapnel piercing the adjacent fuselage. In addition to the fragments which pierced the forward firewall of the APU compartment during the incident cited above, there were numerous fragments which penetrated the lower sur-

face of the APU compartment and could have endangered ground personnel and produced a condition which could impair fire containment because of firewall degradation.

With respect to the compliance time proposed in the Notice of Proposed Rule Making, it is to be noted that the agency previously, by Amendment 39-2224, referenced above, issued on May 21, 1975, and made effective on June 5, 1975, authorized the operators to incorporate the modifications and inspections of the manufacturer's service bulletin as a terminating action to the placard requirement of paragraph (a) of the AD, and the inspections of paragraph (b). Amendment 39-2224 was adopted as an immediately adopted rule, as it provided an alternative means of compliance, which, when performed, relieved the operators of the AD requirements, as indicated above. The agency believes that the operators, both in the interest of safety for the ground personnel involved, and the advantages of eliminating the restrictions of the AD, would have been incorporating the actions set forth in the service bulletin on a scheduled basis even before the issuance of the Notice. And, while it is true that there has been but one incident involving the failure to contain the fragments of the APU, the potential hazard presented by the occurrence is sufficiently serious to warrant effective corrective action at the earliest time, and on a practicable basis.

The ATA comment suggested a compliance time of 24 months or 1,000 hours time in service on the APU, whichever occurs later.

British Airways suggested a date of June 30, 1976. Sabena suggested that the service bulletin be incorporated the first time the APU is removed from the airplane with a maximum delay of 24 months after the effective date of the amendment.

The agency has considered these comments. In the interest of safety in aviation, the agency believes that the compliance time adopted herein, namely, on or before July 1, 1976, to do the work, represents a reasonable standard.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2108 (40 FR 8541), AD 75-05-17, as amended by Amendment 39-2224 (40 FR 23722), is further amended, by revising paragraph (c) to read:

§ 39.13 [Amended]

(c) The modifications and inspections described in AiResearch Bulletin GTCP 660-49-3713, dated May 15, 1975, or later FAA-approved revisions must be incorporated on or before July 1, 1976. Upon completion of these modifications and inspections, the placard required by paragraph (a), above, may be removed and the inspections required by (b), above, may be discontinued.

This amendment becomes effective October 6, 1975.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California on August 21, 1975.

LYNN L. HINK,
Acting Director,
FAA Western Region.

[FR Doc.75-23488 Filed 9-4-75;8:45 am]

[Airworthiness Docket No. 75-SW-11, Amdt. 39-2350]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Models 206A, 206B, 206A-1, and 206B-1 Helicopters

Amendment 39-2122 (40 FR 10661), AD 75-06-03, as revised by Amendment 39-2146 (40 FR 14297) requires an immediate and a 100-hour repetitive inspection for possible cracks in the upper and lower clevis on each main rotor blade pitch link assembly, P/N 206-010-330 or 206-010-342, and an inspection of the outer swashplate ring horn bearings for excessive breakaway torque on Bell Models 206A, 206B, 206A-1 and 206B-1 helicopters. After issuing Amendment 39-2122, AD 75-06-03, and Amendment 39-2146, the agency has been informed of satisfactory service history on the affected clevises and helicopters by several operators and by the Helicopter Association of America. Bell Helicopter Company has inspected approximately 40 clevises with alleged cracks that were returned to them as prescribed in the Mailgram dated February 15, 1975, from Bell Helicopter Company to all 206A, 206B, and TH57A operators. None of these clevises had cracks in the threaded shanks. Amendment 39-2122, AD 75-06-03, has been in effect since March 12, 1975, and the FAA has not received a confirmed case of a cracked clevis as a result of this AD. Based on this information and the numerous requests for relief from further repetitive inspections, the AD is being amended to delete any further requirement for a repetitive inspection.

The agency again requests interested persons to submit written information and comments on the main rotor pitch link assemblies as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Forth Worth, Texas 76101. All comments will be available in the Office of Regional Counsel for examination by interested persons.

The comments received on or before September 22, 1975, that are submitted in response to the request for additional information will be considered by the Director and the amendment may be changed in the light of those comments prior to the adoption on October 2, 1975. Since this amendment provides relief from further repetitive inspections and imposes no additional burden on any person, the amendment may be made effective in 40 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), Section 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2122 (40 FR 10661), AD 75-06-03 as amended by Amendment 39-2146 (40 FR 14297) is further amended by changing the compliance paragraph to read as follows:

Compliance required within 10 hours' time in service after March 12, 1975, unless already accomplished.

This amendment becomes effective October 2, 1975.

This amendment is made under the authority of Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Texas, on August 13, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.75-23489 Filed 9-4-75;8:45 am]

[Airworthiness Docket No. 75-SW-39; Amdt. 39-2356]

PART 39—AIRWORTHINESS DIRECTIVES

Rockwell Models 690, 690A, and 685

Amendment 39-2275, 40 FR 29272, AD 75-15-01, imposes a speed and deflection limitation during flap operation, and requires a one-time inspection of flap bracket, P/N 510003-92, with a subsequent modification prior to lifting the flap speed and deflection limitation. After issuing Amendment 39-2257, service experience established that cracks were still occurring while operating with the flap speed and deflection limitation.

Therefore, the AD is being superseded by a new AD that requires a repetitive inspection while operating in accordance with the flap speed and deflection limitation. Also, further modification information is provided.

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

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

ROCKWELL: Applies to Models 690, S/N 11000 and subsequent, 690A, S/N 11100 and subsequent, and 685, S/N 12000 and subsequent.

Compliance required as indicated:

A. Immediately upon receipt of this AD, limit flap speed and deflection as follows:

Flap speed (Kts)	Flap deflection (degrees)	Models
104	40	690, 690A, 685
115	35	690, 690A, 685
128	30	690, 690A, 685
140	27	690, 690A, 685
156	20	690
156	20	685
180	20	690A

B. Within 25 hours' time in service after the effective date of this AD, unless already accomplished,

1. Install a limitation placard, covering paragraph A, in accordance with Rockwell International Service Bulletin No. 156 dated June 27, 1975, Revision 1 dated July 3, 1975, or later approved revision, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration, Fort Worth, Texas.

2. Inspect flap bracket P/N 510003-92 for cracks.

a. If cracks are found, modify the flap bracket in accordance with Rockwell International Service Bulletin No. 157 dated July 16, 1975, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration, Fort Worth, Texas, and install prior to further flight.

A special flight permit pursuant to FAR 21.197 may be issued to allow ferrying of the aircraft to a facility where the required maintenance can be performed. Flaps should not be operated during ferry flight. Following modification, the placard required by paragraph B may then be removed and the limitations specified in paragraph A may be disregarded.

b. If no cracks are found, continue to operate the aircraft in accordance with the limitations specified in paragraph A. Reinspect at intervals of 25 hours thereafter, and within the next 100 hours' time in service, accomplish the modification specified in paragraph B(2)(a). Upon installation of this modification, the placard required by paragraph B may be removed and the limitation specified in paragraph A may be disregarded.

This amendment becomes effective on receipt of an individual copy or on September 8, 1975, whichever occurs first.

This amendment is made under the authority of Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 135(a), 1421, and 1423) and of Section 6(e) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Texas, on August 22, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.75-23490 Filed 9-4-75;8:45 am]

[Docket No. 74-NE-45; Amdt. 39-2358]

PART 39—AIRWORTHINESS DIRECTIVE

Pratt & Whitney JT6D Aircraft Engines

Amendment 39-2055 (39 FR 40167), AD 75-01-01 requires operators of certain JT6D engines to remove low turbine shafts that have not been reworked by undercutting the threads in the spline end, and to repetitively inspect shafts with reworked splines at intervals of 6700 cycles in service. The AD also requires an inspection of the No. 2 compressor hub spline.

Since the issuance of the AD, an alternate procedure has been approved for inspection of the shaft splines. Paragraph 2 of the AD has been revised to reflect this. In addition, it has come to our attention that some confusion exists on the required No. 2 compressor hub spline inspection required by Paragraph 3. For clarification, the plated and the nonplated titanium hub inspections have been separated into Paragraph 3 and 4, respectively, of the amended AD.

Since this amendment clarifies the AD, provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1835 (39 FR 16388), AD 75-01-01, is amended as follows:

Compliance Paragraph 1 is amended by deleting the words "after the effective date of this AD, whichever is later", and inserting the words "after January 8, 1975, whichever is later".

Compliance Paragraph 2 is amended by:

a. Deleting the words "eddy current spline inspection procedure in Pratt & Whitney Service Bulletin 2452, Revision 5", and inserting the words "Pratt & Whitney Service Bulletin 2452, Revision 10".

b. Deleting the words "since last eddy current spline inspection", and inserting the words "since last inspection".

c. Deleting the words "after the effective date of this AD, whichever is later, unless already accomplished", and inserting the words "after January 8, 1975, whichever is later, unless already accomplished in accordance with Pratt & Whitney Service Bulletin No. 2452, Revision No. 10, or in accordance with the eddy current inspection of Pratt & Whitney Service Bulletin No. 2452, Revision Nos. 5 thru 9".

Compliance Paragraph 3 is deleted in its entirety and the following paragraphs inserted in lieu thereof:

3. Inspect all No. 2 compressor hub splines plated per Pratt & Whitney Service Bulletins 2964 and 4193, in accordance with Pratt & Whitney Alert Service Bulletin 4357, Paragraphs IV.D.2 and IV.D.3, or later FAA approved revision, as applicable, when the low turbine shafts are removed or inspected in accordance with Paragraph 1 or 2 above. Remove hubs with plate peeling from service before further flight.

4. Inspect nonplated titanium No. 2 compressor hub splines, run with low turbine shafts requiring inspection under Paragraphs 1 or 2 of this AD, for taper wear in accordance with Pratt & Whitney JT8D manual, P/N 481672, Revision 76, Section 72-33-6, or later FAA approved revision, prior to the accumulation of 6700 cycles in service or within the next 2000 cycles in service after January 8, 1975, whichever is later, unless already accomplished. Inspect thereafter at intervals not to exceed 6700 cycles in service since last inspection. Remove hubs with taper wear in excess of .010 inch from service before further flight.

This amendment becomes effective September 7, 1975.

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

Issued in Burlington, Massachusetts, on August 22, 1975.

WILLIAM E. CROSBY,
Acting Director,
New England Region.

[FR Doc.75-23596 Filed 9-4-75;8:45 am]

[Airspace Docket No. 75-SW-59]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

Correction

In FR Doc. 75-22639, appearing at page 38146 of the issue for Wednesday, August 27, 1975, in the third column, the third full paragraph, the third line from the top, the effective date "September 27, 1975", should read "August 27, 1975".

[Docket No. 14954; Amdt. No. 984]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 F.R. 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP

changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 9723 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, *effective October 16, 1975.*

Anoka, MN—Gateway North Industrial Arpt., VOR Rwy 33, Orig.

* * * *effective September 18, 1975.*

Marion, IL—Williamson County Arpt., VOR Rwy 2, Amdt. 5.

Marion, IL—Williamson County Arpt., VOR Rwy 20, Amdt. 6.

* * * *effective September 11, 1975.*

Santa Rosa, CA—Sonoma County Arpt., VOR Rwy 32, Amdt. 8.

* * * *effective August 20, 1975*

Escanaba, MI—Delta County Arpt., VOR Rwy 18, Amdt. 3.

2. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, *effective October 16, 1975.*

Greer, S.C.—Greenville-Spartanburg Arpt., NDB Rwy 3, Amdt. 7.

* * * *effective October 9, 1975.*

San Bernardino, CA—Tri-City Arpt., NDB Rwy 7, Amdt. 1.

* * * *effective September 11, 1975.*

Marble Falls, TX—Horseshoe Bay Arpt., NDB Rwy 18, Orig.

3. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective October 16, 1975.*

Greer, S.C.—Greenville-Spartanburg Arpt., ILS Rwy 3, Amdt. 10.

* * * *effective October 9, 1975.*

Kenai, AK—Kenai Municipal Arpt., ILS Rwy 19, Orig.

Yakutat, AK—Yakutat Arpt., ILS Rwy 11, Orig.

* * * *effective September 11, 1975.*

Santa Rosa, CA—Sonoma County Arpt., ILS Rwy 32, Amdt. 2.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1438, 1354, 1421, 1510); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on August 28, 1975.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the FEDERAL REGISTER on May 12, 1969 (35 FR 5610).

[FR Doc.75-23537 Filed 9-4-75;8:45 am]

[Docket No. 14120, Amdt. No. 171-10]

PART 171—NON-FEDERAL NAVIGATION FACILITIES

Interim Standard Microwave Landing System

Correction

In FR document 75-21690, appearing at page 36109, in the issue of Tuesday, August 19, 1975, make the following changes:

1. On page 36110, second column, in the second full paragraph, the abbreviation in the last line reading (STERPS) should read (TERPS).

2. The theta θ appears incorrectly in several paragraphs. Wherever the theta appears as (ϕ) it should be corrected to appear as θ.

CHAPTER II—CIVIL AERONAUTICS BOARD

[Regulation SPR 85]

PART 378a—ONE-STOP-INCLUSIVE TOUR CHARTER

Adoption of Part

Correction

In FR Doc. 75-21143, appearing at page 34089, in the issue for Thursday, August 14, 1975, make the following changes:

1. On page 34094, in the third column, the first full paragraph, the ninth line from the top, the word "mixmum" should read "minimum".

2. On page 34098, in the third column, in the fourth full paragraph, the third line from the bottom should be followed by the words: "OTC rule, and to be in a position to act".

3. On page 34103, in the second column under § 378a.30(j), the section referred to in the last line should read "§ 378a.31 (d)."

4. On page 34105, in the first column under § 378a.102, in the definition for "Special event", the first line, the word "specific" should be inserted immediately after the word "significant".

Title 41—Public Contracts and Property Management

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER E—SUPPLY AND PROCUREMENT

[FPMR Amendment E-169]

PART 101-26—PROCUREMENT SOURCES AND PROGRAMS

Policy and Procedural Changes

This amendment provides policy and procedural changes in GSA's procurement sources and programs.

The table of contents for Part 101-26 is amended to include the following revised entry:

§ 101-26.104 End-of-year submission of requisitions for action by GSA.

Section 101-26.000 is revised to read as follows:

§ 101-26.000 Scope of part.

This part prescribes policies and procedures which govern the procurement of personal property and nonpersonal services by Federal agencies from or through GSA supply sources as established by law or other competent authority. The specific subparts or sections covering the subject matter involved prescribe the extent to which the sources of supply are to be used by Government agencies. Certain civilian and military commissaries and nonappropriated fund activities are also eligible to use GSA supply sources for their own use, not for resale, unless otherwise authorized by the individual Federal agency and concurred in by GSA. Policy and procedures pertaining to purchasing of property or contracting for services from commercial sources, without recourse to established GSA supply sources, are provided in the Federal Procurement Regulations and are exempted from this part.

Subpart 101-26.1—General

1. Section 101-26.100-1 is revised to read as follows:

§ 101-26.100-1 Procurement of lowest cost items.

GSA provides lines of similar items to meet particular end-use requirements under both its supply distribution system and the Federal Supply Schedule program. Although these similar items may differ in terms of price, quality, and essential characteristics, they can often serve the same functional end-use procurement needs of the various ordering agencies. Therefore, in submitting requisitions for an item obtainable from both GSA stock and Federal Supply Schedule contracts, agencies shall utilize the source from which the lowest cost item can be obtained which will adequately serve the functional end-use purpose.

2. Section 101-26.102-3 is amended to read as follows:

§ 101-26.102-3 Procurement leadtime.

When GSA performs the purchasing services for other agencies or activities as contemplated by this § 101-26.102-3, calculation of the delivery dates required for the items involved shall be based on the procurement leadtimes illustrated in § 101-26.4801. These leadtimes are based on the normal time required after receipt of agency requisitions by GSA to effect delivery to destinations within the 50 States.

* * * * *

3. The title of § 101-26.104 is changed and §§ 101-26.104 (b) and (c) are revised as follows:

§ 101-26.104 End-of-year submission of requisitions for action by GSA.

* * * * *

(b) Under the FEDSTRIP/MILSTRIP systems, the requisitions submitted to GSA are not required to reflect the applicable appropriation or fiscal year funds to be charged. The Fund Code entry on the requisition simply indicates

to the supply source (GSA) that funds are available to pay the charge, thereby providing authority for the release of material and subsequent billing. Requisitions received by GSA in purchase authority format are normally likewise converted to FEDSTRIP/MILSTRIP documentation so that processing can be accomplished expeditiously through a uniform system based on the use of automated equipment. Accordingly, primary responsibility rests with the ordering activity for ensuring that requisitions intended to be chargeable to appropriations expiring the last day of the fiscal year are submitted in sufficient time for GSA to consummate the necessary action before the end of the fiscal year. Requisitions submitted on or before the last day of the fiscal year may be chargeable to appropriations expiring on that date provided the ordering agency is required by law or GSA regulation to use GSA supply sources. When the ordering agency is not required to use GSA sources, requisitions for GSA stock items may be recorded as obligations provided the items are intended to meet a bona fide need of the fiscal year in which the need arises or to replace stock used in that fiscal year; requests for other than GSA stock items are to be recorded as obligations at the time GSA awards a contract for the required items. In the latter case, GSA procurement leadtimes illustrated in § 101–26.4801 should be used as a guide for timely submission of these requisitions. The leadtimes referred to relate to the number of days between submission of a requisition and actual delivery of the items involved. While this may furnish some guidance to requisitioners, there is no direct relationship between those leadtimes and the time it takes for GSA to make an award of a contract.

(c) End-of-year submission of requisitions which require GSA to award a contract not later than the last day of the fiscal year in order to obligate the appropriation or funds of the ordering agency will be annotated to indicate that GSA procurement of the requested items must be accomplished not later than the last day of the fiscal year in which the requisitions are submitted. For example, a FEDSTRIP/MILSTRIP requisition should be prepared to include Document Identifier Code AØE or AØ5 and reflect the annotation in the "Remarks" block. With this information GSA will attempt to complete procurement action before the end of the fiscal year. When a requisition is received too late to permit GSA to complete procurement action before the end of the fiscal year, the requisitioning activity will be so notified and requested to furnish instructions regarding the action to be taken. Based on these instructions, procurement action will be taken or the requisition will be canceled and returned to the ordering activity.

4. Section 101–26.105 is revised to read as follows:

§ 101–26.105 Justification to support negotiated procurement by GSA for other agencies.

Each requisition submitted by an agency to GSA requiring negotiated procurement shall be accompanied by a justification or findings and determination, as applicable. When the justification or findings and determination does not clearly and fully support the requested procurement, the requesting agency will be so notified and requested to furnish sufficient information to satisfy the requirements of the applicable negotiation authority. The GSA contracting officer will suspend procurement action pending receipt of the requested information.

(a) When the requisition is for a requirement to be procured under § 1–3.202 (public exigency), citation of a FEDSTRIP priority designator Ø3 or Ø6, or a Uniform Material Movements and Issue Priority System (UMMIPS) priority designator Ø1 through Ø6, inclusive, will indicate that the agency is identifying a circumstance within the purview of § 1.3–202. No further information is required to support the findings and determination to be made by the GSA contracting officer.

NOTE: A requisition which cites a priority designator above Ø6 may justify negotiation under this or other negotiation authority, but in such cases the request must be accompanied by a justification setting forth specific circumstances sufficient to support the findings and determination to be made by the GSA contracting officer.

(b) When the requisition is for a requirement to be procured by negotiation under § 1–3.208 (property purchased for authorized resale) or § 1–3.210 (impracticable to secure competition by formal advertising), the request must refer to and be accompanied by a statement containing sufficient information to justify use of the negotiating authority contemplated. For circumstances permitting negotiation as set forth in § 1–3.210, each requisition for a particular make, model, brand, or other similarly designed item, or which restricts procurement action to a limited number of competing commercially available products, mut be justified by a statement of facts establishing the minimum needs to be fulfilled, and that these needs can be satisfied only by procurement of the designated item or any one of a limited number of competing commercially available products. (Personal preference and subjective evaluations are not acceptable as sufficient justification.) Specifically, the justification statement must include the following detailed information:

(1) The specific needs to be satisfied in terms of identified tasks or work processes;

(2) The requirements that generate the specific needs;

(3) The characteristics of the designated item that enable it to satisfy the specific needs; and

(4) Identification of other items evaluated and, for each, a statement of the characteristics (or lack thereof) which preclude their satisfying the specific needs.

(c) When the requisition is for a requirement to be procured by negotiation under § 1–3.211 (experimental, developmental, or research work), § 1–3.212 (purchases not to be publicly disclosed), or § 1–3.213 (technical equipment requiring standardization and interchangeability of parts), the requests must refer to and be accompanied by a copy of a findings and determination made by the head of the requesting agency. However, in the case of contracts for experimental, developmental, or research work which will not require the expenditure of more than $25,000 or such higher amount as may have been delegated by the head of the requesting agency, the findings and determination may be made by the chief officer responsible for procurement when authorized by the delegation or as provided in § 1–3.303.

(d) When the requisition is for a requirement to be procured by negotiation in accordance with § 1–3.215 (otherwise authorized by law), the request must cite the law authorizing negotiation and refer to and be accompanied by any justification or findings and determination required by such authority and applicable regulations.

5. Section 101–26.106 is revised to read as follows:

§ 101–26.106 Consolidation of requirements.

Full consideration shall be given to the consolidation of individual small volume requirements to enable the Government to benefit from lower prices normally obtainable through definite quantity contracts for larger volume procurements. This policy pertains to procurement from commercial sources either direct or through an intermediary agency and does not apply to GSA stock items or small volume requirements normally obtained from a GSA self-service store. When it is practical, each agency shall establish procedures that will permit planned requirements consolidation on an agency-wide basis. When it is impractical to plan requirements on an agency-wide consolidated basis, the requirements consolidation effort may be limited to a bureau, to other agency segments, or to a program, if such limited consolidation will provide significant price advantages when procurement is effected on a volume basis. Requisitions for items requirements exceeding maximum order limitations in Federal Supply Schedule contracts shall be submitted to GSA in accordance with the applicable instructions in the respective schedules. Special buying services desired by agencies for procurement of other consolidated item requirements shall be requested from GSA in accordance with § 101–26.102.

Subpart 101–26.2—Federal Requisitioning System

1. Section 101–26.201 is amended as follows:

§ 101–26.201 General.

This requisitioning and issue system is identified as the Federal Standard Requisitioning and Issue Procedures (FEDSTRIP) and is similar to and compatible with the Military Standard Requisitioning and Issue Procedures (MILSTRIP). The FEDSTRIP system pro-

vides GSA and other supply sources the means to automate the processing of requisitions. Its main features are:

* * * * *

2. Section 101–26.203–1 is amended as follows:

§ 101–26.203–1 Forms prepared by ordering offices.

* * * * *

(a) GSA Form 1348m, Single Line Item Requisition System Document (Mechanical), (illustrated in the FED STRIP Operating Guide) is prepared mechanically by ADP equipment through computer output or key punch machine.

(b) * * *

(1) Standard Form 344, Multiuse Standard Requisitioning Issue System Document, (illustrated in the FEDSTRIP Operating Guide) is a manually prepared form used for requisitioning, cancellation, or followup;

(2) GSA Form 1348(6–PT), Single Line Item Requisition System Document (Manual), (illustrated in the FEDSTRIP Operating Guide) and;

(3) GSA Form 1348–6, Non-NSN Requisition (Manual), (illustrated in the FEDSTRIP Operating Guide) will be used when ordering non-national stock numbered items which exceed the stock or part number field and/or require additional information; e.g., manufacturers part number, technical data, or detailed description. Document identifier code (DIC) A05 or A0E will be used for non-part-numbered requirements.

3. Section 101–26.203–2 is amended as follows:

§ 101–26.203–2 Forms furnished to ordering offices.

* * * * *

(a) * * *

(1) GSA Form 1348–1, Single Line Item Release/Receipt Document (illustrated in the FEDSTRIP Operating Guide). This form serves as a shipping and receiving document for GSA supply distribution facilities shipments. On items for direct delivery, a copy of the requisition will be furnished instead of the GSA Form 1348–1.

(2) GSA Format 952, Single Line Item Billing Register (illustrated in the FED STRIP Operating Guide). This form serves as a billing support for GSA stock shipments made during the billing period. On items for direct delivery, copies of requisitions will be used to support the billing instead of the GSA Format 952.

(b) Supply/shipment status information will be provided by electrical transmission in machine-sensible (card) format via the Defense Automatic Addressing System (DAAS), Dayton, Ohio, to all military and civil activities having capabilities to receive or transmit by electrical communications. Military and civil activities not having electrical transmission facilities will be furnished information on the status of requisitions and replies to followup inquiries by DAAS (via first class mail) on GSA Form 2779, Supply/Shipment Status Information As Of, or DD Form 1348m, DOD Single Line Item Requisition System Document (Mechanical), as requested by the media and status (M & S) code (cc 7) of the requisition.

4. Section 101–26.205–2 is revised to read as follows:

§ 101–26.205–2 Assignment of codes.

Codes will be assigned by GSA for the requisitioning agency as specified in the FEDSTRIP Operating Guide. When agency procedures provide for payment of bills on a national or other basis extending beyond respective GSA regional boundaries, each agency shall furnish address information to the General Services Administration (FF), Washington, DC 20406, for assignment of codes and distribution to all GSA regional offices.

5. Section 101–26.206 is revised to read as follows:

§ 101–26.206 GSA assistance.

The Federal Supply Service at each GSA regional office will advise and assist in the development of procedures required to adopt FEDSTRIP within an agency's field activities. Agency headquarters activities requiring assistance may contact General Services Administration (FF), Washington, DC 20406.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective September 5, 1975.

Dated: August 25, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-23544 Filed 9-4-75;8:45 am]

Title 42—Public Health

CHAPTER I—PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER J—HEALTH CARE DELIVERY SYSTEMS

PART 110—HEALTH MAINTENANCE ORGANIZATIONS

Correction

In FR Doc. 74-24046 published at 39 FR 37308-23 on Friday, October 18, 1974, the following corrections should be made:

1. On page 37311, in the subpart H title, add the letter *s* to the word "Benefit" to read "Benefits".

2. On page 37313, § 110.102(a), delete subparagraphs (9) and (10).

3. On page 37313, § 110.102 in subparagraph (b) (9), on line 2, insert "(A) or (1)." between the number (1) and the letter (H) to read "(1) (A) or (1) (H)".

4. On page 37313, § 110.102, in subparagraph (b) (10), on line 2, insert "(A) or (1)." between the number (1) and the letter (H) to read "(1) (A) or (1) (H)".

5. On page 37316, in § 110.201, delete the word and comma "contracts," on line 2.

6. On page 37317, § 110.203 subparagraph (e), on line 2, close up the first two letters in the word "appropriate."

7. On page 37317, § 110.203, in subparagraph (k), on line 2, delete the word and comma "contract,".

8. On page 37319, in the subpart C title, delete the words "and Contracts".

9. On page 37323, in the subpart H title, add the letter *s* to the word "Benefit" to read "Benefits".

Dated: August 27, 1975.

THOMAS S. MCFEE,
Deputy Assistant Secretary for Management, Planning, and Technology.

[FR Doc.75-23616 Filed 9-4-75;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5524]

[Los Angeles 0167441]

CALIFORNIA

Revocation of Air Navigation Site Withdrawal

By virtue of the authority contained in section 4 of the Act of May 24, 1928, 49 U.S.C. 214 (1970), it is ordered as follows:

1. The departmental order of December 15, 1944, withdrawing public lands as Air Navigation Site Withdrawal No. 67, is hereby revoked as to the remaining land, described as follows:

SAN BERNARDINO MERIDIAN

T. 16 S., R. 21 E.,
Sec. 27, E½NE¼SE¼SW¼.

The area described contains 5 acres in Imperial County.

2. The land is withdrawn from all forms of appropriation under the public land laws, including the United States mining laws, for reclamation purposes, and will remain so withdrawn. The land has been and will continue to be open to the filing of applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

JACK O. HORTON,
Assistant Secretary of the Interior.

AUGUST 29, 1975.

[FR Doc.75-23550 Filed 9-4-75;8:45 am]

[Public Land Order No. 5523]

[Idaho 4982]

IDAHO

Withdrawal for National Forest Recreation Area

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

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from nonmetalliferous location and entry under the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

ST. JOE NATIONAL FOREST

BOISE MERIDIAN

East Fork Emerald Creek Garnet Area

T. 42 N., R. 1 W.,
Sec. 1, S½SE¼SE¼SE¼;
Sec. 11, S½NE¼SE¼SW¼, SE¼SE¼SW¼, E½SW¼SE¼SW¼, E½NW¼SE¼SW¼, S½SE¼SW¼SW¼, SW¼SW¼SW¼, S½NW¼SW¼SW¼, NW¼NE¼SE¼, SE¼NE¼SE¼, E½SW¼NE¼SE¼, NE¼SE¼SE¼, E½NE¼NW¼SE¼, E½SE¼SE¼SE¼SE¼;
Sec. 12, NW¼NE¼NE¼, N½NE¼NE¼NE¼SE¼NE¼NE¼, E½SW¼NE¼NE¼, NE¼, SE¼NE¼NE¼, E½SW¼NE¼NE¼, N½NE¼SE¼NE¼, E½NE¼NW¼NE¼, SW¼SW¼SW¼.
Sec. 13, SW¼SE¼NE¼, N½NW¼NW¼NW¼, W½NE¼NW¼NW¼, SE¼NW¼NW¼, SE¼SE¼NW¼, W½SW¼SE¼NW¼, NE¼SW¼NW¼, E½SE¼SW¼NW¼, SW¼SW¼NW¼, N½NW¼NW¼SW¼, N½NE¼SW¼, W½SE¼NE¼SW¼, W½SW¼NE¼SW¼, E½SE¼SW¼, N½NE¼SE¼, SE¼NE¼SE¼, N½SW¼NE¼SE¼, S½SE¼SW¼SE¼, S½SW¼SW¼SE¼;
Sec. 14, SW¼NW¼NE¼, E½NE¼SE¼NE¼, S½SE¼NE¼, E½NW¼SW¼NE¼, NE¼SW¼NE¼, SE¼SW¼NE¼, NE¼NW¼NW¼, S½NW¼NE¼NW¼, E½NE¼NW¼, N½SE¼NE¼NW¼, N½SW¼NE¼NW¼, NW¼NE¼SW¼, N½NE¼NE¼SW¼, N½NW¼SE¼, NE¼NE¼SE¼;
Sec. 15, S½SE¼SW¼SE¼, SW¼SW¼SE¼;
Sec. 23, E½NW¼NE¼NE¼, N½NE¼NE¼NE¼, SE¼NE¼NE¼, S½SW¼NE¼NE¼;
Sec. 24, NW¼NW¼NE¼, N½NE¼NW¼NE¼, S½NW¼NE¼, E½NW¼SW¼NE¼, W½NE¼SW¼NE¼, W½SE¼SW¼NE¼, E½SW¼SW¼NE¼, NW¼NW¼NW¼, S½NE¼NW¼NW¼, E½SE¼NW¼NW¼, N½SW¼NW¼NW¼, SE¼NE¼NW¼, E½SW¼NE¼NW¼, N½SE¼NW¼, W½SE¼SE¼NW¼, W½SW¼SE¼NW¼, N½NW¼NW¼SW¼, N½NE¼NW¼SW¼, W½NE¼NE¼SW¼, E½SE¼NE¼SW¼, NW¼NW¼SE¼, W½NE¼NW¼SE¼, N½SW¼NW¼SE¼.

The areas described aggregate 680 acres in Latah County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

JACK O. HORTON,
Assistant Secretary of the Interior.

AUGUST 28, 1975.

[FR Doc.75-23551 Filed 9-4-75;8:45 am]

[Public Land Order 5522]

[Idaho 5054]

IDAHO

Withdrawal for National Forest Watershed Protection Site

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

1. Subject to valid existing rights, the following described national forest land is hereby withdrawn from appropriation under the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

SALMON NATIONAL FOREST

BOISE MERIDIAN

Coiner Watershed Protection Site

T. 23 N., R. 20 E. (Unsurveyed).

Sections 12, 13, and 24 Lemhi Gold Placer and Moose Creek Hydraulic Placer Claims Mineral Survey 3057. Excepting therefrom the following described property:

A fraction of the Moose Creek Hydraulic Placer Mineral Survey No. 3057, more particularly described as follows, to wit: Commencing at Corner No. 6 of the Moose Creek Hydraulic Placer portion of Mineral Survey No. 3057, run thence S. 0°10′ W., 525.1 feet to the point of beginning, and the northeasterly corner of the tract of land hereby described; continuing thence S. 0°10′ W., 335.9 feet; thence N. 89°50′ W., 650.0 feet, more or less, to a point in the center of Moose Creek; thence northerly along the center of Moose Creek 355.9 feet; thence S. 89°50′ E., 650.0 feet to the point of beginning. Containing 5.0 acres.

A fraction of the Moose Creek Hydraulic Placer, Mineral Survey No. 3057, more particularly described as follows, to wit: Beginning at Corner No. 7 of the said Moose Creek Hydraulic Placer, run thence N. 89°50′ W., 503.9 feet; thence N. 0°10′ E., 518.7 feet; thence S. 89°50′ E., 503.9 feet to a point on the easterly boundary of the Moose Creek Hydraulic Placer; thence S. 0°10′ W., along the easterly boundary of the Moose Creek Hydraulic Placer a distance of 518.7 feet to the point of beginning. Containing 6.0 acres.

A fraction of the Moose Creek Hydraulic Placer, Mineral Survey No. 3057, more particularly described as follows, to wit: Commencing at Corner No. 7 of said Moose Creek Hydraulic Placer, run thence N. 0° E., 518.7 feet to the point of beginning and the southeast corner of the tract of land herein described; continuing thence N. 0°10′ E., 360.0 feet; thence N. 89°50′ W., 624.9 feet, more or less, to a point in the center of Moose Creek; thence southerly along the center of Moose Creek 369.0 feet, more or less, to a point which lies N. 89°50′ W., from the point of beginning; thence S. 89°50′ E., 622.5 feet to the point of beginning. Containing 5.0 acres.

The area described aggregates 271.02 acres more or less in Lemhi County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

JACK O. HORTON,
Assistant Secretary of the Interior.

AUGUST 28, 1975.

[FR Doc.75-23552 Filed 9-4-75;8:45 am]

Title 50—Wildlife and Fisheries

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

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

PART 20—MIGRATORY BIRD HUNTING

Open Seasons, Bag Limits and Possession of Certain Migratory Game Birds; Correction

In FR Doc. 75-21091 appearing at page 36121 in the FEDERAL REGISTER of August 19, 1975, paragraph (b) of § 20.105 appearing on page 36125, Column 1, is corrected by changing footnote 2 in that paragraph to read as follows:

[2] Only in Lake and Chaffee Counties, and that portion of eastern Colorado east of State Highway 71 from the Nebraska State line to its intersection with U.S. Highway 24, southeast of U.S. Highway 24 to its intersection with U.S. Interstate Highway 25 to the New Mexico State line.

Dated: September 2, 1975.

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

SEPTEMBER 2, 1975.

[FR Doc.75-23684 Filed 9-4-75;8:45 am]

PART 20—MIGRATORY BIRD HUNTING

Final Regulations Frameworks for 1975–76 Hunting Seasons

On August 15, 1975, a document was published in the FEDERAL REGISTER (40 FR 34361) proposing to amend Part 20 of Title 50, Code of Federal Regulations. Included in that document were Proposed Regulations Frameworks for 1975–76 Hunting Seasons on Waterfowl, Coots, and Gallinules; Cranes in Parts of North Dakota, South Dakota, New Mexico, Texas, Colorado, Oklahoma, Montana, and Wyoming; and for Common Snipe in the Pacific Flyway. Interested persons were given until August 25, 1975, to submit written comments, suggestions, or objections.

On August 21, 1975, an amendment to the lesser sandhill (little brown) crane portion of the above proposal was published in the FEDERAL REGISTER (40 FR 36572), with a 10-day public comment period allowed, ending August 31, 1975. The amendment included summarized information on the status of lesser sandhill (little brown) cranes and justification for the proposed crane hunting permit system, daily bag and possession limits for lesser sandhill cranes in the States of North Dakota and South Dakota, and the addition of paragraph (g) to § 20.106 of Subchapter B, Chapter I, Title 50, Code of Federal Regulations, specifying Federal permit requirements for hunting lesser sandhill cranes in portions of Colorado, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming. Final rule making on the lesser sandhill crane portion of the frameworks will be made following the close of the 10-day public

comment period ending August 31, 1975.

In this connection, the Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES 75–54) was filed with the Council on Environmental Quality on June 6, 1975, and notice of availability was published in the FEDERAL REGISTER on June 13, 1975 (40 FR 25241).

Full and careful consideration was given to all written comments received on the remainder of the proposed frameworks (40 FR 34361; August 15, 1975). In view of these comments, the proposed frameworks have been revised and a summary of comments follows.

Responses Received During Comment Period, Service Views Thereon, and Miscellaneous Changes from Proposed Rulemaking. Thirty responses were received during the comment period of August 16, 1975, through August 25, 1975. Of these, one State and one waterfowlers' association expressed satisfaction with the entire proposed frameworks. Some comments were directed to single issues whereas others were broad in scope. Similar areas of interest are responded to by the Service in a consolidated reply while others require individual response. Comments are arranged geographically from east to west.

Statement of Wildlife Preserves, Inc. Because of its substance and diversity of comments, the statement of Wildlife Preserves, Inc., Tenafly, New Jersey, is reproduced in its entirety, with certain paragraphs numbered for response purposes.

STATEMENT OF WILDLIFE PRESERVES, INC.

Comments on Proposed Waterfowl Regulations Framework for the 1975–76 Season as Published in the FEDERAL REGISTER of August 15, 1975.

1. *Species Identification.* No improvement in the regulations has been made with respect to the problem of species identification. Such identification is essential if the increasingly complex "species management" regulations are to be observed and species on which the season is closed protected.

The point system is based on an identification ability very large numbers of people afield do not possess. The point system option should be eliminated.

Species cannot ordinarily be identified half an hour before sunrise and on dark days this is true in many instances for experts (of which there are very few). *No shooting hours should begin before sunrise.* At the very least this should apply to point system States if, that system is continued.

2. *Enforcement.* The problem of grossly inadequate law enforcement has not been dealt with in the regulations. Measures should be taken to improve enforcement in States which have been found to be deficient, for example, season length or bag limits, or both, could be reduced in such States. In particular this should apply to States that take no action against juvenile violators. Either violations should be prosecuted against juveniles or no licenses should be issued to that age group. There is no excuse for the toleration of practices which allow one group of citizens to flout the law with impunity. States that refuse to deal with this problem at all should not be permitted open seasons.

(New Jersey is one State that has declined to prosecute juvenile violators in recent years.)

3. *Crippling.* No apparent effort is made in the regulations to reduce the proportion of cripples. Such an effort is badly needed. As a start, cripples, even if not retrieved, should be required to be included in the bag limit. Coupled with better enforcement this could result in some improvement.

4. *Season Length.* The total period for seasons should be reduced to three and one-half months.

5. *Complexity.* The trend towards increasing complexity of migratory bird regulations has not been improved but rather has been continued. Regulations need to be simplified to cut down on areas where misunderstandings occur and facilitate improved enforcement.

6. *Bag Limits.* The option in the Atlantic Flyway to increase the total bag limit to five if only one black duck is included does not seem justified and should be eliminated. The fact that one less black duck is taken in no way reduces the pressure on the other species.

7. *Black Ducks.* There should be a closed season for black ducks because of a reduction in their numbers over many years. At the very least the limit should be reduced to one black duck in all States in the Atlantic and Pacific Flyways.

8. *Goldeneye.* Goldeneyes require more protection according to the available data. In the Draft Environmental Statement it is stated in respect to Goldeneyes on page 58—"The trend of this group has been downward over the past ten years—". This conclusion is supported by the graph on page 59. No justification is provided for the special goldeneye season for the Lake Chaplain area and this should certainly be eliminated. In other areas the allowable bag for this species should be decreased and the point system evaluation increased.

9. *Mergansers.* Mergansers should be given more protection and should, at the least, have no special additional bag limit but rather be included in the regular limit. Such a provision was incorporated in regulation proposals made earlier this year and that provision should certainly not be reversed. The combination of the declining figures for the winter survey and the increases in figures for the harvest, together with the lack of separate figures for the winter survey for each of the three species, supports the need for substantially more protection.

10. *Geese.* The trends in population figures do not support the seasons and limits for the following species of geese—cackling, white front, snow (greater) and brant. An indication of the shaky justification for the seasons on snow geese and brant is the inclusion of emergency closure provisions in the regulations for these two species together with the fact that the seasons were closed in prior years. It appears that the Department is straining too hard to produce additional harvesting opportunities.

11. *General.* The Department has an obligation to represent the whole of the general public in managing migratory birds, to be conservative in the harvest that it allows and to pursue the objective of maintaining optimum populations (required, for example, in Japanese Treaty). A considerable margin of error should be provided. When there are doubts the season should either be reduced or eliminated. It is not sufficient to say that there is no proof that the proposed harvest will be harmful, rather it should be required that there be adequate proof that the proposed harvest will not be harmful. These policies do not appear to have been followed in setting the regulations and there appear to be too many concessions to the understandable pressure from the States and other special interests that seek to increase license sales and harvest opportunities.

The public is not sufficiently represented in the decision making processes. There is a difference between being able to participate effectively in the decision making process and being able to make a comment which can be easily ignored. Further, the notices for the various meetings are either not sent out, even tho requested, or sent too late. In some instances they are received after the date of the meeting.

The elimination of lead shot has been delayed much too long and until it is solved seasons should be substantially reduced. /s/ Robert Perkins, Jr., August 23, 1975. Reply to: Robert Perkins, Jr., Wildlife Preserves, Inc., 154 East Clinton Avenue, Tenafly, N.J. 07670.

Response. 1. The point system alleviates the problem of species identification confronted by some hunters. This is because under this system hunters may shoot and identify in hand species which they cannot identify in flight. Under the point system, the daily bag limit is obtained when the point value of the last duck taken, when added to the accumulated point values of all ducks taken up to that time, reaches or surpasses the total point value of ducks permitted as the daily bag. Hunters adept in identifying ducks in flight may selectively shoot ducks of species assigned lower point value and thus increase the number of ducks included in the daily bag limit. The system provides a stronger incentive for hunters to improve their ability to identify waterfowl in flight than is the case with the conventional bag limit system of regulations. Under both point and conventional systems, a hunter inept in identifying ducks in flight should assume that each duck taken is of the species given the greatest protection, by being assigned the highest point value under the point system, or under conventional regulations, the fewest number which may be taken daily.

The topic of shooting hours was the primary subject discussed at a special meeting of the Director's Waterfowl Advisory Committee convened in Pittsburgh, Pennsylvania, on March 16, 1975. It was

recognized that hunters vary greatly in ability to distinguish between species of waterfowl in flight or in hand. This is primarily a matter of basic identification skill and only secondarily a matter of light conditions. While light conditions may, at times, affect the ease of identification, this problem is not confined to the period one-half hour before sunrise, but may be operative at other times of the day as when a bird approaches a hunter from the direction of bright sunlight. As noted above, it is not necessary for hunters to identify ducks before shooting in order to avoid violations. It is the responsibility of the individual hunter to determine when light conditions enable him to identify ducks in flight. The Service is of the opinion that hunter responsibility is sufficiently great that the shooting hours in these regulations pose no significant dangers to protected species.

2. No acceptable standard exists against which the effectiveness of a game law enforcement program can be measured. Consequently, the imposition of sanctions such as reduced season lengths and bag limits would necessarily be capricious in nature. However, the Service attempts to enforce its regulations uniformly for all age groups, and expects the various States to do the same.

3. Section 20.25, Part 20, CFR Title 50 states that "No person shall kill or cripple any migratory game bird pursuant to this part without making a reasonable effort to retrieve the bird and include it in his daily bag limit." The determination of "reasonable effort" can best be ascertained from the circumstances of each situation.

4. The basic frameworks for ducks and geese in each Flyway already correspond closely to the suggested hunting period of three and one-half months. For instance, the following frameworks have been set by flyways: Atlantic and Mississippi Flyways, October 1 through January 20, and Central and Pacific Flyways, October 4 through January 18. Departures from the basic season frameworks are limited to a few species and situations such as snow (including blue) geese in Louisiana to facilitate crop depredations control, to black brant in the Pacific Flyway to permit hunting when birds are most abundant, and to sea ducks and September teal seasons. The total permissible season lengths for various species of migratory game birds within a given geographical location is limited by Treaty obligations.

5. The seeming complexity of present day hunting regulations for migratory game birds is an outgrowth of accumulating knowledge about differences in the status, behavior, and habitat needs for various species and manageable population units within species, geographical and temporal differences in distribution, variations in actual and potential shooting pressures, habitat availability and trends, and the obligation to manage the resource more efficiently to satisfy the needs of both the hunting and non-hunting publics while insuring the welfare of the resource. In practice, most hunters confine their activities to one general hunting location and consequently can limit their understanding of regulations to those applicable to this area. The review and improvement of regulations is a continuing process by the Service and others who provide input into the regulatory process.

6. The purpose of this regulation is to reduce hunting pressure on the black duck but not on other species in the harvest area. The potential of a hunter for bagging a second black duck is significantly greater than his potential of bagging a fifth duck of any other species. The increased hunting pressure as measured by the increased harvest, estimated at 2 to 5 percent, derived from the fifth bird in the bag is distributed among other species available in the harvest area.

7. Black duck harvests have been relatively stable for the past 7 years and no significant changes in band recovery rates have occurred during the past 20 years. Meanwhile, winter inventory indices have shown a decline in black duck numbers but such indices are not altogether reliable measures of the populations of this species. Indeed, it is far from clear what the populations are, or what their limiting factor is. A large-scale cooperative program, therefore, is being initiated to band increased numbers of the species and an intensive study program, perhaps including experimental area closures, will follow this effort. But season closure does not presently appear justified for the species.

The one-black-duck option has been offered to Atlantic Flyway States for many years, and has frequently been chosen by mid-Atlantic and southeastern States.

8 and 9. Winter surveys suggest that a decline in goldeneye and merganser numbers may have occurred. However, it is not known to what extent, if any, the inventories of these species reflect actual population changes as opposed to survey sampling error. Mergansers are not inventoried separately by species because the three species are indistinguishable from survey aircraft. Mergansers are known to be common and widely distributed over vast northern breeding areas that are not systematically surveyed because of remoteness and inaccessibility. They are also widely distributed on their wintering areas. The same applies in a somewhat lesser degree to goldeneyes. Hooded mergansers frequent wooded habitats where they are not observable, and large water bodies sometimes used by other mergansers are often incompletely covered or unsurveyed by aerial crews.

In the point system, mergansers are assigned point values along with other species of ducks, and under both point and conventional regulation systems, the hooded merganser is given special protection. Separate merganser daily bag and possession limits were removed this year in the Central and Mississippi Flyways. The Service believes that these measures, and the regulatory frameworks adopted herein, provide sufficient protection for these species, ensuring that no jeopardy will befall them.

The special goldeneye-scaup season in Vermont resulted in a total harvest of about 300 birds; such a harvest level is not great enough to adversely affect the goldeneye population.

10. Fall flights of cackling geese and white-fronted geese are expected to be of average size this year. Greater snow geese and Atlantic brant are expected to have high production this year, based on satellite imagery of arctic habitat conditions and Canadian field observations. The loss of brant winter food supplies could occur if heavy fall rains substantially reduce the estuarine salinities of the detriment of sea lettuce, a key brant food. The emergency closure provision for the Atlantic brant season provides insurance against such natural calamities. Similarly, the emergency closure provision for snow geese simply provides a safety valve in case of an altogether unforeseen calamity affecting the population.

As was announced in the proposed regulations frameworks published in the FEDERAL REGISTER on August 15, 1975 (40 FR 34363), environmental assessments on the proposed resumption of snow goose and brant hunting in the Atlantic Flyway have been prepared and copies are available upon request.

11. In managing waterfowl, the Service seeks to provide responsible stewardship for the resource while providing people with opportunities for utilizing the resource through various pursuits and interests, including sport hunting. Proponents of these various uses often reflect differing viewpoints. Insofar as sport hunting is concerned, the regulatory record demonstrates that regulations have been made more restrictive when circumstances dictate, and more liberal when conditions allow. Hunters of migratory game birds traditionally have been in the forefront of the conservation movement and many of the management programs, treaties, laws and regulations governing the use and protection of migratory game birds have been outgrowths of sportsmen involvement. The Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES 75-54) documents these contributions in more detail.

With mounting pressures being brought to bear against the migratory bird resource by environmental destruction and degradation, it is desirable that all those having an interest in the welfare and perpetuation of the resource be given an opportunity to express their viewpoints and provide information useful in the formulation of management programs, including the development of hunting regulations. Because of this desire, the Service made special effort this year to solicit greater public input into the regulatory process. These efforts included the publication in the FEDERAL REGISTER of detailed regulatory proposals, news releases announcing the availability of proposed regulations,

and supplying proposed regulatory frameworks to interested persons. In addition, public comment was solicited at the Director's Waterfowl Advisory Committee meeting held in Washington, D.C., on August 5, 1975, and at the special meeting of the same committee in Pittsburgh, Pennsylvania, on March 16, 1975.

The foregoing concludes comments responding to Wildlife Preserves, Inc. The following comments relate to those from other respondents or Service changes.

Changes in Season Lengths in the Two Eastern Flyways. The 47-day basic season length proposed for the Atlantic Flyway is changed to 45 days to conform to the Atlantic Flyway Council's recommendations. For the same reason, the basic season length in the Mississippi Flyway is changed from 44 days to 45 days. These modifications are not expected to have a significant effect on harvests. In both flyways, five additional days may be taken if Wednesday noon openings are selected. This incentive is offered to alleviate crowded hunting conditions which occur with weekend openings, and to reduce opening day harvests.

Brant. Five comments related to proposed brant regulations. Four proposed that the season not be reopened on Atlantic Flyway brant because the population had not recovered sufficiently. The fifth respondent wrote of "black brant" but inasmuch as this species has been hunted for many years, we concluded that his concern was also about Atlantic brant.

Response. Atlantic brant populations are expected to reach a level this fall equivalent to that of many past years when brant seasons were twice as long, and bag limits were larger. The delayed opening provision in the brant regulation will further reduce the impact of hunting on total harvest.

Proposed Closure Provision for Atlantic Brant and Greater Snow Goose. Three organizations stated that the 49-hour emergency closure provision was indicative that the population status of these species was uncertain.

Response. The rationale for the emergency provision is explained in the response to Wildlife Preserves, Inc.

Greater Snow Geese. Six comments were directed to the proposal for opening the hunting season on greater snow geese. One comment favored the proposal, pointing out that concentrations of this species damage marsh habitat. One State requested that a 50-day, 1 goose per day bag be allowed as an alternative to the proposed season and bag. Three organizations opposed resumption of hunting of this species, chiefly because of the status of the population.

Response. The fall flight of greater snow geese is expected to be the largest on record, probably approaching 200,000 birds. The estimated harvest, based on Canadian experience with greater snow goose seasons, should not exceed 5 to 10 percent of the fall population. This rate of harvest will not adversely affect the greater snow goose population. The Service believes that for purposes of evaluating the harvest, a uniform season length and bag limit should be required on a flyway-wise basis. The comments did not provide any new facts or information that would substantiate a need to change the proposal.

Point System Category in Atlantic Flyway. One individual questioned the justification for a point category of less than 25 points in the Atlantic Flyway.

Response. A 10-point value has been placed on those species that are lightly harvested and relatively abundant. Hunting pressure on these species provides additional harvest opportunity and relieves hunting pressure on other more heavily harvested birds. Harvest data do not indicate that populations of low point species are unable to sustain the annual harvests that occur under low point regulations.

Change in Boundary of Long Island Zone in New York. New York requested that the boundary of the Long Island Zone be changed so that Interstate Route 95 rather than the Hutchinson River is the boundary in Westchester County. The change reduces the Long Island Zone by about 10 square miles, most of which is highly urbanized.

Response. The change would provide a more understandable and enforceable boundary and would result in no significant change in the waterfowl harvest and is therefore accepted.

Season Length in Atlantic Flyway. One individual asked why a 55- or 60-day duck season could not be allowed in the Atlantic Flyway.

Response. The season length permitted is designed to allow reasonable harvest opportunity while safeguarding the welfare of the waterfowl resource. The season length is based on consideration of waterfowl population size, habitat conditions, and hunter numbers and success. Waterfowl population levels under present harvest conditions do not warrant a longer harvest season in 1975–76.

Closure of Lake Mattamuskeet to Duck Hunting. One organization asked why Lake Mattamuskeet, North Carolina, remains closed to duck hunting.

Response. Populations of Canada geese wintering at Mattamuskeet declined over the years to a low of 8,700 birds during the winter of 1972. As part of an effort to restore populations, the waterfowl season there was closed in 1973 and 1974. During the past winter the Canada goose population increased to 18,500 birds. The effects on the wintering goose population of season closures and other factors are being studied, with the objective of developing long-range management plans.

Wednesday Noon Opening Option. Two respondents favored the Wednesday noon option and one State opposed it on the grounds that it deprived persons such as workers and students from going afield.

Response. The purpose of the Wednesday noon opening option is to afford a means of reducing hunting pressure and harvest on the opening day when ducks are most vulnerable to shooting. The problem of heavy first-day shooting pressure is greater in the Atlantic and Mississippi Flyways than elsewhere because of more limited habitat and higher densities of hunters.

Request for Regulations Changes in Portions of the Mississippi Flyway. On August 19, 1975, seven States in the Mississippi Flyway submitted a resolution seeking changes in season length and bag limits. The major points in the resolution are as follows:

A 50-day waterfowl season and, if noon opening is offered as an option, a 55-day season be offered, including the following point values:

100 Points	*90 Points*
Canvasback	Hen mallard
Redhead	Hooded merganser
15 Points	
Blue-winged teal	Scaup
Pintail	Wigeon
Shoveler	Green-winged teal
Gadwall	All other ducks
35 Points	*30 Points*
Wood duck	Drake mallard
Fulvous tree duck	Mottled duck
Ring-necked duck	Black duck
	Other mergansers

After careful consideration, it was concluded that the proposal would result in an unacceptable increase in the harvest of mallards, black ducks, wood ducks and wigeon, and that the addition of one more point category would be confusing to hunters. The features of the resolution were supported by one association of duck hunters. Two individuals expressed dissatisfaction with the general season and bag limit provision of the Mississippi Flyway proposals, and another was dissatisfied with those for southwestern Louisiana.

Redhead. Three comments were received, two favoring more restrictive regulations because of the species' status, and one requesting liberalization.

Response. The redhead breeding population index for 1975 is the highest recorded since waterfowl breeding ground surveys began. However, the Service does not attach great significance to indicated annual population changes of species such as the redhead because of survey sampling problems; rather, the reliance is placed on population trends over several years. Redhead regulations this year are conservative in view of the redhead population size. The season remains closed in the Atlantic Flyway except for some off-shore areas in western Florida where only one bird may be taken in the daily bag. In the Mississippi and Central Flyways, most of the closeures of historically high harvest areas remain in effect and daily bag limits elsewhere cannot exceed a single bird. Area closures have been removed in the Pacific Flyway but the daily bag has been restricted so that no more than two redheads or two canvasbacks or one of each may be taken. The comments do not provide any new facts or information that would substantiate a need to change the proposal.

Changes in Mississippi Flyway Point Category and Allocation. The 15-point category in the point system originally proposed for the Mississippi Flyway is changed to a 10-point category. The purpose of the change is to allow additional

harvest opportunity for low point category ducks which are harvested lightly and are relatively abundant. The change raises the highest potential number of ducks which may be taken daily from 7 to 10; harvest statistics in the Mississippi Flyway for the 1974-75 season indicate that the average hunter bagged 0.8 ducks per day and 5.7 per season. Consequently, a small change in harvest is expected from this liberalization.

In the Mississippi Flyway the point allocation for the fulvous tree duck is changed from 90 to 35, increasing the highest potential daily bag from 2 to 3 birds. This change returns this species to the 1974–75 point category, and will not alter the potential harvest rate.

Application of Point System in Four Central Flyway-Pacific Flyway Boundary States. The proposed regulatory language stated, "Any State selecting the point system must do so on a statewide basis, ..." The boundary between the Central and Pacific Flyways generally follows the Continental Divide, resulting in portions of Montana, Wyoming, Colorado, and New Mexico being placed in the two Flyways. Consequently, the present wording might be construed to prohibit the Central Flyway portions of the four States from participating in the point system. In practice, the point system has been offered and implemented in the Central Flyway portions of these States for several years. Inasmuch as it is intended that this option continue, the wording is being clarified.

Closures of Hunting Seasons During Whooping Crane Migration. One individual asked why hunting seasons are not closed when whooping cranes are migrating.

Response. The migration route of the endangered whooping cranes is well known, as is the timing of their migration. Care is taken in setting sandhill crane seasons that hunting is not permitted at times and in areas where whooping cranes might be expected to occur. On one occasion whooping cranes appeared in an area of South Dakota during the lesser sandhill crane season, resulting in an emergency closure of the crane season. The sandhill crane is the species which most closely resembles the whooping crane, particularly young whooping cranes which have not obtained the white plumage characteristic of the adult whooping crane. Other large white birds do not closely resemble whooping cranes; furthermore, they are not likely to occur in places or at times when whooping cranes are present. Within the past decade, only one whooping crane is known to have been killed by waterfowl hunters, and in this instance the violator was convicted and fined.

Pacific Flyway Framework. One State offered two suggestions for clarifying certain proposed goose frameworks relating to the Pacific Flyway. In describing the general daily bag and possession limit for geese, the proposed wording reads, ". . . provided that the daily bag limit does not include more than 3 geese of the dark species (Canada and white-fronted geese) or 3 snow geese." This wording suggests that hunting would have to cease after a hunter obtained 3 dark geese—or 3 snow geese. It is intended that hunters be allowed to take up to 3 dark geese and 3 snow geese separately, and the wording of the regulation is being clarified by substituting "and" for "or". The second comment pointed out that the general daily bag and possession limit of 6 geese did not apply uniformly throughout the Flyway. In many areas special restrictions of 1 and 2 Canada geese apply, thus the daily bag and possession limit of 6 birds would not be possible. The regulatory wording has been modified to reflect situations where restrictions on Canada geese result in reductions in the total number of geese which may be bagged and possessed. Some restrictions are imposed by State regulations.

Miscellaneous Comments. One group believed that the hunting regulations for ring-necked ducks were too liberal and questioned the wisdom of the proposed regulations for buffleheads. In the Atlantic Flyway both species count 25 points each and in the Mississippi Flyway both count 35 points each. The Service does not believe that these point allocations, or the number of birds permitted under conventional regulations, would result in excessive harvests.

One State and one waterfowl hunters' organization agreed with all provisions of the proposed frameworks.

One State expressed the belief that hunting opportunities offered by the proposed regulations in the Central and Pacific Flyways were too liberal.

Three organizations in one letter plus one individual opposed the opening of the season on greater snow geese and continuation of black duck hunting; the response to Wildlife Preserves, Inc., addresses these same points.

One State strongly objected to the proposed zoning of Louisiana, and expressed hope that the proposal would be withdrawn because of the dissension it has caused among the Mississippi Flyway States. Reasons for allowing the zoning experiment were given at the time the proposal was announced.

One State expressed satisfaction with the proposal to retain a separate bag and possession limit on mergansers in the Atlantic Flyway under conventional regulations.

The foregoing text relates to all responses received during the official comment period. In addition, 40 communications on waterfowl proposals were received before the designated comment period, or after the comment period to 9 a.m. on August 28, 1975. These communications generally covered the same subjects commented upon by persons responding within the official comment period.

Comments on the Service's regulations proposals are available for public inspection during normal business hours at the Service's Office of Migratory Bird Management, Fish and Wildlife Service, Room 2257, U.S. Department of the Interior, 18th and C Streets, Washington, D.C.

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

After due consideration of the comments received, the U.S. Fish and Wildlife Service, under authority of the Migratory Bird Treaty Act of July 3, 1918, as amended, (40 Stat. 755; 16 U.S.C. 703–711), prescribes final rulemaking on all but the lesser sandhill (little brown) crane portion of the Final Regulations Frameworks for 1975–76 Hunting Seasons on Waterfowl, Coots, and Gallinules; Cranes in Parts of North Dakota, South Dakota, New Mexico, Texas, Colorado, Oklahoma, Montana, and Wyoming; and for Common Snipe in the Pacific Flyway.

Effective date: September 5, 1975.

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

SEPTEMBER 2, 1975.

Final Regulations Frameworks for 1975–76 Hunting Seasons on Waterfowl, Coots, and Gallinules; Cranes in Parts of North Dakota, South Dakota, New Mexico, Texas, Colorado, Oklahoma, Montana, and Wyoming; and for Common Snipe in the Pacific Flyway. Pursuant to the Migratory Bird Treaty Act, the Secretary of the Interior has approved final frameworks which prescribe season lengths, bag limits, shooting hours, and outside dates within which States may select seasons for hunting waterfowl, coots, and gallinules; cranes in parts of North Dakota, South Dakota, New Mexico, Texas, Colorado, Oklahoma, Montana, and Wyoming; and for common snipe in the Pacific Flyway. Frameworks are summarized below.

GENERAL

States may split their season for ducks or geese into two segments without penalty in number of days. Segments may be of unequal length. Exceptions to this rule are noted.

Shooting hours in all States, on all species, and for all seasons are ½ hour

before sunrise until sunset except that during September teal seasons the shooting hours are sunrise to sunset. States have the option to select a later opening time within this framework.

Any State in the Atlantic, Mississippi, or Central Flyways selecting neither a September teal season nor the point system may take an extra bag limit on blue-winged teal of 2 daily and 4 in possession for 9 consecutive days during the regular duck season. This extra limit is in addition to the regular duck bag limit.

States in the Atlantic, Mississippi, and Central Flyways may select a special scaup-only hunting season not to exceed 16 consecutive days with a daily bag limit of 5 and a possession limit of 10 scaup, subject to the following conditions:

1. Such special season must fall between October 1, 1975, and January 31, 1976, in the Atlantic and Mississippi Flyways, and between October 4, 1975, and January 31, 1976, in the Central Flyway, all dates inclusive.

2. Such special season must fall outside the open season for any other ducks except sea ducks.

3. Such season must be limited to described areas mutually agreed upon between the State and the Service prior to September 4, and

4. Such areas must be described and delineated in State hunting regulations; or

As an alternative, States in the Atlantic, Mississippi, and Central Flyways, except those States selecting a point system, may take an extra bag limit on scaup of 2 daily and 4 in possession during the regular duck hunting season, subject to conditions 3 and 4 listed above. This extra limit is in addition to the regular duck bag limit and may be taken during the entire regular duck season.

Any State entirely within a flyway in selecting the point system must do so on a statewide basis, *except* if New York selects the point system, conventional regulations may be retained for the Long Island Area.

Dates within which States may select their open seasons, season lengths, bag and possession limit options, and other special provisions are listed below by Flyway.

States in the Atlantic, Mississippi, and Central Flyways are reminded that if they did not select their gallinule season in July, they should do so at the time they make their waterfowl selections. Frameworks for gallinules are: outside dates: September 1, 1975–January 20, 1976; season length: not more than 70 days; bag limits: 15 daily, 30 in possession. Season may be split without penalty.

Atlantic Flyway

Between October 1, 1975, and January 20, 1976, States in this Flyway may hold open seasons on ducks, coots, and mergansers of: (a) 45 days with basic bag limits on ducks of 4 daily and 8 in possession of which no more than 2 daily and 4 in possession may be black ducks; or (b) 45 days with basic bag limits on ducks of 5 daily and 10 in possession of which no more than 1 daily and 2 in possession may be black ducks. Under either Option (a) or (b), a 50-day season may be selected provided the season is opened on a Wednesday at noon, local time. If the season is split, each opening must occur on a Wednesday at noon, local time.

Under both options, the daily bag limit may not include more than 2 wood ducks, and 4 in possession. The season is closed on canvasback and redhead ducks throughout the Flyway except in Florida as described: seaward of the mainland shoreline including offshore islands from the northern boundary of Everglades National Park in Collier County north and west to and including Escambia County, but excluding all inland bays and mouths of rivers landward of a line between the most seaward points of the mouth of such bays and rivers; specifically excluded, but not inclusive of all exclusions, are Escambia Bay, Choctawhatchee Bay, West Bay and St. Andrews Bay at Panama City, East Bay at Apalachicola, and Ochlochonee Bay the waters of which are north of U.S. Highway 95; Tampa Bay landward of U.S. Highway 19 and Charlotte Harbor landward of U.S. Highway 41. In this redhead harvest area the daily bag and possession limits are 1 redhead or 1 canvasback.

The bag limit on mergansers is 5 daily and 10 in possession, of which not more than 1 daily and 2 in possession may be hooded mergansers.

The bag limit on coots is 15 daily and 30 in possession.

The Lake Champlain area of New York State must follow the waterfowl seasons, limits, and shooting hours selected by Vermont. This area includes that part of New York State lying east and north of a line running south from the Canadian border along U.S. Highway 9 to New York Route 22 south of Keeseville, along New York Route 22 to South Bay, along and around the shoreline of South Bay to New York Route 22, along New York Route 22 to U.S. Highway 4 at Whitehall, and along U.S. Highway 4 to the Vermont border.

In lieu of a special scaup season, Vermont may, for the Lake Champlain Area, select a special scaup and goldeneye season not to exceed 16 consecutive days with a daily bag limit of 3 scaup or 3 goldeneyes or 3 in the aggregate and a possession limit of 6 scaup or 6 goldeneyes or 6 in the aggregate, subject to the same provisions that apply to the special scaup season elsewhere.

The State of New York may, for the Long Island area, select season dates and bag limits which differ from those in the remainder of the State.

As an alternative to the conventional bag limits for ducks, a point system bag limit may be selected by States in the Atlantic Flyway for 45 days during the framework dates shown above. A 50-day season may be selected provided the season is opened on a Wednesday at noon, local time. If the season is split, each opening must occur on a Wednesday at noon, local time. The point values for species and sexes taken are as follows: in Florida only, the fulvous tree duck, and the canvasback and redhead in designated redhead harvest areas, count 100 points each; in all States, the hen mallard, black duck, mottled duck, wood duck, and hooded merganser count 70 points each; the blue-winged teal, green-winged teal, pintail, gadwall, shoveler, scaup, sea ducks, and mergansers (except hooded) count 10 points each; all other species of ducks count 25 points each. The daily bag limit is reached when the point values of the last bird taken added to the sum of the point values of the other birds already taken during that day reaches or exceeds 100 points. The possession limit is the maximum number of birds of species and sexes which could have legally been taken in 2 days.

Coots have a point value of zero, but the bag is limited to 15 daily and 30 in possession as under the conventional limits.

In any State in the Atlantic Flyway selecting a point system bag limit and also having a special sea duck season, sea ducks count 10 points each during the point system season, but during any part of the regular sea duck open season falling outside the point system season, the regular sea duck limit of 7 daily and 14 in possession applies.

Between October 1, 1975, and January 20, 1976, the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, West Virginia, New Jersey, Delaware, Maryland, and Virginia (excluding the Back Bay area) may hold an open season on Canada geese of 70 days; the daily bag limit is 3 and the possession limit is 6. The States of North Carolina, South Carolina, and the Back Bay area of Virginia may select an open season on Canada geese of 50 days; the daily bag limit is 1 and the possession limit is 2.

The season on Canada geese is closed in the States of Florida and Georgia.

Between October 1, 1975, and January 20, 1976, but within its regular waterfowl season, each State in the Atlantic Flyway may select an open season on snow geese (including blue geese) of 30 days; the daily bag limit is 2 and the possession limit is 4.

Between November 10, 1975, and January 20, 1976, States in this Flyway may select an open season on Atlantic brant of 30 days; the daily bag limit is 4 and the possession limit is 8.

For Atlantic brant, snow, and blue geese the Secretary shall close the season within 48 hours upon recommendation of the Director, Fish and Wildlife Service, that such closure is necessary to avoid excessive harvest.

Mississippi Flyway

Between October 1, 1975, and January 20, 1976, States in this Flyway may hold concurrent open seasons on ducks, coots, and mergansers of 45 days with a basic bag limit on ducks and mergansers of 4 daily, including no more than 2 mallards or 2 black ducks, or 1 of each, 2 wood ducks, 2 fulvous tree ducks and 1 hooded merganser; and 8 in possession, including

no more than 4 mallards or 4 black ducks, or 4 in the aggregate, 4 wood ducks, 4 fulvous tree ducks and 2 hooded mergansers. A 50-day season may be selected provided the season is opened on a Wednesday at noon, local time. If the season is split, each opening must occur on a Wednesday at noon, local time.

Except in closed areas, the limit on canvasbacks and redheads is 1 canvasback daily and 1 in possession or 1 redhead daily and 1 in possession. Under the point system, canvasbacks and redheads count 100 points each except in closed areas. The areas closed to canvasback and redhead hunting are:

Mississippi River—Entire river, both sides, from Alton Dam upstream to Prescott, Wisconsin, at confluence of St. Croix River.

Alabama—Baldwin and Mobile Counties.

Louisiana—Caddo, St. Charles, and St. Mary Parishes; that portion of Ward 1 formerly designated as Ward 6 of St. Martin Parish; and Catahoula Lake in LaSalle and Rapides Parishes.

Michigan—Arenac, Bay, Huron, Macomb, Monroe, St. Clair, Tuscola, and Wayne Counties, and those adjacent waters of Saginaw Bay south of a line extending from Point au Gres in Sec. 6, T18N, R7E (Arenac County) to Sand Point in Sec. 11, T17N, R9E (Huron County), the St. Clair River, Lake St. Clair, the Detroit River and Lake Erie, under jurisdiction of the State of Michigan.

Minnesota—Sibley and Nicollet Counties, and the area encompassed by a line drawn as follows: beginning at the North Dakota border on U.S. Highway 2, thence east on U.S. Highway 2 to Bemidji, thence south on U.S. Highway 71 to U.S. Highway 12 at Willmar, thence west on U.S. Highway 12 to the South Dakota border, thence north on the South Dakota and North Dakota border to the point of beginning.

Ohio—Land and water areas comprising Erie, Ottawa and Sandusky Counties.

Tennessee—Kentucky Lake lying north of Interstate Highway 40.

Wisconsin—In the Mississippi River Zone, all that part of Wisconsin west of the CB&Q railroad in Grant, Crawford, Vernon, La Crosse, Trempealeau, Buffalo, Pepin, and Pierce Counties. Also, Dodge and Winnebago Counties and the land and water areas extending 100 yards from the shorelines of Lake Poygan in Waushara County, Lake Winnebago in Calumet and Fond du Lac Counties, and Rush Lake, Fond du Lac County.

The bag limit on coots is 15 daily and 30 in possession.

As an alternative to the conventional bag limits for ducks, a point system bag limit may be selected by all States in the Mississippi Flyway for 45 days during the framework dates shown above. A 50-day season may be selected provided the season is opened on a Wednesday at noon, local time. If the season is split, each opening must occur on a Wednesday at noon, local time. The point values for species and sexes taken are as follows: except in closed areas, the canvasback and redhead count 100 points each; the hen mallard, wood duck, black duck and hooded merganser count 90 points each; the pintail, blue-winged teal, cinnamon teal, gadwall, shoveler, scaup and green-winged teal count 10 points each; the drake mallard and all other species of ducks and mergansers count 35 points each. The daily bag limit is reached when the point value of the last bird taken added to the sum of the point values of the other birds already taken during that day reaches or exceeds 100 points. The possession limit is the maximum number of birds of species and sexes which could have legally been taken in 2 days.

Coots have a point value of zero, but the bag is limited to 15 daily and 30 in possession as under the conventional limits.

In that portion of Louisiana west of a line beginning at the Arkansas-Louisiana border on Louisiana Highway 3; thence south along Louisiana Highway 3 to Shreveport; thence east along Interstate 20 to Minden; thence south along Louisiana Highway 7 to Ringgold; thence east along Louisiana Highway 4 to Jonesboro; thence south along U.S. Highway 167 to Lafayette; thence southeast along U.S. Highway 90 to Houma; thence south along the Houma Navigation Channel to the Gulf of Mexico through Cat Island Pass—the season on ducks, coots and mergansers may extend 5 additional days, *provided* that the season opens on November 1, 1975. If the 5-day extension is selected, and if a point system bag limit is selected for the State, point values will be the same as for the rest of the State.

The Pymatuning Reservoir area of Ohio takes the waterfowl seasons, limits, and shooting hours selected by Pennsylvania. The area includes Pymatuning Reservoir and that part of Ohio bounded on the north by County Road 306 known as Woodward Road, on the west by Pymatuning Lake Road, and on the south by U.S. Highway 322.

Between October 1, 1975, and January 20, 1976, States in this Flyway, except Louisiana, may hold an open season of 70 days on geese, with daily bag and possession limits of 5 geese, to include no more than 2 white-fronted geese. Regulations for Canada geese are shown below by State.

Between October 1, 1975, and February 14, 1976, Louisiana may hold an open season of 70 days on snow (including blue) and white-fronted geese, with daily bag and possession limits of 5 geese, to include no more than 2 white-fronted geese. The season on Canada geese is closed in Louisiana.

In the State of Minnesota, in the:

(a) Lac Qui Parle Quota Zone—the season on Canada geese closes after 45 days or when 4,000 birds have been harvested, whichever occurs first. The daily bag limit is 1 Canada goose or two white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese. The quota zone is that area encompassed by a line drawn as follows: beginning at Montevideo, thence west on U.S. Highway 212 to U.S. Highway 75, thence north on U.S. Highway 75 to State Highway 7 at Odessa, thence north on County State Aid Highway 21, Big Stone County, to U.S. Highway 12, thence east on U.S. Highway 12 to County State Aid Highway 17, Swift County, thence south on C.S.A.H. 17 and C.S.A.H. 9, Chippewa County, to State Highway 40, thence east on State Highway 40 to State Highway 29, thence south on State Highway 29 to point of beginning at Montevideo.

(b) Southeastern Zone (same description as in 1971)—The season for Canada geese may extend for 70 consecutive days. The daily bag limit is 1 Canada goose or 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese.

(c) Remainder of State—The season on Canada geese may not exceed 45 days. The daily bag limit is 1 Canada goose or 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese.

In the State of Iowa the season for Canada geese may extend for 45 consecutive days. The daily bag and possession limits are 2 Canada geese.

In the State of Missouri, in the:

(a) Swan Lake Quota Zone (same description as in 1971)—the season on Canada geese closes after 45 days or when 25,000 birds have been harvested, whichever occurs first. The daily bag limit is 1 Canada goose or 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese.

(b) Southeastern area (east of U.S. Highway 67 and south of Crystal City)—State may select a 45-day season on Canada geese between December 1, 1975, and January 20, 1976, with a daily bag limit of 2 Canada geese or 2 white-fronted geese, or 1 of each; and a possession limit of 4 Canada and white-fronted geese in the aggregate, of which not more than 2 may be white-fronted geese.

(c) Remainder of the State—the season on Canada geese may not exceed 45 days. The daily bag limit is 2 Canada geese or 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese.

In the State of Wisconsin, the harvest of Canada geese is limited to 28,000 with 16,000 birds allocated to the Horicon Zone (same description as in 1971). The daily bag limit is 1 Canada goose, 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese. In the Horicon Zone, Canada goose hunting is restricted to those persons holding a valid Horicon Zone Canada goose hunting permit issued by the State.

In the State of Illinois, the harvest of Canada geese is limited to 28,000 with 22,000 birds allocated to the Southern Illinois Zone (same description as in 1971). The daily bag limit is 2 Canada geese or 2 white-fronted geese, or 1 of each; the possession limit is 4 Canada geese and white-fronted geese in the aggregate, of which not more than 2 may be white-fronted geese. The season on Canada geese may open at a later date

in the Southern Illinois Quota Zone and extend to January 20, 1976, or until the Zone's quota of 22,000 birds is reached, whichever occurs first.

In the States of Michigan, Ohio, and Indiana, the daily bag limit may not include more than 1 Canada goose, or 2 white-fronted geese, or 1 of each; the possession limit may not include more than 2 Canada and 2 white-fronted geese, except in Michigan, the possession limit on Canada geese is 1..

In the State of Kentucky, in the Counties of Ballard, Hickman, Fulton, and Carlisle, the daily bag limit is 2 Canada geese or 2 white-fronted geese, or 1 of each; the possession limit is 4 Canada geese and white-fronted geese in the aggregate, of which not more than 2 may be white-fronted geese. In the remainder of the State, the daily bag limit is 1 Canada goose or 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese.

In Tennessee, the daily bag limit is 1 Canada goose and the possession limit is 2 Canada geese except that in the Counties of Shelby, Lake, Tipton, Lauderdale, Dyer, and Obion, the daily bag and possession limits are 2 Canada geese.

In Mississippi, the daily bag and possession limits are 2 Canada geese, except that in the Counties of Lafayette, Marshall, and Panola, the daily bag limit is 1 Canada goose and the possession limit is 2 Canada geese. The season is closed on Canada geese in the Counties of Washington, Sharky, and Issaquena.

The season is closed on all geese in the Alabama counties of Russell and Barbour. Elsewhere in Alabama, the bag limit is 1 Canada goose, or 2 white-fronted geese, or 1 of each; the possession limit is 2 Canada and 2 white-fronted geese.

In Arkansas, the Canada goose season may not exceed 30 consecutive days, subject to State closure of designated areas. The daily bag limit is 1 Canada goose and the possession limit is 2 Canada geese.

When it has been determined by the Director that the quota of Canada geese allotted to the State of Illinois, to the Swan Lake area of Missouri, and to the Lac Qui Parle Area of Minnesota will have been filled, the season for taking Canada geese in the respective area will be closed by the Director upon giving public notice through local information media at least 48 hours in advance of the time and date of closing.

Geese taken in the States of Illinois and Missouri and in the Kentucky Counties of Ballard, Hickman, Fulton, and Carlisle may not be transported, shipped, or delivered for transportation of shipment by common carrier, the postal service, or by any person except as the personal baggage of the hunter taking the birds.

Central Flyway

Between October 4, 1975, and January 18, 1976, States and portions of States in this Flyway may hold concurrent open seasons on ducks, including mergansers, and coots, of 60 days with basic bag limits on ducks of 6 daily and 12 in possession.

The daily bag limit on ducks including mergansers may include no more than 1 hooded merganser, 2 wood ducks and 3 mallards of which no more than one mallard may be a hen and the possession limit on ducks may include no more than 2 hooded mergansers, 4 wood ducks and 6 mallards of which no more than two mallards may be hens.

The bag limit on coots is 15 daily and 30 in possession.

The bag limits, except in closed areas, may include no more than 1 canvasback daily and 1 in possession or 1 redhead daily and 1 in possession. Except in closed areas, canvasbacks and redheads count 100 points each under the point system. The areas closed to canvasback and redhead hunting area:

North Dakota—all that portion east of State Highway 3, including all or portions of 27 counties.

South Dakota—the Counties of Brookings, Codington, Day, Kingsbury, Roberts, Marshall, and Hamlin.

Texas—the Counties of Brazoria, Chambers, Galveston, Orange, Harris and Jefferson.

The season is closed on the Mexican duck.

As an alternative to the conventional bag limits for ducks, States in this Flyway may select a point system. The point system season length in the High Plains Mallard Management Unit portions of Colorado, Kansas, Montana, Nebraska, New Mexico, Texas, Oklahoma, North Dakota, South Dakota, and Wyoming is 83 days, *provided*, that the last 23 days of such season must begin on or after December 8, 1975. The season length for those portions of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas not included in the High Plains Mallard Management Unit may not exceed 60 days. The High Plains Area is roughly defined as that portion of the Central Flyway which lies between the 100th meridian and the Continental Divide.

The point values for species and sexes taken in the High Plains Area of the Flyway are as follows: except in closed areas, the canvasback and redhead count 100 points each; the hen mallard, wood duck, and hooded merganser count 70 points each; the blue-winged teal, green-winged teal, cinnamon teal, scaup, pintail, gadwall, shoveler, and mergansers (except the hooded merganser) count 10 points each; all other species and sexes of ducks count 20 points each. The daily bag limit is reached when the point value of the last bird taken added to the sum of the point values of other birds already taken during that day reaches or exceeds 100 points. The possession limit is the maximum number of birds of species and sex which could have been legally taken in 2 days.

The point values for species and sexes taken in the remainder of the Flyway are as follows: except in closed areas, the canvasback and redhead count 100 points each; the hen mallard, wood duck, and hooded merganser count 70 points each; the blue-winged teal, green-winged teal, cinnamon teal, scaup, pintail, gadwall, shoveler, and mergansers (except the hooder merganser) count 10 points each; all other species and sexes of ducks count 25 points each. The daily bag limit is reached when the point value of the last bird taken added to the sum of the point values of other birds already taken during that day reaches or exceeds 100 points. The possession limit is the maximum number of birds of species and sex which could have been legally taken in 2 days.

Coots have a point value of zero, but the bag is limited to 15 daily and 30 in possession as under the conventional limits.

Those portions of the States of Colorado and Wyoming lying west of the Continental Divide, that portion of New Mexico lying west of the Continental Divide plus the entire Jicarilla Apache Indian Reservation, and that portion of Montana which includes the Counties of Hill, Chouteau, Cascade, Meagher, and Park and all counties west thereof, must select open seasons on waterfowl and coots in accordance with the framework for the Pacific Flyway.

Between October 4, 1975, and January 18, 1976, States in this Flyway may hold an open season on geese as follows:

(a) For the Central Flyway portions of Montana, Wyoming, Colorado and New Mexico, and that portion of Texas west of U.S. Highway 81, States may select a season of 93 days, with a daily bag limit of 2 and a possession limit of 4 geese.

(b) The States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas for that portion east of U.S. Highway 81 may select a season of 72 days.

The daily bag and possession limits may not exceed 5 geese subject to the following:

In North Dakota the daily bag limit may include no more than 1 Canada goose and 1 white-fronted goose or 2 white-fronted geese. The possession limit may include no more than 2 Canada or 2 white-fronted geese or 1 of each. The season on Canada geese may not extend beyond November 16, 1975.

In South Dakota the daily bag limit may include no more than 1 Canada goose and 1 white-fronted goose and the possession limit may include no more than 2 Canada geese or 2 white-fronted geese or 1 of each. The season on Canada geese may not extend beyond November 30, 1975.

In Nebraska the season on Canada and white-fronted geese may not extend beyond December 21, except the season on Canada and white-fronted geese is closed in that portion of Nebraska encompassed by a line from the South Dakota border south on Nebraska Highway 27 to Ellsworth, east on Nebraska Highway 2 to Dunning, northeast on Nebraska Highway 91 to Burwell, north on Nebraska Highway 11 to Atkinson, west on U.S. Highway 20 to Valentine, and north on U.S. Highway 83 to the South Dakota border.

The season on Canada and white-fronted geese will close December 7 in

that portion of Nebraska encompassed by a line from Hyannis south on State Highway 61 to its junction with State Highway 92, west on State Highway 92 to its junction with U.S. 26, east on U.S. Highway 26 to its junction with U.S. Highway 30, east on U.S. Highway 30 to its junction with U.S. Highway 183, north on U.S. Highway 183 to its junction with State Highway 91, west on State Highway 91 to its junction with State Highway 2 and west on State Highway 2 to its junction with State Highway 61 at Hyannis.

The daily bag limit may include no more than 1 Canada and 1 white-fronted goose and the possession limit may include no more than 2 Canada or 2 white-fronted geese or 1 of each.

In Kansas the season on Canada and white-fronted geese may not extend beyond December 21. The daily bag limit may include no more than 1 Canada and 1 white-fronted goose and the possession limit may include no more than 2 Canada geese or 2 white-fronted geese or 1 of each.

In the Oklahoma Counties of Alfalfa, Bryan, Johnston, and Marshall, the State may select either:

(a) A season of 72 days with a daily bag limit of no more than 1 Canada goose and 1 white-fronted goose, and a possession limit of no more than 2 Canada geese, or 2 white-fronted geese, or 1 of each; or

(b) A season of 53 days (within the 72-day period selected for the remainder of the State) with a daily bag limit of no more than 2 Canada geese, or 1 Canada goose and 1 white-fronted goose, and a possession limit of no more than 2 Canada geese or 2 white-fronted geese or 1 of each.

In the remainder of Oklahoma, the daily bag limit may include no more than 2 Canada geese or 1 Canada goose and 1 white-fronted goose and the possession limit no more than 2 Canada geese or 2 white-fronted geese or 1 of each.

In that portion of Texas east of U.S. Highway 81, the State may select either:

(a) A season of 72 days with a daily bag limit of no more than 1 Canada goose or 1 white-fronted goose, and a possession limit of no more than 2 Canada geese or 2 white-fronted geese or 1 of each; or

(b) A season of 64 days beginning no earlier than November 16, 1975, with a daily bag of no more than 1 Canada goose and 1 white-fronted goose, and a possession limit of no more than 2 Canada geese or 2 white-fronted geese or 1 of each.

In all States in the Flyway, the daily bag and possession limits may include no more than 1 Ross' goose.

The States of Colorado, New Mexico, Oklahoma, Texas, Montana, and Wyoming ma yselect a season on the lesser sandhill (little brown) crane with a daily bag limit of 3 and a possession limit of 6 within an October 4, 1975–January 18, 1976, framework as follows:

(a) 36 consecutive days from October 4 through November 8, 1975, in the Central Flyway portion of Colorado except the San Luis Valley area.

(b) 93 consecutive days between October 25, 1975, and January 31, 1976, in the New Mexico Counties of Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt, and in that portion of the State of Texas lying west of a line running south from the Oklahoma border along U.S. Highway 287 to U.S. Highway 87 at Dumas, along U.S. Highway 87 and including all of Howard and Lynn Counties to U.S. Highway 277 at San Angelo, and along U.S. Highway 277 to the International Toll Bridge in Del Rio.

(c) 58 consecutive days on or after November 29, 1975, in that portion of Oklahoma lying west of U.S. Highway 81, and in that portion of Texas lying east of a line running south from the Oklahoma border along U.S. Highway 287 to U.S. Highway 87 at Dumas, then along U.S. Highway 87 to San Angelo, and lying west of a line running north from San Angelo along U.S. Highway 277 to Abilene, along State Highway 351 to Albany, along U.S. Highway 283 to Vernon, and then along U.S. Highway 183 east to the Oklahoma border.

(d) 37 consecutive days to open with the goose season in Phillips County, Montana.

(e) 30 consecutive days on or after October 11, 1975, in Platte and Goshen Counties, Wyoming.

The States of North Dakota and South Dakota may select a sandhill crane season of: 30 consecutive days between November 8 and December 7, 1975, in the North Dakota Counties of Kidder, Stutsman, Benson, Emmons, Pierce, McLean, Sheridan, and Burleigh; and in part of South Dakota described as follows: from the North Dakota border, south on U.S. Highway 83 to U.S. Highway 212, west on U.S. Highway 212 to the Promise Road, north on the Promise Road to State Highway 20, north on State Highway 20 to U.S. Highway 12, northwest on U.S. Highway 12 to State Highway 63, north on State Highway 63 to the North Dakota border.

(Note: Proposed additions to the lesser sandhill (little brown) crane section regarding daily bag and possession limits in North and South Dakota, plus the requirement for a Federal sandhill crane hunting permit, were published in the FEDERAL REGISTER dated August 21, 1975 (40 FR 36572).)

PACIFIC FLYWAY

Between October 4, 1975, and January 18, 1976, States or portions of States in this Flyway, *except* the Columbia Basin Area, may hold concurrent open seasons on ducks, mergansers, coots, and gallinules of 93 days with basic bag limits on ducks of 7 daily and 14 in possession.

No more than 2 redheads or 2 canvasbacks or 1 of each daily may be taken and no more than 4 singly or in the aggregate may be possessed.

Exception: the limit on canvasbacks is 1 daily and 1 in possession in the following area:

California—San Francisco Bay—Suisun area—beginning at Golden Gate Bridge, north on U.S. Highway 101 to State Highway 37; then east on State Highway 37 to U.S. Highway 80; then north on U.S. Highway 80 to State Highway 12 at Fairfield; then east on State Highway 12 to Rio Vista at State Highway 84 (160); then south on State Highway 84 (160) to State Highway 4; then west on State Highway 4 to U.S. Highway 80; then south on U.S. Highway 80 to State Highway 17; then south on State Highway 17 to U.S. Highway 101 at San Jose; then north on U.S. Highway 101 to point of beginning.

The season is closed on the Mexican duck.

The bag limit on mergansers is 5 daily and 10 in possession of which not more than 1 daily and 2 in possession may be hooded mergansers.

The daily bag and possession limit on coots and gallinules is 25 singly or in the aggregate of these species.

For that portion of California lying south of the Tehachapi Mountains and west of the Colorado River Area (as described in Title 14 California Fish and Game Code, Section 502), the State may designate season dates differing from those in the rest of the State.

Clark and Lincoln Counties in Nevada and the Colorado River area of California have the season dates selected by Arizona for watefowl; and the Tule Lake area of California has the season dates selected by Oregon for waterfowl.

In the Columbia Basin Areas of Washington, Oregon and Idaho, between October 4, 1975, and January 18, 1976, the season lengths for ducks, mergansers, coots, and gallinules may be 100 days with all seasons running concurrently. The daily bag is 7 ducks with a possession limit of 14 ducks with no more than 2 redheads or 2 canvasbacks or 1 of each daily and no more than 4 singly or in the aggregate in possession. The bag limit on mergansers is 5 daily and 10 in possession of which not more than 1 daily and 2 in possession may be hooded mergansers. The daily bag and possession limit on coots and gallinules is 25.

Between October 4, 1975, and January 18, 1976, States or portions of States in this Flyway, *except* the Columbia Basin Area, may hold an open season on geese of 93 days with a basic daily bag and possession limit of 6, *provided*, that the daily bag limit does not include more than 3 snow geese and 3 geese of the dark species (Canada and white-fronted); the daily bag and possession limits are proportionately reduced in those areas where special restrictions apply to Canada geese. In the States of Washington and Idaho, the daily bag limit is 3 and the possession limit is 6 geese.

In three areas in California restrictions on the hunting of Canada geese are as follows:

(1) In the Counties of Del Norte, Humboldt and Mendocino, there will be a com-

plete closure on Canada geese during the 1975–76 waterfowl hunting season.

(2) In the Sacramento Valley in the area described as follows: beginning at the town of Willows in Glenn County, proceeding south on Interstate Highway 5 to the junction of State Highway 20 near the town of Williams in Colusa County; thence easterly on State Highway 20 to the junction of State Highway 45 in the town of Colusa; thence northerly on State Highway 45 to its junction with State Highway 162; thence continuing northerly on State Highways 45–162 to the town of Glenn; thence westerly on State Highway 162 to the point of beginning; the hunting season here for taking Canada geese will not open until December 15, 1975. It will then continue to the end of the 1975–76 waterfowl hunting season.

(3) In the San Joaquin Valley in the area described as follows: beginning at the city of Modesto in Stanislaus County and proceeding west on State Highway 132 to the junction of Interstate 5; thence southerly on Interstate 5 to the junction of State Highway 152 in Merced County; thence easterly on State Highway 152 to the junction of State Highway 59; thence northerly on State Highway 59 to the junction of State Highway 99 at the city of Merced; thence northerly and westerly to the point of beginning; the hunting season here for taking Canada geese will close on December 15, 1975.

In the Washington Counties of Adams, Franklin, Grant, Walla Walla, Lincoln, Douglas, Yakima, Benton, Klickitat, and Kittitas, and in the Oregon Counties of Morrow, Wasco, Sherman, Gilliam, Umatilla, Union and Wallowa, the goose season must be concurrent with the Columbia Basin duck season and the bag limits for geese are to be the same as in the general goose season in their respective States.

In the State of Arizona; in that portion of New Mexico placed in the Pacific Flyway; in Clark and Lincoln Counties, Nevada; in Washington County, Utah; and in the Tehachapi waterfowl area of California except Fish and Game District 22, the season on Canada geese may be no more than 65 days. The daily bag and possession limits are 2 Canada geese and the season on Canada geese may not extend beyond January 4, 1976.

In that portion of California Fish and Game District 22 for which California selects the open season (that portion of District 22 lying outside the Colorado River area), the daily bag and possession limits may not include more than 1 Canada goose and the season on Canada geese may be no more than 65 days and may not extend beyond January 4, 1976.

In that portion of Colorado placed in the Pacific Flyway, in the State of Utah except Washington County; in that portion of the State of Idaho lying east of U.S. Highway 93; and in that portion of the State of Montana placed in the Pacific Flyway but lying east of the Continental Divide the season on Canada geese may be no more than 65 days. The daily bag and possession limits are 2 Canada geese and the season on Canada geese may not extend beyond December 14, 1975.

In that portion of the State of Idaho lying west of U.S. Highway 93 (except Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Nez Perce, Lewis, Clearwater, and Idaho Counties); in the Oregon Counties of Baker and Malheur; and in that portion of Montana lying west of the Continental Divide, the daily bag and possession limits are 2 Canada geese, and the season on Canada geese may be concurrent with ducks but may not extend beyond December 28, 1975.

In that portion of Wyoming place in the Pacific Flyway, the daily bag and possession limits are 2 Canada geese and the season on Canada geese may be no more than 75 days and the season may not extend beyond December 28, 1975.

In all States in the Flyway, the daily bag and possession limits may not include more than 1 Ross' goose.

Between October 25, 1975, and February 22, 1976, States in this Flyway may select an open season on black brant of 93 days with a daily bag limit of 4 and possession limit of 8.

In the States of Utah, Nevada, and Montana, an open season for taking a limited number of whistling swans may be selected subject to the following conditions; (a) the season must run concurrently with the season for ducks; (b) in the State of Utah, no more than 2,500 permits may be issued authorizing each permittee to take 1 whistling swan; (c) in the State of Nevada, no more than 500 permits may be issued authorizing each permittee to take 1 whistling swan in the County of Churchill; (d) in the State of Montana, no more than 500 permits may be issued authorizing each permittee to take 1 whistling swan in the County of Teton; (e) permit forms and correspondingly numbered metal locking seals furnished by the Service must be issued by the appropriate Department of Game and Fish on an equitable basis without charge.

States (or portions of States) in this Flyway may select open seasons on common snipe (Wilson's) with a daily bag limit of 8 and a possession limit of 16. The snipe season dates shall coincide with the duck season locally in effect.

[FR Doc.75-23683 Filed 9-4-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Bosque del Apache National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on September 5, 1975.

§ 28.28 Special regulations; public access, use, and recreation; for individual wildlife refuge areas.

NEW MEXICO

BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Bosque del Apache National Wildlife Refuge, San Antonio, New Mexico, is open to public access, use, and recreation, subject to the provisions of Title 50, Code of Federal Regulations, all applicable Federal and State laws and regulations, and the following special condition:

(1) Vehicular access to existing roads on the Bosque del Apache National Wildlife Refuge will be through the headquarters entrance during daylight hours only. Refuge headquarters is located on U.S. Highway 85, eight miles south of San Antonio, New Mexico.

Portions of the Bosque del Apache National Wildlife Refuge have been included in the National Wilderness System under the "Wilderness Act" of 1964. Boundaries of these areas are appropriately posted with "Wilderness Area" signs. The following special conditions apply to the wilderness:

(1) Fires will be limited to camp stoves.

(2) Entry will be by foot only.

(3) Only backpack-type camping is permitted.

(4) Hunting dogs may be used in the taking of quail and doves.

The provisions of this special regulation supplement the regulations which govern public access, use and recreation of wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

ROBERT F. STEPHENS,
Acting Regional Director,
Albuquerque, N. Mex.

AUGUST 29, 1975.

[FR Doc.75-23553 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Browns Park National Wildlife Refuge, Colo.

The following special regulation is issued and is effective on September 5, 1975.

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

COLORADO

BROWNS PARK NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots and mergansers on the Browns Park National Wildlife Refuge, Colorado, is permitted for the 1975–76 season in accordance with State regulations; except in those areas designated by signs as closed to hunting. This open area, comprising 1,775 acres, is delineated on maps available at refuge headquarters, Greystone, Colorado, and from the Area Supervisor, U.S. Fish and Wildlife Service, Federal Building, Room 2215, 125 South State Street, Salt Lake City, Utah 84111. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of waterfowl, subject to the following special regulations:

(1) Vehicle travel within the refuge will be restricted to designated routes and parking areas.

The provisions of this special regulation supplement the regulations which

govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 10, 1976.

H. J. JOHNSON,
Refuge Manager, Browns Park National Wildlife Refuge, Greystone, Colo.

AUGUST 29, 1975.

[FR Doc.75-23555 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge, Kans.

The following special regulation is issued and is effective on September 5, 1975.

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

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots and mergansers on the Flint Hills National Wildlife Refuge, Kansas, is permitted, but only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 1748, 601 East 12th Street, Kansas City, Missouri 64106. All applicable opening and closing hunting dates as issued by State and Federal Laws apply, as well as all other State and Federal regulations. Refuge hunting shall be subject to the following special conditions:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

(2) Blind construction by the public is permitted but limited to temporary above ground construction. Constructed blinds become the property of the government. Blind construction does not constitute a reservation of hunting space. Daily occupancy of blinds erected on refuge hunting units will be determined on a first-come-first-serve basis.

(3) The transportation or possession of firearms is not permitted on the Neosho River from the northern refuge boundary to the point where the river empties into John Redmond Reservoir.

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

MICHAEL J. LONG,
Refuge Manager, Flint Hills National Wildlife Refuge, Burlington, Kans.

AUGUST 15, 1975.

[FR Doc.75-23556 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Pathfinder National Wildlife Refuge, Wyo.

The following special regulation is issued and is effective on September 5, 1975.

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

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, coots, and mergansers on the Pathfinder National Wildlife Refuge, Wyo., is permitted within regular 1975 waterfowl season dates established by Wyoming Game and Fish Commission, but only on areas designated by signs as open to hunting. This open area, comprising 3,760 acres, is delineated on maps available at refuge headquarters in Walden, Colorado and from the office of the Area Manager, U.S. Fish and Wildlife Service, 2215 Federal Building, Salt Lake City, Utah 84111. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, coots, and mergansers subject to the following special condition:

(1) Blinds—The construction of permanent blinds or pits is not permitted. Portable blinds may be used but not left on the refuge.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through open season dates established on these species by Wyoming Game and Fish Commission.

V. CARROL DONNER,
Refuge Manager, Pathfinder National Wildlife Refuge, Walden, Colo.

AUGUST 27, 1975.

[FR Doc.75-23558 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Havasu National Wildlife Refuge, Ariz. & Calif.

The following special regulation is issued and is effective on September 5, 1975. The limited time ensuing from the date of establishment of seasons on upland game by the States of Arizona and California makes it impracticable to give public notice of rule making.

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

ARIZONA AND CALIFORNIA

HAVASU NATIONAL WILDLIFE REFUGE

Public hunting of quail, cottontail, and jackrabbits on the Havasu National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 29,150 acres, is delineated on maps available at refuge headquarters, Needles, California, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—Quail, from October 1, 1975 through January 31, 1976, inclusive; cottontail and jackrabbits, from September 1, 1975 through January 31, 1976, inclusive. California—Quail, from October 25, 1975 through January 31, 1976, inclusive; cottontail and jackrabbits, from September 1, 1975 through January 31, 1976, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail, cottontail and jackrabbits subject to the following special conditions:

(1) Hunting is prohibited within one-fourth mile of any occupied dwelling or concession operation.

(2) Weapons—Shotguns only, not larger than 10 gauge and incapable of holding more than three shells.

(3) Shooting hours are from one-half hour before sunrise to sunset.

(4) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

(5) Hunters must enter the hunting area known as Topock Marsh by way of the parking lots only.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1976.

IMPERIAL NATIONAL WILDLIFE REFUGE

The public hunting of quail and cottontail rabbits on the Imperial National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 16,500 acres, is delineated on maps available at refuge headquarters, Martinez Lake, Arizona, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—quail and cottontail rabbits, from October 1, 1975 through February 1, 1976, inclusive; California—quail, from October 25, 1975 through February 1, 1976, inclusive; and cottontail rabbits, from October 1, 1975 through February 1, 1976, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail and rabbits subject to the following special conditions:

(1) Quail and rabbits may be taken with shotguns only. Possession of .22 caliber rimfire firearms is prohibited.

(2) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which

govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 1, 1976.

ROBERT F. STEPHENS,
Acting Regional Director, Albuquerque, N.Mex.

AUGUST 29, 1975.

[FR Doc.75-23554 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Mark Twain National Wildlife Refuge, Illinois

The following special regulation is issued and is effective on September 5, 1975.

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

ILLINOIS

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of black, gray, and fox squirrels on the Mark Twain National Wildlife Refuge, Illinois, is permitted only on the areas designated by signs as open to hunting. These open areas, comprising 1,400 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, United States Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations concerning the hunting of squirrels subject to the following special conditions:

(1) The open season for hunting squirrels on the Keithsburg Division of the Mark Twain National Wildlife Refuge extends from September 1, 1975, through October 15, 1975, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 15, 1975.

HOWARD A. LIPKE,
Refuge Manager, Mark Twain National Wildlife Refuge, Quincy, Ill. 62301.

AUGUST 27, 1975.

[FR Doc.75-23599 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Mark Twain National Wildlife Refuge, Iowa

The following special regulation is issued and is effective on September 5, 1975.

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

IOWA

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Mark Twain National Wildlife Refuge, Iowa, is permitted only on the areas known as Big Timber Division and Turkey Island area designated by signs as open to hunting. These open areas, comprising 1,760 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, United States Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations concerning the hunting of upland game.

The provisions of this special regulation supplements the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 29, 1976.

HOWARD A. LIPKE,
Refuge Manager, Mark Twain National Wildlife Refuge, Quincy, Ill.

AUGUST 27, 1975.

[FR Doc.75-23600 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Mark Twain National Wildlife Refuge, Iowa

The following special regulation is issued and is effective on September 5, 1975.

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

IOWA

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Mark Twain National Wildlife Refuge, Iowa, is permitted only on the areas known as the Big Timber Division and the Turkey Island area designated by signs as open to hunting. These open areas, comprising 1,760 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, United States Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 12, 1975.

HOWARD A. LIPKE,
Refuge Manager, Mark Twain National Wildlife Refuge, Quincy, Ill.

AUGUST 27, 1975.

[FR Doc.75-23601 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Tamarac National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on September 5, 1975.

§ 32.22 Special regulations; big game; for individual refuge areas.

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Public hunting of white-tailed deer with legal firearms on the Tamarac National Wildlife Refuge is permitted over the entire refuge with exception of those areas posted as "Area Beyond This Sign Closed." The open area comprises 40,200 acres. Areas open for deer hunting are delineated on maps available at refuge headquarters, Rochert, Minnesota 56578 and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) The open season for hunting deer with legal firearms is from sunrise to sunset, November 1 and 2, inclusive, and November 5 through 30, 1975, inclusive. Hunters have the choice of two consecutive days, November 1 and 2, 1975, or any five consecutive days, November 5, 1975, through November 30, 1975.

Portions of Tamarac Refuge open to hunting is delineated on refuge hunting maps. In addition, no persons shall, for the purpose of hunting, enter or leave a refuge except by access roads which may be so designated; and all hunters shall comply with further regulations which the refuge Manager may prescribe.

OLIER N. SWENSON,
Refuge Manager.

AUGUST 29, 1975.

[FR Doc.75-23602 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Tamarac National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on September 5, 1975.

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

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Public hunting of ruffed grouse, gray and fox squirrels, cottontail, jack, and snowshoe rabbits on the Tamarac National Wildlife Refuge, Rochert, Minnesota, is permitted in the area designated by signs as open to hunting. This open area comprising 12,500 acres is delineated on a map available at the Refuge Headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

An additional area of 18,000 acres will be open for public hunting of ruffed grouse only. This ruffed grouse only public hunting area is delineated on a map available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Hunting shall be in accordance with all applicable State regulations during the seasons specified below. The hunting of other upland species as may be authorized by Minnesota State regulations is prohibited.

Open seasons: Ruffed grouse—September 13, 1975, through October 29, 1975, and the second season opens December 1, 1975, through December 31, 1975, inclu-

sive, with shooting hours from sunrise to sunset. Gray and fox squirrels—September 13, 1975, through December 31, 1975, inclusive, with shooting hours from sunrise to sunset. Cottontail, jack, and snowshoe rabbits—September 13, 1975, through February 28, 1976, inclusive, with shooting hours from sunrise to sunset.

No person shall trap on Tamarac National Wildlife Refuge without first obtaining such permits and trap tags as may be required and issued by the Refuge Manager. Portions of Tamarac refuge open to hunting will be posted "Public Hunting Area" except as described in refuge hunting maps for ruffed grouse. In addition, no persons shall, for the purpose of hunting or trapping, enter or leave a refuge except by access roads which may be so designated; and all trappers shall comply with further regulations which the Refuge Manager may prescribe.

OMER N. SWENSON,
Refuge Manager, Tamarac National Wildlife Refuge, Rochert, Minn. 56578.

AUGUST 29, 1975.

[FR Doc.75-23603 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Lacreek National Wildlife Refuge, S. Dak.

The following special regulation is issued and is effective September 5, 1975.

§ 32.22 Special regulations; Ringneck pheasant, for individual wildlife refuge areas.

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Public hunting of cock ringneck pheasant on the Lacreek National Wildlife Refuge, South Dakota is permitted and those portions of Wildlife Management Units #10 and 11 (2800 acres) designated by signs as open to hunting and delineated on a map available at designated parking areas at Refuge Headquarters, Martin, South Dakota 57551 and from the Area Office, U.S. Fish and Wildlife Service, Federal Building, Pierre, SD 57501. Hunting shall be in accordance with all applicable State and Federal Regulations governing the hunting of cock pheasants subject to the following special conditions:

a. The taking of other than cock pheasants is prohibited.

b. Designated hunting access and parking sites will be available. Entering and parking at other sites will be prohibited.

c. Hunting will be allowed only by Special Permit/Report Forms available at designated parking sites.

The provision of these special regulations supplement the regulations which governs hunting in wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations Part 32 and are effective through December 31, 1975.

HAROLD H. BURGESS,
Refuge Manager, Lacreek National Wildlife Refuge, Martin, S. Dak.

AUGUST 28, 1975.

[FR Doc.75-23557 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Ouray National Wildlife Refuge, Utah

The following special regulation is issued and is effective on September 5, 1975.

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

UTAH

OURAY NATIONAL WILDLIFE REFUGE

Public hunting of pheasants on the Ouray National Wildlife Refuge, Utah, is permitted on the area designated by signs as open to hunting. This open area, comprising 7,500 acres is delineated on maps available at refuge headquarters, Vernal, Utah, and from the Area Supervisor, U.S. Fish and Wildlife Service, Federal Building, Room 2215, 125 South State Street, Salt Lake City, Utah 84111. Hunting shall be in accordance with all applicable State regulations covering the hunting of pheasants.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 15, 1975.

H. J. JOHNSON,
Refuge Manager, Ouray National Wildlife Refuge, Vernal, Utah.

AUGUST 29, 1975.

[FR Doc.75-23559 Filed 9-4-75;8:45 am]

PART 32—HUNTING

Seedskadee National Wildlife Refuge, Wyo.

The following special regulation is issued and is effective on September 5, 1975.

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

WYOMING

SEEDSKADEE NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, coots, mergansers and snipe on the Seedskadee National Wildlife Refuge, Wyoming is permitted as follows: Geese from October 4 through November 17, 1975, inclusive, and November 29 through December 28, 1975, inclusive; Ducks, coots, mergansers and snipe from October 4, 1975 through January 4, 1976, inclusive. All of the refuge area, comprising 14,284 acres, and so designated by signs, is open to hunting. Maps of the area are available at the refuge office, Room 118, Courthouse, Green River, Wyoming, and from the Area Manager, U.S. Fish and Wildlife Service, 2215 Federal Building, Salt Lake City, Utah 84138. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of geese, coots, ducks, mergansers and snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 4, 1976.

MERLE O. BENNETT,
Refuge Manager, Seedskadee National Wildlife Refuge, Green River, Wyo.

[FR Doc.75-23636 Filed 9-4-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-539]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of El Dorado, Butler County, Kans.

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the City of El Dorado under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at 2011 West Sixth Street, El Dorado, Kansas 67042.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Walnut River	U.S. Highway 54 and 77	1,278	NA	NA
	U.S. Highway 54	1,280	NA	NA
	Confluence with West Branch	1,286	NA	NA
West Branch	Confluence with Walnut River	1,280	NA	NA
	A.T. and S.F. RR	1,280	NA	NA
	U.S. Highway 77	1,287	450	1,575
	9th Avenue	1,289	750	1,500
	A.T. and S.F. RR	1,293	1,825	1,575

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23570 Filed 9-4-75;8:45 am]

[Docket No. FI 535]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of Jeffersontown, Jefferson County, Ky.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the City of Jeffersontown under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 10416 Watterson Trail, Jeffersontown, Kentucky 40299.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Chenoweth Run	Plantside Dr	643	100	200
	Bunsen Way	662	200	150
	I-64	674	350	200

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23571 Filed 9-4-75;8:45 am]

[Docket No. FI-512]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of St. Matthews, Jefferson County, Ky.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the City of St. Matthews under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 201 Thierman Lane, St. Matthews, Kentucky 40207.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Middle Fork, Beargrass Creek	Shelbyville Rd	516	50	50
	Brown Lane	514	250	1,500
	Breckenridge Lane	509	800	2,300

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23572 Filed 9-4-75;8:45 am]

[Docket No. FI-514]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of Kansas City, Clay County, Mo.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the city of North Kansas City under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 1828 Swift Street, North Kansas City, Missouri.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
North Hillside drainage ditch	Route 210	752	0	0
	Highway 1	756	0	0
	Midtown Freeway	758	0	0
	Ozark St	758	0	0
	Howell St	761	0	0
Rock Creek	Highway 210	745	50	100
	Rock Creek Parkway	754	150	100
	Low Water Crossing	756	100	100
Missouri River	Chouteau Highway	743	(1)	200
	Paseo Highway	747	(1)	0

[1] To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23573 Filed 9-4-75;8:45 am]

[Docket No. 518]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of Hermann, Gasconade County, Mo.

The Federal Insurance Administrator, in accordance with Section 110 of the Floor Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the City of Hermann under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Floor Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at 312 Schiller, Herman, Missouri 65041.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Frene Creek (backwater flooding from Missouri River).	Highway 100 (1st St.)	518	600	650
	Guttenberg St	518	200	(1)
	Market St	518	400	450
	14th St	518	0	500
Frene Creek (headwaters)	No streets crossing the stream			

[1] To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75–23574 Filed 9–4–75;8:45 am]

[Docket No. FI–515]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of Paris, Monroe County, Mo.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the City of Paris under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 124 W. Caldwell Street, Paris, Missouri 65275.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Middle Fork River	Wabash RR	652	50	(1)
	Main St	653	1,150	(1)
Payne Branch	Locust St	652	150	350
	Main St	653	400	100
	McMurray St	675	150	200
	Warren St	687	50	50
West Fork Payne Branch	Cleveland St	685	100	100

[1] To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75–23575 Filed 9–4–75;8:45 am]

[Docket No. FI–516]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the Borough of Deal, Monmouth County, N.J.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of his final determinations of flood elevations for the Borough of Deal under § 1917.8 of Title 24 of the Code of Federal Regulations.

The administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the Borough must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Borough Hall, Durant Square, Deal, New Jersey 07723.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Popular Brook	Ocean Ave	14	1,050	800
	Almyr Ave	14	100	400
	Norwood Ave	15	100	100
			Distance from shoreline	
Atlantic Ocean	Jerome Ave	10	400	
	Roosevelt Ave	10	1,500	
	Phillips Ave	10	800	
	Roseld Ave	10	50	
	Hathaway Ave	10	50	
Deal Lake	Borough limits	9	50	

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23576 Filed 9-4-75;8:45 am]

[Docket No. FI-530]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the City of Absecon, Atlantic County, N.J.

The Federal Insurance Administrator, is accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of his final determinations of flood elevations for the City of Absecon under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, Absecon, New Jersey 08201.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Ingersolls Branch, Absecon Creek, and Absecon Bay.	Pleasant Ave	10	From Madison Sq. to Mill Rd.	
	Summit Ave	10	To 100 ft southwest of Mill Rd.	
	Anina St	10	100	100
Ingersoolls Branch and Absecon Bay.	Mill Rd	10	600	1,500
Absecon Creek and Absecon Bay.	do	10	1,500	1,200
	Morton Ave	10	To 650 ft north of Mill Rd.	
	Cannon Ave	10		575

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Absecon Creek and Absecon Bay	Leona St	10	From 550 ft southwest of Lincoln Ave. to 200 ft northeast of Lincoln Ave.	
	Pershing St	10	From 675 ft southwest of Lincoln Ave. to 550 ft northeast of Lincoln Ave.	
	Coolidge St		From 250 ft southwest of Lincoln Ave. to the intersection with McKinley Ave.	
	Wilson St		From the intersection with Lincoln Ave. to 800 ft northeast of intersection with Lincoln Ave.	
	Harding St	10	2350	
	Lincoln Ave	10	Entire street.	
	McKinley Ave	10	Do.	
	Taft Ave	10	Do.	
	Garfield St	10	Do.	
	Dawes Ave	10	Do.	
	Grant St	10	Do.	
	St James Pl	10	Do.	
	Charlotte Pl	10	Do.	
	Deland Pl	10	Do.	
	Maple Ave	10	From 1,000 ft south of Ohio Ave. to 225 ft north of Ohio Ave.	
	Keefer Ave	10	From 425 ft south of Orchard St. to 150 ft north of Orchard St.	
	Orchard St	10	Entire street.	
	Ohio Ave	10	Between Keefer Ave. and St. James Pl.	
	New Rd	10	1,350	1,075
	Pennsylvania-Reading Seashore Lines.	10	1,100	425
	Shore Rd	10	1,500	200
	Absecon Blvd	10	1,600	250
	Church St	10		500
	Vassar Sq	10	Entire street.	
	Plaza Sq	10	Do.	
	Tremont Ave	10	Do.	
	Berkley Ave	10	Do.	
	Shore Rd	10	From 150 ft southwest of Berkley Ave. to 275 ft northeast of Berkley Ave.	
	Faunce Landing Rd	10	1,500 ft west of 4th Ave.	
	Lisbon Ave	10	1,375 ft north of Faunce Landing Rd.	
	4th Ave	10	1,400 ft north of Faunce Landing Rd.	
	Reed Rd	10	325	
Conover Creek, Absecon Bay	Iowa Ave	10	300	
	Illinois Ave	10	Entire street.	
Absecon Bay	Absecon Blvd	10	To 2 mi north of corporate limits.	

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.75-23578 Filed 9-4-75;8:45 am]

[Docket No. FI-531]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the Borough of Sea Girt, Monmouth County, N.J.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the Borough of Sea Girt under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the Borough must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Borough Hall, Sea Girt, New Jersey 08750.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)
Atlantic Ocean and Wreck Pond	The Terrace	10	Entire street.
	Ocean Ave	10	Do.
	5th Ave	10	To 100 ft southwest of the terrace.
	4th Ave	10	Do.
	3d Ave	10	To 150 ft southwest of the terrace.
	2d Ave	10	To 125 ft southwest of the terrace.
	1st Ave	10	To 225 ft southwest of the terrace.
	Beacon Blvd	10	To 175 ft northwest of Ocean Ave.
	Chicago Blvd	10	To 100 ft northwest of Ocean Ave.
	Brooklyn Blvd	10	To 150 ft northeast of Ocean Ave.
	New York Blvd	10	To 400 ft northwest of Ocean Ave.
	Baltimore Blvd	10	To 425 ft northwest of Ocean Ave.
	Manasquan Turnpike	10	To 525 ft southwest of corporate limits.
	New York and Long Branch RR.	10	To 500 ft southwest of corporate limits.
	Philadelphia Blvd	10	To 400 ft northwest of Ocean Ave.
	Trenton Blvd	10	To 300 ft northwest of Ocean Ave.
	Stockton Blvd	10	To 200 ft northwest of 3d Ave.
	Neptune Pl	10	To 100 ft northwest of 2d Ave.
	Sea Side Pl	10	To 350 ft northwest of 1st Ave.
	3d Ave	10	From 125 ft southwest of Stockton Blvd. to 100 ft northeast of Stockton Blvd.
	2d Ave	10	From 75 ft southwest of Neptune Pl. and ends 130 ft northeast of Stockton Blvd.
	1st Ave	10	To 200 ft northeast of Neptune Blvd.
	Morven Ter	10	Entire road.
	Sea Girt Ave	10	To 350 ft northeast of 1st Ave.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23579 Filed 9-4-75;8:45 am]

[Docket No. FI-503]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the Borough of Spring Lake, Monmouth County, N.J.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice for his final determinations of flood elevations for the borough of Spring Lake under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the Borough must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at 334 Pitney Avenue, Spring Lake, New Jersey 07762.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Polly Pod Brook	3d Ave	10	600	(1)
Wreck Pond	1st Ave	10	(1)	1,700
	2d Ave	10	(1)	1,650
	3d Ave	10	(1)	400
	4th Ave	10	(1)	450
	5th Ave	10	100	50
	Railroad Ave	10	(1)	150
			Distance from shoreline	
Atlantic Ocean	Brown Ave	10	100	
	Atlantic Ave	10	50	
	Passaic Ave	10	100	
	Brighton Ave	10	250	
	Monroe Ave	10	250	
	Pitney Ave	10	200	
Lake Como	Howell Ave	9	200	

(1) To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23580 Filed 9-4-75;8:45 am]

[Docket No. FI-519]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevations for the Borough of Jersey Shore, Lycoming County, Pa.

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10), hereby gives notice of his final determinations of flood elevations for the Borough of Jersey Shore under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated his statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the Borough must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at 425 Allegheny Street, Jersey Shore, Pennsylvania 17740.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

§ 1917.10 Notice of final determination.

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
West Branch, Susquehanna River.	Allegheny St. (Route 44 bridge).	551.5	Corporate limits	to culvert.
Nichols Run	South of new RR. spur, Penn-Central RR.	576.3	80	100
	North of new RR. spur, Penn-Central RR.	576.3	200	450
	Penn-Central RR. bridge	582.0	450	200
	High St.	583.0	(1)	100

[1] To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 15, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-23577 Filed 9-4-75;8:45 am]

[Docket No. FI-233]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Longmont, Colo.

On October 23, 1973, in 38 FR 29228, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Longmont, Colorado, as an eligible community and included Map No. H 080027 05, which indicates that the Diagonal Industrial Center, in Longmont, Colorado, as recorded on Planfiles RP-4F-2 No. 47 and RP-5F-1 No. 2, in the office of the Recorder of Boulder County, Colorado, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 1 through 7, 10A, 10B, 11 through 13, 14A, 14B, and 15 through 22 in the Diagonal Industrial Center are not within the Special Flood Hazard Area. Accordingly, effective October 26, 1973, Map No. H 080027 05 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23581 Filed 9-4-75;8:45 am]

[Docket No. FI-239]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the Village of Lindenhurst, Ill.

On April 11, 1974, in 39 FR 13147, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Village of Lindenhurst, Illinois, as an eligible community and included Map No. H 170379 01 which indicates that Lot 15, Block 202, Unit 27, Seven Hills Subdivision, being 306 High Point Drive, Lindenhurst, Illinois, and recorded in Book 44 of Plats, Page 48, as Document No. 1368554 in the office of the Recorder of Lake County, Illinois, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective April 5, 1974, Map No. H 170379 01 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23582 Filed 9-4-75;8:45 am]

[Docket No. FI-321]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the Village of Mundelein, Ill.

On August 6, 1974, in 39 FR 28253, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Village of Mundelein, Illinois, as an eligible community and included Map No. H 170382 01 which indicates that Lot 10, Block 3, Loch Lomond Subdivision Unit One, being 503 Killarney Pass, Mundelein, Illinois, as recorded in Book 32, Pages 98, 99, and 100 of Document 820686 in the office of the Recorder of Deeds of Lake County, Illinois, is in its entirety within the Special Food Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective June 28, 1974, Map No. H 170382 01 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23583 Filed 9-4-75;8:45 am]

[Docket No. FI-270]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Indianapolis, Ind.

On May 17, 1974, in 39 FR 17518, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Indianapolis, Indiana, as an eligible community and included Map No. H 180159 12 which indicates that Lot 19, Somerset Hills Second Section, being 715 Round Hill Road, Indianapolis, Indiana, as recorded in Plat Book 32, Page 16I in the office of the Recorder of Marion County, Indiana, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the structure on the above property is not within the Special Flood Hazard Area. Accordingly, effective May 17, 1974, Map No. H 180159 12 is hereby corrected to reflect that the structure on the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23584 Filed 9-4-75;8:45 am]

[Docket No. FI-403]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Kansas City, Mo.

On November 19, 1974, in 39 FR 40571, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Kansas City, Missouri, as an eligible community and included Map No. H 290173 34, which indicates that the subdivision known as Mission Lake, First Plat, Kansas City, Missouri, as recorded in Plat Book 34, Page 7, in the office of the Recorder of Deeds of Jackson County, Missouri, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the existing structures Nos. 1–16 and the Club House, as shown on the Site Grading Plan S-4, are not within the Special Flood Hazard Area. Accordingly, effective November 8, 1974, Map No. H 290173 34 is hereby corrected to reflect that the above mentioned structures are not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23585 Filed 9-4-75;8:45 am]

[Docket No. FI-438]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the Town of Cairo, N.Y.

On January 3, 1975, in 40 FR 779, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Town of Cairo, New York, as an eligible community and included Map Nos. H 360286 02 and 05 which indicate that several lots in Half Moon Acres, Cairo, New York, as recorded in Drawer 168 in the office of the Clerk of Greene County, New York, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 1, 3, 5, 7, 9, 11, 13, 15 through 33, 38, and 41 through 46 of the above property are not within the Special Flood Hazard Area. Accordingly effective December 20, 1974, Map Nos. H 360286 02 and 05 are hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23586 Filed 9-4-75;8:45 am]

PART 1920—PROCEDURE FOR MAP CORRECTION

Letter of Map Amendment for the City of Chesapeake, Va.

On July 18, 1970, in 35 FR 11586, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Chesapeake, Virginia, as an eligible community and included Map No. H 510034 01 which indicates that Lot 119, Point Elizabeth Subdivision Section 1, Chesapeake, Virginia, as recorded in Map Book 50, Pages 70 and 71 in the office of the Circuit Court, Chesapeake, Virginia, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective July 18, 1970, Map No. H 510034 01 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Adminis-

trator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: August 21, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-23587 Filed 9-4-75;8:45 am]

Title 17—Commodity and Securities Exchange

CHAPTER I—COMMODITY FUTURES TRADING COMMISSION

PART 17—REPORTS BY FUTURES COMMISSION MERCHANTS AND FOREIGN BROKERS

PART 18—REPORTS BY TRADERS

Amendment of Large-Trader Reporting Requirements for Foreign Traders

On July 3 the Commodity Futures Trading Commission (the "Commission") announced that it would delay, for a period of up to 60 days, the application of Parts 17 and 18 of the Regulations under the Commodity Exchange Act, as amended (the "Act"), to foreign traders and foreign brokers for the commodities newly regulated under the Commodity Futures Trading Commission Act of 1974 ("CFTCA"), and to require, for a similar period, futures commission merchants to report on a gross basis the positions in these commodities carried for omnibus accounts of foreign brokers.[1] This action was taken after concern was expressed within the Commission about the effect of the new reporting requirements when applied to foreign-based traders and brokers. The provisions delaying application of large trader reporting requirements for foreign traders and foreign brokers are due to expire on September 4, 1975.

The Commission now intends on September 4, 1975 to implement an interim step toward conforming the reporting requirements for foreign brokers and foreign traders for commodities newly regulated under the CFTCA substantially to the reporting requirements which are presently in effect for foreign brokers and traders for all other commodities regulated prior to April 21, 1975. Reporting requirements currently[1] in existence for commodities regulated prior to April 21, 1975, shall apply to all foreign traders and foreign brokers, with the sole exception that foreign traders with reportable positions in newly regulated commodities will not now be required to file series '03 reports. Such traders, however, will be required to file CFTC Form 40, "Statement of Reporting Trader."

The Commission fully intends, at a date in the near future, to require foreign traders to file CFTC series '03 reports for the newly regulated commodities. This requirement is being delayed, however, until after the Commission meets with representatives of the European trading community to discuss, among other important subjects, the objectives and mechanics of the CFTC large-trader reporting system, and the steps which the Commission takes to insure the confidentiality of individual trader information.

The Commission is fully aware that the definition of bona fide hedging transactions or positions which is contained in section 1.3(z) of the Regulations under the Act may not be appropriate for the classification of positions (speculative or hedging) on the required reports. However, the Commission has recently announced its intention to define bona fide hedging transaction or positions by October 18, 1975 and in requesting public comment on this matter expressed particular interest in the definition of hedging as it applies to the so-called "world" commodities.[2]

These amendments, of course, do not affect reports required of foreign traders and foreign brokers for trades and positions in commodities regulated prior to the CFTCA, nor do they affect the reporting requirements for futures commission merchants and domestic traders in the newly regulated commodities.

STATUTORY AUTHORITY

Because the effect of this amendment is to relieve foreign traders of the obligation of filing CFTC series '03 reports which would take effect on September 4, 1975 the Commission finds that the notice and public procedure specified in 5 U.S.C. 553(b), and the publication thirty days before the effective date, specified in 5 U.S.C. 553(d), are impractical and unnecessary and would be contrary to the public interest.

In consideration of the foregoing, § 18.07 of Part 18 in Chapter I of Title 17 of the Code of Federal Regulations has been amended, effective September 4, 1975, as follows:

§ 18.07 Reports by Foreign Traders.

Any trader located outside of the United States or its territories shall not be required, until such date as the Commission upon 20 days notice provides, to file the reports required by § 18.00 of this Part 18 of these regulations for any commodity regulated under the Act but not specifically set forth in section 2(a) of the Act prior to the enactment of the Commodity Futures Trading Commission Act of 1974, except that any such trader is required to file such reports within one business day after a special call upon such trader by the Commission. (7 U.S.C. 6f, 12a(5))

§ 17.04 and 17.05 [Expired]

[The provisions of Sections 17.04 and 17.05 of Part 17 in Chapter I of Title 17 of the Code of Federal Regulations by their terms have ended.]

Issued in Washington, D.C., on September 4, 1975.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-23849 Filed 9-4-75;12:07 pm]

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[1] *See* 40 FR 23994-6 (June 4, 1975) for the extension of large trader reporting requirements to newly regulated commodities and see 40 FR 29795 (July 16, 1975) for the delayed application of such large trader reporting requirements to foreign traders and foreign brokers.

[2] See 40 FR 34627 (August 18, 1975).

proposed rules

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

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 12]

SPECIAL CLASSES OF MERCHANDISE

Proposed Requirements for Entry and Release of Electronic Products

Notice is hereby given that under the authority of 5 U.S.C. 301, R.S. 251, as amended (19 U.S.C. 66), and section 624, 46 Stat. 759 (19 U.S.C. 1624), it is proposed to amend § 12.91 of the Customs Regulations (19 CFR 12.91) with respect to the declarations required to be made by the importer or consignee for the entry and release of electronic products subject to the performance standards in effect under section 358 of the Public Health Service Act, as amended (42 U.S.C. 263f). It is also proposed to amend § 12.90 of the Customs Regulations (19 CFR 12.90) to provide that "the Act", as referred to in § 12.91, refers to the Public Health Service Act, as amended (42 U.S.C. 201 *et seq.*), and not to the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263b–263n).

The present regulations require a declaration by the importer or consignee of such electronic products that the products either (1) conform to the standards of section 358 of the Public Health Service Act, as amended (42 U.S.C. 263f), or (2) will be brought into compliance with these standards. The proposed amendment to § 12.91(b) adds two additional alternative declarations, whereby the importer or consignee may affirm that the products either (1) were manufactured prior to the date the standards became effective, or (2) are being imported for the purpose of research, investigations, studies, demonstrations or training. The proposed amendment to section 12.91(b) also modifies the language of the two alternative declarations presently contained in that section to bring them into conformity with current procedures.

In addition, the cross-references in § 12.91 to the provisions of the Code of Federal Regulations pertaining to the administration and enforcement of the provisions of the Public Health Service Act added by the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263b–263n), are changed in order to reflect their current numerical designations (as set forth in 38 FR 28624). The proposed amendment also sets forth the current citation of authority for § 12.91.

Accordingly, it is proposed to amend §§ 12.90 and 12.91 of the Customs Regulations (19 CFR 12.90, 12.91) to read as follows:

§ 12.90 Definitions.

As used in § 12.90 and 12.91, the term "the Act" shall mean the Public Health Service Act (42 U.S.C. 201 *et seq.*), as amended by the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263b *et seq.*), and as further amended from time to time.

§ 12.91 Electronic products offered for importation under the Act.

(a) *Standards prescribed by the Department of Health, Education, and Welfare.* Electronic products offered for importation into the Customs territory of the United States are subject to standards prescribed under section 358 of the Act (42 U.S.C. 263f). (See 21 CFR Parts 1000–1030.)

(b) *Requirements for entry and release.* Electronic products subject to standards in effect under section 358 of the Act (42 U.S.C. 263f), when offered for importation into the Customs territory of the United States shall be refused entry unless there is filed with the entry, in duplicate, a declaration verified by the importer or consignee which identifies the product and affirms:

(1) That the electronic products were manufactured prior to the date of any applicable electronic product performance standard (the date of manufacture shall be specified); or

(2) That the electronic products comply with all standards in effect under section 358 of the Act (42 U.S.C. 263f), and Parts 1000–1030 of title 21 of the Code of Federal Regulations (21 CFR Parts 1000–1030), and that the certification required by section 360 of the Act (42 U.S.C. 263h) in the form of a label or tag is attached thereto; or

(3) (i) That the electronic products do not comply with all standards in effect under section 358 of the Act (42 U.S.C. 263f), and Parts 1000–1030 of title 21 of the Code of Federal Regulations (21 CFR Parts 1000–1030), but are being imported for the purpose of research, investigations, studies, demonstrations or training, (ii) that the products will not be introduced into commerce and when their mission is completed they will be destroyed or exported under Customs supervision, and (iii) that an exemption for these products has been or will be requested from the Director of the Bureau of Radiological Health in accordance with section 360B of the Act (42 U.S.C. 263j); or

(4) That the electronic products do not comply with all standards in effect under section 358 of the Act (42 U.S.C. 263f) and Parts 1000–1030 of title 21 of the Code of Federal Regulations (21 CFR Parts 1000–1030), but that a timely and adequate petition for permission to bring the product into compliance with applicable standards has been or will be filed with the Secretary of Health, Education, and Welfare in accordance with 21 CFR 1005.21.

§ 12.91 [Amended]

Paragraph (c) of section 12.91 is amended by substituting "21 CFR 1005.10" for "42 CFR 78.604". Paragraph (d) of section 12.91 is amended by substituting "21 CFR 1005.23" for "42 CFR 78.604".

* * * * *

The citation of authority at the end of § 12.91 is amended to read as follows:

(Sec. 2(3), 82 Stat. 1177, as amended, 1181; 42 U.S.C. 263f, 263h)

Data, views, or arguments with respect to the foregoing may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To ensure their consideration, they must be received not later than October 7, 1975.

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

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: August 26, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-23635 Filed 9-4-75;8:45 am]

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Fringe Benefits; Notice of Publication of Discussion Draft of Regulations

Notice is hereby given that the Department of the Treasury is currently considering proposed amended regulations prescribing standards for determining whether incidental facilities, goods and services benefitting employees, commonly referred to as fringe benefits, result in compensation includible in gross income. The proposed regulations are set forth below in discussion draft form.

The Internal Revenue Code does not provide specific rules for determining which economic benefits provided to employees by their employers are required to be included in gross income. Adminis-

trative practice over the years has permitted certain items to be excluded from the employees' income. The need to provide guidance for all taxpayers has been apparent for some time. Before publishing a notice of proposed rulemaking, the Department of the Treasury is publishing the attached discussion draft to provide an opportunity for review and comment by all interested parties, including the tax writing committees of Congress.

Consideration will be given to any comments or suggestions with respect to the provisions contained in the discussion draft. Such comments or suggestions should be submitted in writing (preferably in duplicate) to the Office of the Assistant Secretary of the Treasury for Tax Policy, Washington, D.C., 20220, with copies (preferably four) sent to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, on or before November 4, 1975.

Designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, a person submitting written comments should not include therein material that he considers to be confidential or inappropriate for disclosure to the public. It will be presumed that every written comment submitted in response to this notice is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the same procedures as are prescribed in 26 CFR 601.702(d)(9) for public inspection and copying of written comments received in response to a notice of proposed rulemaking.

FREDERIC W. HICKMAN,
Assistant Secretary
for Tax Policy.

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) prescribing rules to determine whether or not incidental facilities, goods, and services benefiting employees result in compensation includible in gross income. These benefits commonly are referred to as fringe benefits.

Some fringe benefits, such as the provision of health insurance by an employer for his employees, are excluded expressly from gross income by statute. The status of most other fringe benefits is not answered expressly by statute. The amendments to the regulations prescribe rules to determine whether or not these fringe benefits constitute compensation includible in gross income.

The general rule of the proposed amendments permits an employer to share with its employees benefits arising from its business where the employer incurs no additional cost. To prevent abuse, the general rule does not apply to fringe benefits that are available only to the most highly compensated employees. An example covered by the general rule is the stand-by travel privileges accorded to flight attendants by commercial airlines.

Failure of a benefit to qualify under the general rule does not automatically mean that the benefit results in taxable income. In all cases where the requirement of the general rule is not met the fringe benefits must be examined more closely to determine whether or not the benefit derived is taxable as compensation. Under the proposed amendments where the benefit provided by an item is so small as to make accounting for it unreasonable or administratively impractical, there is no taxable compensation. This de minimis exception applies, for example, to an employee having his secretary type a personal letter.

Where a fringe benefit does not meet all of the tests of the general rule and it is too significant to be ignored under the de minimis exception, whether or not the benefit conferred constitutes compensation includible in gross income is determined on the basis of all the relevant facts and circumstances. The proposed amendments set out nine of the factors to be taken into consideration. Among these factors are: (i) Whether or not the employer incurs a substantial and identifiable additional cost, (ii) whether or not the benefit is reimbursement of an unusually large expense of the employee incurred on account of his employment, (iii) whether or not the benefit is provided to employees in a way that does not discriminate in favor of the most highly compensated employees, and (iv) the relationship of the expense to the employers' business.

Where a fringe benefit is determined to result in compensation includible in gross income, the amount of compensation is the fair market value of the benefit. This is the amount that the employee would have to pay on an arm's-length basis for the benefit or its equivalent.

Among the examples included in the proposed amendments applying the facts and circumstances test is an executive who has a company jet make a special trip to enable him and his wife to shop and attend a play in another city. The executive is held taxable on an amount equal to the cost of chartering an equivalent plane to make the trip. Another example states that an employee does not have gross income where his employer provides him with protection in response to threats made by terrorists alleging that the employer has exploited the terrorists' country.

A number of examples deal with the use of an automobile furnished by the employer. One example holds that a fire chief does not have compensation from the use of a car to enable him to go on short notice to the scene of major fires. Another example holds that the use of a government automobile by a United States ambassador to travel to and from work, as permitted by Federal statutes regulating the use of official vehicles, does not result in gross income. There also is an example holding that providing a chauffeur-driven car to take a top executive of a corporation to and from work results in compensation, but that use of the car to take the executive from his office to business appointments does not result in compensation.

PROPOSED AMENDMENTS TO THE REGULATION

In order to provide rules relating to whether or not incidental facilities, goods, and services benefiting employees result in gross income to the employees, the Income Tax Regulations (26 CFR PART 1) are amended as follows:

PARAGRAPH 1. Immediately after § 1.61–15 there is added the following new section:

§ 1.61–16 Incidental facilities, goods, and services benefiting employees.

(a) *In general.* Where an employer makes available to its employees generally facilities, goods, or services that exist incidentally to its trade or business, the resulting benefits to employees, their immediate families, or guests accompanying the employees shall not be treated as compensation includible in gross income under the following circumstances:

(1) The facilities, goods, or services are owned by or under the control of the employer for purposes proper to the conduct of the trade or business involved and are primarily unrelated to the personal use or consumption of such items by employees of the employer,

(2) The facilities, goods, or services are made available to employees under terms and conditions such that the employer incurs no substantial additional cost in making them so available, and

(3) The facilities, goods, or services are made available to employees generally or to reasonable classifications of employees determined, for example, on the basis of the nature of their work, seniority, or similar factors (but not including classifications primarily including only the most highly compensated employees).

The extension under like circumstances of similar privileges by an employer to individuals who are employees of another employer in the same or a related trade or business shall not be included in the income of such individuals or their employer.

(b) *Other benefits.* Where facilities, goods, or services are made available under circumstances that do not meet the requirements of paragraph (a) of this section, whether or not the benefit conferred constitutes compensation includable in gross income will be determined on the basis of all the facts and circumstances. The following factors, among others, shall be considered where present. The presence of one or more of them will not necessarily be controlling, but will be a fact tending to indicate that the benefit does not constitute compensation includable in gross income.

(1) The cost incurred by the employer in providing the benefit is not identifiable or is not significant in relation to the fair market value of the benefit received by the employee.

(2) The personal use occurs during, immediately before, or immediately after working hours at or near the business premises of the employer and has a

proximate relation to work performed by the employee.

(3) The benefit is provided to employees generally or to reasonable classifications of employees determined, for example, on the basis of the nature of their work, seniority, or similar factors (but not including classifications primarily including only the most highly compensated employees).

(4) The benefit is similar to a service or other benefit which is commonly provided by state or local governments in the United States, but which is not readily available to the employees because of the location of their employment.

(5) The benefit accommodates an important requirement of the employer or relieves the employer of significant expense or inconvenience.

(6) The benefit is reimbursement of a greater than usual item of expense which was incurred by the employee for a purpose normally thought primarily personal but which was incurred because a business requirement of the employer prevented the employee from obtaining the item in the ordinary manner.

(7) The benefit is provided primarily to insure the employee's safety by protecting against significant risk arising from the employment relation.

(8) The benefit is not a substantial amount absolutely or in comparison to the employee's stated compensation.

(9) The item generally is not thought of as constituting compensation includible in gross income.

The failure of a benefit to qualify under one or more of the above factors, in appropriate cases, may be a fact tending to indicate that it does constitute compensation includible in gross income.

(c) *De minimis exception.* The provision of facilities, goods, or services shall not be deemed to give rise to compensation includible in gross income when the amount of such item is so small as to make accounting for it unreasonable or administratively impractical.

(d) *Amount of income.* If it is determined that an item is compensation includible in an employee's gross income, then the amount included in gross income is the fair market value of the item, which is the amount that the employee would have had to pay, on an arm's-length basis, to obtain use or possession of equivalent facilities, goods, or services.

(e) *Definition.* For purposes of this section the term "employee" includes self-employed individuals, independent contractors, and officers of a corporation, but does not include shareholders of a corporation as such.

(f) *Examples.* The principles of this section are illustrated by the following examples.

Example (1). Flight attendants for a commercial airline are permitted to make a specified number of trips each year at no cost. The number of trips allowed each flight attendant depends upon the length of time each flight attendant has been an employee of the airline. A flight attendant must have been an employee for at least six months before being eligible to take any such flight. Flight attendants may travel to any destination served by the employer airline or by any airlines with which the employer has reciprocal arrangements. Trips are permitted only on a space available basis and do not result in loss of revenue to the airline. The trips taken by a flight attendant on the employer airline, or on another airline with which the employer has a reciprocal arrangement, qualify under paragraph (a) and are not compensation includible in gross income because the flights on which the flight attendant travels are a part of the airline's regular business and are primarily unrelated to personal use by employees, the employer incurs no substantial additional cost, and the classification of employees by their function as flight attendants and sub-classification by seniority is a reasonable method of classification.

Example (2). A commercial airline encourages bona fide travel agents to take a reasonable number of trips each year on a stand-by basis at a nominal price. The purpose of making the travel privileges available to the travel agents is to familiarize them with the airline's services and with the attractions at destinations served by the airline, and thus to increase the likelihood that they will arrange for their customers' travel using services provided by the airline. The business of travel agents is related to that of the airline. The extension of transportation to a travel agent for a nominal price qualifies under paragraph (a) for the reasons given in Example (1) regarding the similar benefit made available to a flight attendant.

Example (3). A retail store allows its employees with at least six months' service a discount on purchases made at the store. The price of merchandise net of the discount to the employees is not less than the wholesale price of the merchandise. The benefits received by an employee may qualify under the de minimis exception of paragraph (c). Even if they do not so qualify, the merchandise discounts do qualify under paragraph (a) because the merchandise is from normal inventory, the employer merely forgoes additional income and does not incur any significant additional costs, and the discount is generally available to all employees. An employee does not realize compensation includible in gross income by reason of the discount.

Example (4). An interior decorator purchases furniture for her own home at the wholesale price generally charged interior decorators by the manufacturer. The business of the interior decorator is related to that of the furniture manufacturer. The lower price to the interior decorator does not result in compensation includible in gross income under paragraph (a) for the reasons given in Example (3) regarding similar benefits to employees of a retail store.

Example (5). (a) An executive of a company and his wife travel in a company-owned plane to City A to shop and attend the theater. The plane otherwise would not have made the flights. The executive works during the flights to and from City A. Company policy allows top executives to use its planes for such personal trips. The use of the company plane does not qualify under paragraph (a) because the employer incurred substantial additional cost and because such use of company planes is restricted to top executives. Under paragraph (b) the most important relevant factors are the large identifiable costs incurred by the employer, the absence of a proximate relationship of the trip to the executive's employment, and the limitation of the use of the company planes to top executives. The executive has compensation includable in gross income. Since the company plane made the trip solely for the benefit of the executive and his wife, the amount of gross income is the cost of chartering the same or an equivalent plane for the round trip to City A.

(b) The executive's secretary accompanied him on the trip to City A to take dictation and perform other secretarial duties during the flight. Since the secretary's primary purpose of traveling to City A was to be available to the executive, the incidental personal pleasure which she derives from the travel qualifies under the de minimis exception of paragraph (c). The secretary's travel also qualifies under paragraph (a) because the use of the plane to transport the secretary to City A was proper to the secretary's employment as the executive's personal secretary, the employer incurred no substantial additional cost in her traveling, and the availability of such travel to the secretary under such circumstances constitutes a reasonable classification because of the nature of her duties. The Secretary has no compensation includable in gross income as a result of traveling to City A.

(c) The secretary's mother also accompanied her on the trip at no additional cost to the company. Since the travel did not constitute compensation includable in gross income to the secretary under paragraph (a), the same benefit extended to her mother, as a member of her immediate family, did not constitute compensation includable in income to anyone.

Example (6). A company executive travels to City B on a company-owned plane to attend a two-day trade convention important to the business of the company. At his invitation he is accompanied by his wife and daughter and the president of a college located in the same community as the company. The wife, daughter, and college president occupy seats on the plane that otherwise would have gone unused. The wife, daughter, and the college president do not attend the trade convention. Under paragraph (a) transportation furnished to the wife, daughter, and college president do not constitute compensation includible in gross income to anyone because under paragraph (a) the flight to City B was primarily for a business purpose and was primarily unrelated to the personal enjoyment of the executive, the furnishing of transportation to additional persons did not entail any substantial additional expense to the company, and the extension of the privilege of inviting guests to those classes of employees who are themselves traveling for a proper purpose of the employer is a reasonable classification. The furnishing of transportation to the wife, daughter, and college president does not constitute compensation includible in gross income.

Example (7). A company's plant is located in an area which is unsafe at night and in which there is not suitable public transportation available to employees leaving work between midnight and 6 a.m. An employee finishing work at 2 a.m. is reimbursed exactly for taxi fare home under a general policy extending taxi service or reimbursement to all employees finishing work between midnight and 6 a.m. Employees who drive their own automobiles may park in a protected area, but are not paid for taxi service not used. The furnishing of taxi fare at night does not qualify under paragraph (a) because the employer incurs substantial additional cost in furnishing it. Under paragraph (b) the most important relevant factors are the exact reimbursement of a greater than usual expense incurred by an employee who would ride mass public transportation if it were available, the safety factor, and the general availability of the taxi fare to similarly situated employees. The taxi fare reimbursement does not constitute compensation includible in gross income.

Example (8). An accounting firm reimburses an employee the exact amount the employee spends on dinner and on taxi fare home where the employee works several hours beyond his normal quitting time because of the press of the employer's business. The reimbursement does not qualify under paragraph (a) because the employer incurs substantial additional expense. Under paragraph (b) the most important relevant factors are the exact reimbursement of a greater than usual expense incurred by the employee, the accommodation of an important business requirement of the employer, and the proximate relation of the reimbursement to the overtime period. The reimbursement does not constitute compensation includible in gross income to the employee.

Example (9). A company provides a chauffeur-driven automobile to and from work for each of its top executives. The cars also are available to the executives for trips to and from business appointments. The furnishing of such service to the executives does not qualify under paragraph (a) because the cars and chauffeurs are not primarily unrelated to the personal use by the executives, the employer incurs substantial additional cost, and the service is limited to the highest paid executives. Under paragraph (b) the most important relevant factors are the limitation of the chauffeur service to the top executives, the proximate relation of the transportation to the executive's work, and the accommodation of the needs of the employer. In this case a distinction must be made between providing transportation to and from work, which is a personal commuting expense, and transportation to and from business appointments, which is a business expense. The former constitutes compensation includible in gross income while the latter does not. The amount of compensation realized by the executives is the cost of obtaining the same or equivalent chauffeur service to and from work on an arm's-length basis.

Example (10). A company's headquarters are in an office building which it owns in the downtown area of a large city. The building has garage space in the basement that is used for deliveries and guest parking. A limited number of spaces also are available for parking by the company's employees. In allotting those spaces among its employees, the company gives preference to those employees whose duties require them to work irregular hours, who frequently use their cars for business purposes during the day, and, other things being equal, to employees with seniority. These criteria, in fact, result in most of the spaces being allotted to executives, but spaces also are provided to others who meet the criteria and are not available to executives who do not meet the criteria. The employer incurred a substantial additional cost in acquiring the parking facility and incurs continuing substantial additional costs in maintaining and operating the facility. Because the parking spaces are assigned to employees on a guaranteed basis, the use by the employees preempts other potential uses. Accordingly, the use of a parking space does not qualify under paragraph (a) because the employer incurs substantial additional cost. Under paragraph (b) the most important relevant factors are the availability of the parking in the employer's building during working hours, the reasonableness of the classification, and the accommodation of the employer's important requirement that the employees using the parking facilities be readily available. The employees using the parking facility do not have compensation includible in gross income.

Example (11). United States ambassadors are furnished an official vehicle and driver. An ambassador uses his car on official business and for commuting from his residence to the embassy. Federal laws governing the use of funds appropriated for Executive departments and agencies prohibit the use of appropriated funds to operate and maintain any Government-owned automobile that is not used exclusively for official purposes. Under these provisions, official purposes does not, with limited exceptions, include transporting a government employee to and from work. An employee who willfully uses, or authorizes the use of, a government vehicle for such transportation may be suspended from employment or, if the circumstances warrant, summarily removed from office. However, these prohibitory provisions do not apply to vehicles for official use of the President, the heads of certain enumerated executive departments, ambassadors, minister, charges d'affaires, and other principal diplomatic and consular officials. The providing of an official vehicle and driver to ambassadors does not qualify under paragraph (a) because the vehicles and drivers are not primarily unrelated to the personal use by the executive, the employer incurs substantial additional cost, and the benefit is limited to the most highly compensated officials. Under paragraph (b) the most important relevant factor is the finding by Congress, implicit in the provisions regulating use of appropriated funds, that the official duties of certain federal employees require that they be on call at all times and have the use of an official vehicle for transportation to and from work. Depending on the circumstances provision of an official vehicle and driver also may protect the ambassador from a danger arising from the employment relationship. See examples (7) and (13). The use of the official vehicle and driver by the ambassador does not constitute compensation includible in gross income.

Example (12). The fire chief of City C is required to be available by telephone at all times and to be able to go on short notice to the scene of major fires. The city provides a car and driver which is available at all times. The fire chief occasionally uses the car for nonbusiness purposes. The providing of the car and driver to the fire chief does not qualify under paragraph (a) because it requires substantial additional expenses by the employer. Under paragraph (b) the most important relevant factors are the proximate relation of the car and driver to the fire chief's duty to supervise personally fighting of all major fires and the accommodation of the employer's requirement that the fire chief be readily available for this duty. The use of the car and driver by the fire chief to go to fires does not constitute compensation includible in gross income. The occasional personal use of the car and driver by the fire chief qualifies under the de minimis exception of paragraph (c) and does not constitute compensation includible in gross income.

Example (13). The president of a multinational corporation is threatened by an organization of political extremists in a foreign country who allege that the corporation has exploited their country. The corporation provides bodyguards for the president and his immediate family. The protection does not qualify under paragraph (a) because it requires substantial additional expense by the employer. The most important relevant factor under paragraph (b) is providing for protection of the executive and his family from a danger arising from the employment relationship. The protection does not result in compensation includible in gross income.

Example (14). An automobile agency furnishes cars to its employees as "demonstrators" without charge. The employees use the automobiles primarily for personal use. Because of such use the employer receives a reduced price when the demonstrators are sold. The furnishing of the automobiles does not qualify under paragraph (a) because the employer incurs substantial additional cost. Under paragraph (b) the most important relevant factors are the significant cost incurred by the employer and the absence of a proximate relation of the furnishing of the automobiles to the employees' employment. The employees each have compensation includible in gross income in an amount equal to the cost of leasing the same model automobile in an arm's-length transaction.

Example (15). An employer furnishes automobiles to all 30 of its outside traveling salesmen who are away from home an average of four days a week. The company permits the employees to keep the cars over weekends and to use them for personal purposes, provided that they pay for all gasoline they consume for personal use. The employer does not incur any substantial and identifiable cost to maintain and operate the cars because of the personal use of them by the employees. When the employer trades in the fleet of automobiles used by the salesmen, personal use of the cars does not materially affect the price it is able to obtain. The furnishing of the automobiles qualifies under paragraph (a) because the use of the automobiles is proximately related to the employer's business and the personal use by the employees is not the primary purpose for their acquisition, the employer incurs no substantial additional cost, and providing the benefit for a class consisting of all the outside traveling salesmen is a reasonable classification. The use of the automobiles by the salesmen does not result in compensation includible in gross income.

Example (16). An employee occasionally has his secretary type a personal letter and make a copy of it for his records on his employer's electric copying machine. The personal use of the secretary and the copying machine qualifies under the de minimis exception of paragraph (c) and does not result in compensation includible in gross income.

Example (17). A law firm pays bar association dues of lawyers employed by it. The firm also has a monthly cocktail party for all attorneys and paralegal personnel and has an annual golf, tennis, and swimming outing at a country club.

(a) The payment of bar association dues may qualify under the de minimis exception of paragraph (c). If the amount paid by the employer on behalf of each attorney is a substantial additional cost, then paragraphs (a) and (c) will not apply. For purposes of paragraph (b) the most important relevant factors are the proximate relation of the bar association dues to the practice of law, the general availability of the dues reimbursement to all employed attorneys, and the employer's interest in having its attorneys participate in local bar associations. No compensation includible in gross income results from the payment of the dues.

(b) The monthly cocktail party and the annual outing may qualify under the de minimis rule of paragraph (c). If the costs incurred by the employer are substantial, then paragraphs (a) and (c) will not apply. For purposes of paragraph (b) the most important relevant factors are the general availability of the cocktail party to all attorneys and paralegal personnel and the employer's interest in having all of the legal staff become acquainted with each other and the on-going work in the firm. Permitting only attorneys and paralegal personnel to attend the cocktail parties and outing is a reasonable classification of employees. No compensation includible in gross income results from the cocktail parties and outing.

Example (18). A corporation maintains American-style schools for the children of its employees at overseas locations where local schools either are not available or are not comparable to American schools. No tuition is charged. Paragraph (a) does not apply because the employer incurs substantial additional expenses. Under paragraph (b) the most important relevant factor is that the

school provides benefits similar in nature to services provided in the United States by local governments. The employees have no compensation includible in gross income as a result of their children attending the employer-sponsored school without paying tuition.

Example (19). An employer maintains a day care center on its premises for pre-school children of its employees who desire to use the facility. Paragraph (a) does not apply because the employer incurred substantial additional costs. Under paragraph (b) the most important relevant factor in this case is that section 214 of the Internal Revenue Code provides special rules regarding the deduction of day care and certain other expenses. It would frustrate the policy of section 214 if the fair market value of the services of the day care center were not included in gross income of the employees utilizing them and then deducted only to the extent provided in section 214. The employees whose preschool children use the day care center have compensation includible in gross income. They may have an offsetting deduction under section 214.

(g) *Effective date.* (1) No employee of the United States shall be treated as having compensation includible in gross income by reason of the use of any official vehicle owned or operated by or on behalf of the United States on or before September 5, 1975.

(2) No employer of an automobile agency or related business shall be treated as having compensation includible in gross income by reason of the use of a car furnished by his employer as a "demonstrator" without charge (see example (14) of paragraph (f)) on or before [insert date this Notice is published in the FEDERAL REGISTER].

PAR. 2. Paragraph 1.61–2(d) is amended by adding at the end thereof the following new subparagraph:

§ 1.61–2 Compensation for services, including fees, commissions, and similar items.

* * * * *

(d) *Compensation paid other than in cash.* * * *

(6) For special rules relating to certain incidental facilities, goods, and services benefiting employees, see § 1.61–16.

[FR Doc.75-23665 Filed 9-2-75;4:20 pm]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Geological Survey

[43 CFR Parts 23, 3040]

[30 CFR Parts 211, 216]

COAL MINING OPERATING REGULATIONS

Notice of Proposed Rulemaking

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under the Mineral Leasing Act of February 25, 1920, as amended and supplemented (30 U.S.C. 181–287), the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–359), (5 U.S.C. 301), the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4347), and various statutes relating to mining on Indian lands, is now proposed to revise 30 CFR Part 211, and 43 CFR 23, and to promulgate a new subpart 3041 of 43 CFR, as set forth below. It is also proposed that 30 CFR Part 216, applicable to coal mining operations under leases in the State of Alaska which were issued pursuant to the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741), prior to its repeal by P.L. 86–252, September 9, 1959 (73 Stat. 490), be revoked and that operations under those leases also be governed by the regulations in 30 CFR Part 211 as set forth below.

On January 30, 1975, and on April 30, 1973, notices and texts of proposed revisions to the coal mining operating regulations of the U.S. Geological Survey were published in the FEDERAL REGISTER (38 FR 10686; 40 FR 4428). Those regulations govern operations conducted under coal permits, leases, and licenses on public and acquired lands of the United States and Indian lands administered by the Department of the Interior. The previously proposed regulations would also govern the mining of coal in Alaska and, therefore, were proposed to revoke 30 CFR Part 216, which contains such regulations.

Prior to the publication of the 211 regulations proposed on January 30, 1975, the President had withheld signature from S. 425, the surface mining legislation passed by the 93rd Congress.

On February 6, 1975, new proposed Federal surface mining legislation was submitted by the Administration along with a detailed analysis of the unacceptable adverse effects which S. 425 would have had. Thereafter, the Congress passed H.R. 25, which failed to meet the objections which had led to the President's disapproval of S. 425, and would have resulted in greater adverse impacts than that bill. The President vetoed H.R. 25 on May 20, 1975, and that veto was sustained by the House of Representatives on June 10, 1975.

As the President noted in his veto message, recent revisions of State laws regarding surface mining have improved the environmental controls imposed upon lands subject to their jurisdiction. This situation may be expected to continue, as States update, amend, and revise their controls.

A major portion of the Nation's coal resources lies in Federal ownership. Timely and orderly development of this domestic energy resource is a matter of high priority to the Nation as a whole and to the Federal Government, as the custodian of these resources on behalf of all of the people.

At the same time, it is imperative to insure that in developing such resources appropriate consideration is given to the serious environmental concerns associated with mining. Development must be balanced against these concerns, and allowed to take place only when and under such circumstances as will assure such balancing protection.

The proposed regulations 43 CFR 3041 were formerly covered by 43 CFR 23, and relate to the leasing, permitting, and licensing of coal and reclamation regulations by the BLM. The proposed regulations 30 CFR 211 again relate to coal exploration and mining operations, and reclamation of affected lands.

The purpose of the proposed set of regulations is to delete obsolete provisions, update existing regulations so as to impose reclamation and performance standards upon operations relating to Federal coal, and clarify the responsibility of lessees, permittees, and licensees for the protection of the surface, natural resources, environment, and existing improvements during all such operations.

Together, the proposed regulations govern pre- and post-leasing operations conducted under coal permits, leases, and licenses on public and acquired lands of the United States, regardless of surface ownership. In addition, the new proposed 30 CFR 211 would govern operation on Indian lands administered by the Department of the Interior, and 30 CFR Part 216 is again accordingly proposed to be revoked.

Finally, conforming amendments to 43 CFR Part 23 to reflect the new proposed 43 CFR Part 3041 are also proposed.

The proposed regulations provide specific language to clarify responsibilities of lessees, permittees, and licensees for all phases of coal mining operations on public and acquired lands of the United States and Indian lands administered by the Department of the Interior. The scope of the regulations addresses not only the "orderly and efficient development" phase of the operations, but also the total spectrum of events beginning with the pre-lease land-use planning and environmental analyses into prospecting, exploration, and testing activities and extending through the development, mining, production, and coal processing practices, as well as the abandonment and reclamation measures.

Under the proposed regulations, leases, permits, and licenses for coal would be issued, and plans of operation approved only where reclamation of the affected lands, pursuant to the standards set forth, is attainable and assured, and reclamation programs will be required to be undertaken as contemporaneously as practicable with mineral development.

The new regulations set forth environmental standards that will be used in conducting pre-lease, permitting, and licensing examinations, from which the terms and conditions of the lease, permit, or license will be developed.

Performance and reclamation standards that would automatically apply to all operations subject to these regulations are provided and set forth in identical terms in each proposed regulation so that performance and reclamation requirements will be consistent throughout the pre-leasing, exploration mining, reclamation, and abandonment phases of coal operations.

The new regulations further require that exploration and/or mining plans, describing in detail the operations to be undertaken, be prepared and submitted in advance of that operation.

These two revisions are complimentary, and designed to create a coordinated mechanism for coal development.

Under the proposed 43 CFR Part 3041, a decision mechanism is outlined whereby decisions as to whether coal leasing should occur, and what specific conditions might be applied to a lease, will be made after appropriate environmental review. Under the proposed 30 CFR Part 211, the Geological Survey will monitor coal operations, and enforce lease terms and conditions and general performance standards which are included in identical language in both regulations.

The Department of the Interior is currently completing an environmental review of its entire coal leasing program. This review will be published shortly, and will contain a formal mechanism defining with greater specificity the Department's coal leasing policy. With the proposed regulations, it will constitute a unified program to direct future development of our resources. Several elements of the proposed regulations should be specifically noted and public comment is specifically requested thereon.

First, the relationship between Federal and State jurisdiction to impose reclamation standards has arisen in the recent proposed legislation. On the one hand, it is clear that the States have a direct public policy interest in coal development within their geographical boundaries. In addition, the historical development of coal resources has, in many areas, resulted in patterns of intermingled tracts of Federal and private ownership with respect to which coordinated regulatory mechanisms would be desirable.

On the other hand, it is also clear that Federal coal resources belong not to one or more of the several States, but to the Nation as a whole. The Federal interest in assuring the timely and orderly development of such resources must be implemented with that end in mind.

A mechanism is, therefore, proposed in these regulations which would satisfy both Federal and State interests. This mechanism would allow the Secretary of the Interior to direct that some or all of the existing State laws, regulations, practices, and procedures of a State relating to reclamation be applied by Federal officers within that State as a matter of Federal law. Such discretion may be exercised at the request of the Governor, if the Secretary, upon review of that State's regulations, determines that such application would:

(a) Effectuate the purpose of the proposed regulations;

(b) Afford protection of the environmental values which would be at least as stringent as would occur under otherwise applicable Federal standards; and

(c) Would be consistent with the interest of the United States in the timely and orderly development of its coal resources.

Such an order would remain in effect until rescinded or amended, and would enable Federal and State concerns to be appropriately balanced.

It has been and is the current practice of the Department to include in coal leases a provision requiring compliance in State and local laws. It is also the practice of the Mining Supervisors of the Geological Survey to follow this practice in the implementation of their responsibilities with respect to ongoing operations. The proposed mechanism would allow continuation of this existing practice, while reserving the power to insure that the National interest in resource development is accommodated.

It is hoped that this mechanism will have the effect of encouraging those States without comprehensive, reasonable regulatory mechanisms to enact such control, with the assurance that the development of Federal coal within their boundaries may take place on similar terms.

Second, the method of applying the proposed regulatory mechanism to existing operations, and the timing of such application, is not specifically addressed. The notice of proposed rulemaking for the proposed 211 regulations published on January 30, 1975, provided: "Operators holding existing permits, leases, or licenses will be required to comply with the requirements of this part no later than 180 days following the date of republication of these regulations in the FEDERAL REGISTER with respect to lands from which overburden and the coal seam being mined have not been removed." Public comment is expressly requested upon the question of whether separate provision should be made within the proposed regulations to cover existing regulations, or whether separate effective dates for the regulations should be provided for new and existing operations, and in either event what time period for compliance is appropriate.

SPECIFIC PROVISIONS OF THE REGULATIONS

DEFINITIONS

No attempt has been made comprehensively to define terms of general applicability which have accepted scientific definitions. In the event that additional terms are suggested for specific definition, they will be included in the final regulations.

The following specific provisions are common to both proposed regulations:

Approximate Original Contour. The definition has been changed from the earlier proposed 211 regulations so as to eliminate operative portions of the previous definition, which are more properly included in the main body of the regulations.

Logical Mining Unit. This term is defined for the first time in the proposed regulations and represents an approach to coordination of development planning between public and private lands.

Maximum Extent Practicable. Also defined for the first time, this concept is intended to express a qualification applicable to given performance standards or levels of control which would incorporate a cost benefit balancing of technological feasibility, economic cost, and tangible and intangible environmental benefits attributable to various levels of such standard or control. It is not intended to imply that economic considerations will automatically prevail in determining the level of controls which must be utilized. On the other hand, it is intended that cost benefit balancing will reduce the possibility that disproportionately expensive technology might be required to be employed where only incremental, minimal environmental advantage would result therefrom.

Reclamation. This term has been restated so as to eliminate operative language setting forth degrees of reclamation, which is more properly set forth in the body of the regulations. The phrase "consistent with" is intended to express the concept that post-mining rehabilitation efforts should be addressed in the first instance with reference to the premining condition, but that actual reclamation measures and post-mining conditions and uses are properly considered, approved, and executed pursuant to the operative provisions of the regulations and the approved plan of operations.

Significant Valley Floor Vegetation. The term is used as a qualifying note in determining certain areas of valley floors subject to hydrological protection in the body of the regulations.

GENERAL OPERATION AND RECLAMATION REQUIREMENTS

(References are to the proposed 30 CFR Part 211 regulations.)

Section 211.4(a) requires that all operations conform to the provisions of applicable laws and regulations, including effluent and emission limitations.

Section 211.4(c) imposes a general obligation to avoid to the maximum extent practicable specific elements of environmental concern. It is not intended that this general obligation substitute for the more precise requirements which may be imposed by these regulations or provisions of other applicable laws or regulations.

Section 211.4(d) has been simplified from the earlier proposed revisions of this part, and clarified to provide that water quality be monitored so as to establish such data as may be necessary to determine procedures or measures required to comply with the proposed regulations.

Section 211.5(b) has been expanded to insure actual public notice of proposed mining plans.

Section 211.10(a) now provides that a proposed mining plan shall, where possible, include all operations in an approved logical mining unit. It should be noted that it is not intended that resulting inclusion of portions of an operation involving non-federal coal in such a plan would expand federal jurisdiction beyond appropriate limits, by either requiring a federal bond on such non-federal operations or by imposing the requirements of the operating or performance standards or enforcement mechanisms of the regulations to such operations.

Section 211.10(d) authorizes the mining supervisor to require reasonable revisions or supplements to approved plans where changed conditions or unforeseen circumstances exist, or approve changes at the request of an operator. Where any such revision would be major, the public notice provisions of § 211.5(b)

will apply. In the event of disagreement as to the propriety of any such change, an appeal from the mining supervisors decision will lie under Part 290 pursuant to § 211.73.

RECLAMATION AND PERFORMANCE STANDARDS

(References are to the proposed 30 CFR 211 texts, but identical language is included in the proposed 43 CFR 3041.)

Section 211.40(a)(2) requires the operator to reclaim affected lands pursuant to his approved plan and as contemporaneously as practicable with operations, to a condition at least fully capable of supporting previous practicable uses or equal or better uses that can reasonably be attained. It is intended that this provision would authorize the Department to require reclamation, where appropriate, to a use that was practicable prior to mining but not necessarily in effect. To require exact parity between post-mining and pre-mining land condition would impose an impossible burden. Requiring reclamation to a condition capable of supporting equal or better uses that can reasonably be achieved affords adequate assurance that post-mining land condition will be acceptable.

Section 211.40(a)(3) requires restoration to the approximate original contour to the maximum extent practicable. Variances from that requirement based upon equal or better post-mining land uses or unusual conditions may be granted only by the Director of the Geological Survey, with the concurrence of the Director of the Bureau of Land Management. Any such variance will, of course, be included in an approved plan of operations, and thus subject to appropriate public consideration.

Section 211.40(a)(8) sets forth the requirement that disturbances to prevailing hydrologic conditions be minimized, and in subparagraph (iv) specifically requires protection of the surface and ground water resources of valley floors which provide water sources that support significant vegetation or existing uses.

Subparagraph 211.40(a)(16) imposes the obligation to revegetate affected lands and authorizes the use of introduced species where quick cover is desirable.

Section 211.40(a)(17) sets forth the time limitations within which liability upon the operator's bond for revegetation will apply. A maximum period of liability of 10 years from the first planting date is provided. After substantial review of this question, it is felt that this period is appropriate. Failure of successful revegetation after 10 years of effort is felt to be determinative of the question of whether the additional efforts represented by expending the retained portion of the bond would be successful. On the other hand, in some circumstances it will be apparent from the conditions at the site of operations that successful revegetation is likely to occur within the 5 year minimum time period. Where this is the case, authority is provided to waive the automatic application of this minimum period at the time of lease issuance. It should be noted that operation of this waiver would not in any way diminish the burden upon the operator to establish that revegetation has in fact successfully been accomplished within that period.

SPECIFICATION PROVISIONS OF 43 CFR 3041

Section 3041.0–4 spells out the specific areas of responsibility of the BLM and the Geological Survey with respect to surface management and operations for coal development, consistent with internal Departmental orders.

Section 3041.0—6 sets forth the procedures whereby the environmental impact on both an area-wide and specific tract basis will be assessed prior to making a determination as to whether leasing, permitting, or licensing will be allowed. This procedure provides for obtaining the views and recommendations of the Geological Survey and other appropriate Federal agencies, for holding public hearings, where necessary, and for consultation with State and local governments and interested parties, including surface owners where applicable.

Section 3041.0–7(c) allows the authorized officer of the Federal surface management agency, in consultation with the Mining Supervisor, to establish additional and more stringent requirements than required by the performance standards set forth in Section 3041.0–7(b), to meet exceptional and special circumstances such as the degree of slope and soil conditions.

Section 3041.0–7(d) allows the authorized officer to propose to the Mining Supervisor that an approved exploration or mining plan be revised or supplemented to adjust to changed conditions or to correct oversights. This is consistent with and complementary to the authority in 30 CFR 211.10(d) to require such changes.

Section 3041.0–8 permits an operator to use only so much of the surface of the lands as is deemed necessary, and has been designated in an approved plan. It is expressly provided that use of Federal lands for a power generation plant or commercial or industrial facility requires a special permit. This is not intended to imply that other facilities which might require permits under other laws would be relieved of any such obligations under the regulations proposed here. Facilities directly related to the mining, processing, and preparation of the coal resource would not require a separate permit.

Section 3041.1, the requirement for submission of a preliminary plan by an applicant for a coal lease, permit, or license, is an expansion of the requirements of 43 CFR Part 23. The purpose of the preliminary plan is to provide operational and environmental information which will assist the authorized officer in evaluating the proposed operation, and in the preparation of necessary impact statements and the terms and conditions to be included in a lease, permit, or license, if issued.

Section 3041.5 is different from Part 23 in that it requires a notice of availability of the application and its proposed terms, conditions, and special stipulations, for inspection and comment thereon. No action may be taken on any application until interested parties have had 30 days to comment. The application and proposed terms and conditions will remain available for inspection thereafter in the proper BLM office.

Section 3041.7(b) is different from Part 23 in that it allows the authorized officer, in emergency situations where activities threaten immediate, serious, or irreparable damage to the environment, resources, health and safety of the employees and the public, to order the immediate cessation of such activities. Although exercise of this authority would normally be the responsibility of the USGS, it is felt that where such extraordinary circumstances exist any authorized representative of responsible agencies of the United States should be able to take the limited immediate action set forth, to prevent the adverse environmental effect described.

A detailed environmental impact statement on the proposed regulation has been prepared in compliance with Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The statement is being printed and will be available in approximately three weeks. A notice of availability will be published in the FEDERAL REGISTER.

In accordance with the Department's policy on public participation in rulemaking, interested parties may submit written comments, suggestions, or objections with respect to the proposed regulations to the Director, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240 and the Director, U.S. Geological Survey, Reston, Virginia 22092, on or before November 4, 1975.

After the expiration of such period for comment, and the expiration of the appropriate comment period upon the above mentioned environmental impact statement, the proposed regulations will be revised, if appropriate, and republished in the FEDERAL REGISTER in final form.

A new subpart 3041 is proposed to be added to 43 CFR, to read as follows:

PART 3040—ENVIRONMENT AND SAFETY

Subpart 3041—Surface Management—Federal Coal Resources

Sec.

3041.0–1 Purpose.
3041.0–3 Authorities.
3041.0–4 Responsibilities.
3041.0–5 Definitions.
3041.0–6 Coal leasing, permitting, and licensing planning procedures.
3041.0–7 Performance standards.
3041.0–8 Use of surface.
3041.1 Applications.
3041.1–1 Preliminary plan.
3041.2 Technical examination/environmental analysis report.
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Subpart 3041—Surface Management—Federal Coal Resources

§ 3041.0–1 Purpose.

(a) The purpose of these regulations is to establish rules to be followed in the management of the Federally-owned coal estate consistent with the policies, goals, and objectives established by the Acts cited in § 3041.0–3 of this Subpart, regardless of surface ownership or method of operation.

(b) It is the policy of the Department to encourage the development of Federally-owned coal, where such development is authorized, through a program that will provide for the protection, orderly development and conservation of Federal mineral and nonmineral resources in a manner that will minimize adverse effects to society and the environment resulting from coal development. It is also the policy of the Department to authorize leases, permits, and licenses for coal only where reclamation of the affected lands to the standards set forth herein is attainable and assured and a reclamation program will be undertaken as contemporaneously as practicable with mineral development. Departmental policy regarding privately owned surface where the mineral estate is Federally owned is that any mineral activity on the private surface should be conducted to result in protection of environmental values which is at least as stringent as would apply to Federally owned surface.

§ 3041.0–3 Authorities.

These regulations are issued pursuant to: The Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181–287), and the Mineral Leasing Act For Acquired Lands (30 U.S.C. 351–359). Additional regulations governing the issuance of Federal coal leases, permits, and licenses are found in 43 CFR 3500 of this Chapter, including the specific requirement in § 3501.2–6 that the consent of the Department of Agriculture or other administering agency be obtained with respect to leases, permits, and licenses covering acquired lands subject to the jurisdiction of such other Federal surface managing agency. Regulations governing lease or permit operations are found in 30 CFR 211. Regulations setting forth the general and basic policies for disposal and management of the public lands are found in 43 CFR 1725 of this Chapter.

§ 3041.0–4 Responsibilities.

(a) The Bureau of Land Management (BLM) exercises at the Bureau level the Secretary's discretionary authority to determine whether or not leases, permits, and licenses are to be issued. The Bureau of Land Management is responsible for issuing mineral leases, permits, and licenses, and is the office of record in mineral leasing matters.

(b) The Geological Survey (GS) exercises the Secretary's delegated authority regarding operations conducted within the area of operation by permittees, lessees, and licensees and determines the action to be taken by them from the standpoint of the development, conservation, and management of mineral resources under the jurisdiction of the Department. The Geological Survey is responsible for all geologic, engineering, and economic value determinations for the Department's mineral leasing program. These determinations include: the mineral characteristics of lease and permit areas; parcelling; amounts of bonds; royalties; unit values; rentals; mineral resource evaluations; reserves; investments, diligent development, and minimum production requirements; and all other terms and conditions relating to mineral operations under leases and permits.

(c) The Bureau of Land Management or other Federal surface management agency, in cooperation with the Geological Survey, and, in the case of non-Federal surface, the surface owner, formulates the requirements to be incorporated in leases, permits, and licenses for the protection of the surface and non-mineral resources and for reclamation, using the surface operating and reclamation performance standards contained in § 3041.0–7 of these regulations and in 30 CFR Part 211.

(d) The Geological Survey, before approving exploration and mining plans, or the abandonment of operations, consults with the Bureau of Land Management or other Federal surface management agency on the adequacy of the surface use, environmental protection, and reclamation aspects of such plans and will not grant approval if inconsistent with the BLM's or other Federal surface management agency's recommendations without further discussions.

(e) As to the lands outside of the area of operations the authorized officer of the BLM or other Federal surface management agency is responsible for conducting compliance examinations and for assuring compliance by the lessee, permittee, or licensee, with the requirements of this Subpart, and the terms and conditions of a lease, permit, or license and for reporting infractions to the GS for discussion with, or orders to, the lessee, permittee, or licensee. As to the lands inside the area of operations the GS examines operations to ensure compliance with environmental protection and rehabilitation requirements. GS refers to BLM any instance of noncompliance with lease terms which may require cancellation action, and BLM may initiate such action. With respect to approval of access roads, pipelines, utility routes and other surface uses outside the operating areas, the Bureau of Land Management, or other Federal surface management agency, has the primary responsibility but obtains the recommendations of the Geological Survey before taking final action. Orders to operators for any remedial action are the responsibility of the Geological Survey.

(f) Subject to the Supervisory authority of the Secretary, the regulations in this Subpart shall be administered by the Director, Bureau of Land Management through the authorized officer having jurisdiction over the lands subject to these regulations and authorized to perform the duties described. Prior to the issuance of any coal lease, permit, or license, the authorized officer will consult with and receive and consider recommendations from the Mining Supervisor, the Federal surface management agency when other than the BLM, or the surface owner, as to the terms and conditions required to achieve the purpose of these regulations.

§ 3041.0–5 Definitions.

As used in this subpart, the following terms shall have the following meanings:

(a) "Acid and toxic producing deposits" means natural or reworked earth materials having chemical and physical characteristics that under mining or post-mining conditions of drainage, exposure, or other processes may produce effluents that contain chemical constituents, such as acids, bases, or metallic compounds, in sufficient concentrations to adversely affect the environment.

(b) "Affected lands" means any lands affected or to be affected by exploration, development, and mining operations, and by the construction of facilities necessary and related to such operations.

(c) "Approximate original contour" means the surface configuration achieved by backfilling and grading of the mined area so that it closely resembles the surface configuration of the land prior to mining (although not necessarily the original elevation) and blends into and complements the drainage pattern and topography of the surrounding terrain.

(d) "Area of operations" means that area of the leased, permitted, or licensed lands which is required for exploration, development, producing and processing operations, including all related surface structures and facilities, which is delineated on a map or plat which is made a part of the approved plan.

(e) "Authorized officer" means that officer designated by any Federal surface managing agency to exercise its authority in matters relating to coal leases, licenses, and permits and these regulations.

(f) "Coal" means coal of all ranks, from lignite to anthracite.

(g) "Exploration plan" means a detailed plan submitted to the Mining Supervisor for approval before exploration operations commence, showing the location and type of exploration work to be conducted, environmental protection procedures, roads, and reclamation procedures to be followed upon completion of such operations.

(h) "Lease Lands, leased premises, or leased tract" means lands embraced within a Federal coal lease and subject to the regulations in this Subpart.

(i) "Lessee" means any person or persons, partnership, association, corporation, or municipality to whom a coal lease is issued subject to the regulations in this Subpart, or an assignee of such lease under an approved assignment.

(j) "Licensee" means any individual, association of individuals, or municipality to whom a coal license is issued subject to the regulations in this Subpart.

(k) "Maximum extent practicable" means, with respect to a performance standard or level of control, that degree of compliance which can be achieved with commercially available technology, taking into account the costs of such compliance and all tangible and intangible environmental and other benefits which would be derived therefrom.

(l) "Method of Operation" means the method and manner by which any activities are performed by the operator, as described in the Preliminary plan.

(m) "Mine" means an underground or surface excavation, and the surface or underground support facilities that contribute directly or indirectly to coal mining, preparation, and handling.

(n) "Mining plan" means a detailed plan submitted to the Mining Supervisor for approval before mining operations commence showing the location, method and extent of mining and all related activities necessary and incident to such operations, including the steps to be taken to protect the environment during operations, reclamation, and abandonment.

(o) "Mining Supervisor" mean the Area Mining Supervisor, Conservation Division, Geological Survey, or District Mining Supervisor, or other subordinate acting under his direction.

(p) "Operator" means a lessee, permittee, or licensee, or one conducting operations on lands under the authority of the lessee, permittee, or licensee.

(q) "Overburden" means all the earth and other materials which lie above a natural deposit of minerals.

(r) "Permanent impoundment" means an artificially built, dammed or excavated place for retention of water or sediment that is intended to remain after abandonment of the operation.

(s) "Permit lands" means lands embraced within a coal prospecting permit and subject to the regulations in this Subpart.

(t) "Permittee" means any person or persons, partnership, association, corporation, or municipality to whom a coal prospecting permit subject to the regulations in this Subpart is issued, or an assignee of such permit under an approved assignment.

(u) "Preliminary plan" means a plan submitted by an applicant to the authorized officer, with an application for a lease, permit, or license, which describes the applicant's proposal in the detail necessary to assist the authorized officer in conducting a pre-lease, permit, or license technical evaluation and environmental analyses, as described in 3041.1–1.

(v) "Reclamation" means the process of returning affected lands to a stable condition and form consistent with their pre-mining productivity and use.

(w) "Secretary" means the Secretary of the Interior.

(x) "Significant valley floor vegetation" means farm crops, including hay, that are integral parts of agricultural or ranching operations, and forests or meadows with significant recreational, watershed, or wildlife habitat value.

(y) "Topsoil" means natural earth materials at or adjacent to the land surface with physical and chemical characteristics necessary to support vegetation.

(z) "Valley floors" means the channelways, floodplains, and adjacent low terraces of perennial, intermittent, or ephemeral streams that are flooded during periods of high flow and that are underlain by unconsolidated stream-laid deposits. Excluded are higher terraces and slopes underlain by colluvial and other surficial deposits normally occurring along valley margins.

§ 3041.0–6 Coal leasing, permitting, and licensing planning procedures.

(a) When an area is initially considered for coal development the authorized officer shall make an environmental impact assessment of the potential effect of such development upon the resources of the area and its environment.

(b) Prior to the selection of tracts for coal leases, permits, or licenses the authorized officer of the BLM or, if other than the BLM, the authorized officer of the agency charged with administration of the surface, shall evaluate the potential effects of all phases of such coal development on the environment, including fish and other aquatic resources, wildlife habitats and populations, aesthetics, recreation, cultural, and other resources in the affected area. This evaluation shall take into account alternative uses of the land and its other natural resources, the need for the proposed coal development, and the socioeconomic considerations relevant to multiple-use management principles. To aid him in this evaluation and selection of coal lease, permit, or license tracts the authorized officer shall request and consider the views and recommendations of the Geological Survey and other appropriate Federal agencies, may hold public hearings after appropriate notice, and shall, as appropriate, consult with applicants, State and applicable local agencies, organizations, industries, and, where only the mineral estate is in Federal ownership, surface owners.

(c) If the Director determines that a decision made pursuant to paragraphs (a) or (b) of this section would be a major Federal action significantly affecting the quality of the human environment, and that an environmental impact statement as required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq) has not been prepared with respect thereto, such a statement will be prepared.

(d) If National Register or eligible National Register cultural resources might be affected by the issuance of coal leases, permits, or licenses, none will be authorized until compliance with Section 106 of the Historic Preservation Act and section 2(b) of E.O. 11593 has been accomplished.

(e) If a decision is made to offer tracts for coal leases, permits, or licenses, the authorized officer may, following the procedures in § 3041.2–1 of this Chapter, develop and include in such offer such special terms and conditions as may be required by specific local conditions to protect the environment, to permit use of the land for other purposes, to allow new postmining land uses, and to protect other resources.

§ 3041.0–7 Performance standards.

(a) Any operator who accepts a coal lease, permit, or license shall comply with and be bound by the following general terms and any additional specific terms, conditions, and stipulations attached to and made a part thereof.

(b) The following general performance standards shall be applicable to all coal exploration, development, mining, drilling, preparation, processing and declamation operations on the surface of the land subject to these regulations:

(1) The operator shall conduct surface coal mining operations so as to maximize the extraction of the coal resource so that future disturbance through the resumption of mining will be minimized.

(2) The operator shall reclaim the land affected, as contemporaneously as practicable with operations, to a condition at least fully capable of supporting all actual or practicable uses which it was capable of supporting prior to any exploration or mining, or equal or better uses that can reasonably be attained.

(3) The operator shall replace overburden and waste materials in the mined area by backfilling (compacting where advisable, to insure stability or to prevent leaching of toxic materials), grading or other means so as, to the maximum extent practicable, to restore the approximate original contour and to eliminate high walls and spoil piles. Where the thickness of the coal deposits relative to the volume of overburden is large or where the overburden and other spoil waste materials are either insufficient or more than sufficient to restore the approximate original contour, the operator shall backfill, grade, and compact, using all available overburden or spoil material to obtain the lowest practicable grade, but not more than the angle of repose, in order to provide adequate drainage and to cover all acid-forming or other toxic materials. Excess overburden or other spoil material, after restoring the approximate original contour, shall be, graded, compacted (where advisable), stabilized, and shaped in a way to protect against slides, erosion, subsidence and water pollution in accordance with the requirements of this Subpart. Restoration to approximate original contour may not be required if the Director of the Geological Survey, with the concurrence of the Director of the Bureau of Land Management or the appropriate officer of the Federal surface management agency, determines: (i) That an equal or better proposed postmining land use is practicable and attainable and that a modification of this requirement is the best method of achieving the postmining use, or (ii) that unusual conditions, such as steeply dipping coal beds or multiple seam mining, exist which make backfilling pursuant to this paragraph impractical.

(4) The operator shall stabilize and protect all surface areas, including spoil piles, affected by the coal mining and reclamation operation, to effectively control slides, erosion, subsidence and attendant air and water pollution.

(5) The operator shall remove the topsoil separately, replace it on the backfill area or, if not utilized immediately, segregate it in a separate pile from other spoil. When the topsoil is not replaced on a backfill area within a time short enough to avoid deterioration of the topsoil, establish and maintain a cover by quick-growing plants or other means thereafter so that the topsoil is preserved from wind and water erosion and is in a condition for sustaining vegetation when used during reclamation. If topsoil is of insufficient quantity or of poor quality for sustaining vegetation, and if other strata can be shown to be more suitable for vegetation requirements, then the operator shall remove, segregate, and preserve in a like manner such other strata which are best able to support vegetation.

(6) Where permanent impoundments of water on mining sites are to be created, the operator shall insure that:

(i) The impoundment is adequate for its intended purposes.

(ii) The impoundment will be designed and built in accordance with sound engineering standards and practices and applicable Federal and State laws and regulations.

(iii) The quality of impounded water will be suitable for its intended use and discharges from the impoundment will not unreasonably degrade the water quality in the receiving stream.

(iv) Final grading will provide adequate safety and access for proposed water users.

(v) Such water impoundments will not adversely affect the water resources utilized by adjacent or surrounding landowners for agricultural, industrial, recreational, or domestic uses.

(7) The operator shall cover or plug all auger mine holes with noncombustible material in order to minimize or prevent harmful drainage.

(8) The operator shall minimize disturbances to the prevailing quality and quantity of water in surface and ground water systems, and of the prevailing erosion and deposition conditions at the mine site and in adjacent offsite areas, both during and after coal mining operations and during reclamation by:

(i) Controlling acid or other toxic mine drainage and the adverse consequences thereof by such measures as, but not limited to, restricting the flow of water through acid or other toxic-producing materials; treating drainage to reduce acid or other toxic content which adversely affects downstream water upon being released to water courses; and casing, sealing, or otherwise treating drill holes, shafts and wells to keep acid or other toxic drainage from entering ground and surface waters.

(ii) Conducting surface mining operations so as to prevent, to the maximum extent practicable,

(A) Contributions of suspended solids to streamflow or runoff outside the mining site above natural levels under seasonal flow conditions as measured for a period and at sites determined by the Mining Supervisor, in consultation with the authorized officer of the Federal surface management agency, and

(B) Deepening or enlargement of stream channels where operations require the discharge of water from mines.

(iii) Removing or modifying siltation structures after disturbed areas are revegetated and stabilized, unless otherwise directed by the Mining Supervisor after consultation with the authorized officer of the surface management agency.

(iv) Protecting to the maximum extent practicable throughout the mining and reclamation process, the quality and quantity of both upstream and downstream surface and ground water resources of those valley floors which provide water sources that support significant valley floor vegetation, or supply water for other purposes by such measures as, but not limited to, relocating and maintaining the gradient of streams.

(9) The operator shall, with respect to disposal of mine wastes, coal processing wastes and other wastes in areas other than the mine workings or other excavations, place all waste piles in area designated in the approved mining plan and stabilize them through construction in compacted layers, including, if necessary the use of incombustible and impervious materials; shape the waste pile to be compatible with natural surroundings and terrain, cover with topsoil, or other suitable material in accordance with paragraph (b)(4) of this section and revegetate in accordance with paragraph (b)(16) of this section.

(10) The operator shall refrain from surface coal mining within 200 feet of active and abandoned underground mines except as authorized in an approved mining plan.

(11) The operator shall incorporate sound engineering standards and practices for the design, construction, and use of impoundments for the disposal of coal mine wastes, coal processing wastes, or other liquid or solid wastes to insure that structures and impoundments will have necessary stability with an adequate margin of safety. No mine or processing waste shall be used in the construction of water impoundments, water retention facilities, dams, or settling ponds unless authorized in an approved mining plan.

(12) The operator shall:

(i) Treat or dispose of all rubbish and noxious substances in a manner designed to prevent air and water pollution and fire hazards.

(ii) Dispose of all solid waste resulting from the mining and preparation of coal in a manner designed to prevent to the maximum extent practicable air and water pollution and spontaneous ignition.

(13) The operator shall use explosives only in accordance with existing Federal and State laws and the conditions specified by the Mining Supervisor, who may require the operator to:

(i) Provide adequate advance written notice by publication and/or posting of the planned blasting schedule to local governments and to residents who might be affected by the use of such explosives, and maintain a log of the magnitudes and times of blasts for a period of at least two years.

(ii) Limit the size, timing, and frequency of blasts as determined by the physical conditions of the site, to prevent personal injury or damage to public and private property.

(14) The operator shall construct, maintain, and, when they are no longer necessary, remove roads, pipelines, powerlines, and similar utility access facilities into and across the area of operations in a manner that will prevent to the maximum extent practicable erosion and siltation, pollution of water, damage to fish or wildlife or their habitats, or public or private property, except that the Mining Supervisor with the concurrence of the authorized officer of the surface management agency, may approve the retention, after mining of specific roads where consistent with the proposed postmining use of the affected lands.

(15) The operator shall refrain from constructing roads or other access ways in or near stream beds or drainage channels that would seriously alter the normal flow of water therein.

(16) The operator shall, except where other reclamation is expressly provided for in an approved mining plan, establish on the regraded areas and all other affected lands a diverse vegetative cover, native to the area if capable of self-regeneration, at least equal in density and permanence to the natural vegetation. The Mining Supervisor, with the concurrence of the authorized officer of the surface management agency, may allow the use of introduced species as an interim measure where desirable to achieve quick cover.

(17) The operator shall assume responsibility for successful revegetation, as herein provided. The operator's responsibility and liability for revegetation of each planting area shall extend until such time as the authorized officer of the surface management agency, in consultation with the Mining Supervisor, determines that successful revegetation in compliance with paragraph (b)(16) of this section has occurred; provided that, this period shall extend for a minimum of five full years after the first year of planting and for a total period of liability not to exceed ten years from the original planting, and further provided that, where the authorized officer of the surface management agency determines that natural conditions, such as annual precipitation, soil characteristics and native vegetation, are stable and favor rapid revegetation, and that revegetation pursuant to paragraph (b)(16) of this section is likely to occur before the expiration of such minimum period, he may specify in the lease, permit, or license that such minimum period will not apply with respect to some or all of the lands included in the lease, permit, or license.

(18) The operator shall allow access to and upon the affected Federal land subject to lease, permit, or license for all lawful and proper purposes except where such access would unduly interfere with the authorized use or would constitute a hazard to public health and safety.

(19) The operator shall in all areas of active operations including lands undergoing reclamation, regulate public access, vehicular traffic, and wildlife or livestock grazing to protect the public, wildlife, and livestock from hazards associated with the operations and to protect the revegetated areas from unplanned and uncontrolled grazing. For this purpose the operator shall provide warnings, fencing, flag men, barricades, and other safety and protective measures as appropriate.

(20) In areas in which there are no current operations, the operator shall substantially backfill, fence, protect, or otherwise effectively close all surface openings, auger holes, subsidence holes, surface excavations or workings which are a hazard to people or animals. Openings at all underground mines which are temporarily closed shall be adequately fenced or equipped with a substantial incombustible gate or door which shall remain locked when not in use. Conspicuous signs shall be posted prohibiting entrance of unauthorized persons. All such protective measures shall be maintained in a secure condition during the term of the lease, permit, or license. Before permanent abandonment of operations, the operator shall:

(i) Close or backfill all openings and excavations, including water discharge points, or otherwise permanently deal therewith in accordance with sound engineering practices and according to the approved mining plan.

(ii) Promptly complete final reclamation and clean-up of surface areas around and near permanently abandoned operations including, except where otherwise expressly provided in the approved mining plan, removal of equipment and structures following cessation of mining operations.

(c) Prior to the issuance of a permit, lease, or license, the authorized officer may, in consultation with the Mining Supervisor, and the authorized officer of the surface management agency if other than the BLM, establish additional and more stringent requirements to meet exceptional and special circumstances, such as the degree of slope, soil conditions, and other site characteristics, and, if he does so, such additional and more stringent requirements shall be included in the permit, lease, or license.

(d) If the authorized officer of the surface management agency determines, after the issuance or the lease, permit, or license, that an approved exploration or mining plan should be required to be revised or supplemented to adjust to changed conditions or to correct oversights, he may propose such revision or supplement to the Mining Supervisor. Upon approval of the Mining Supervisor, such plan may be revised or supplemented pursuant to § 211.10(d) of 30 CFR Part 211.

(e) The following special provisions shall be applicable to the surface effects of underground mining.

(1) Each operator of an underground coal mine shall adopt measures consistent with feasible known technology in order to prevent or control subsidence, maximize mine stability, and maintain the value and use of surface lands, except in those instances where the mining method used requires planned subsidence in a predictable and controlled manner.

(2) Where pillars or panels are not removed and controlled subsidence is not part of the mining plan, pillars or panels of adequate dimensions shall be left to assure surface stability giving due consideration of the thickness and strength characteristics of the coal beds and of the strata above and immediately below the coal bed.

(3) The Mining Supervisor may require the operator to install a subsidence monitoring system consisting of elevation stations and tiltmeters in a number sufficient to determine the extent of area that may be affected. All records of such surveys shall be accessible for review by the Mining Supervisor.

(f) Visual resources. The operator shall take visual resources into account in the planning, design, and construction of facilities on the affected lands in accordance with lease terms and the approved plan.

(g) Fish and wildlife. The operator shall employ such measures as are deemed necessary to protect fish and wildlife and their habitat in accordance with lease terms and the approved plan.

(h) Cultural and scientific resources. The operator shall conduct operations that might have an effect on known or suspected archeological, paleontological, historical, or other cultural and scientific values in accordance with lease terms and the approved plan.

§ 3041.0–8 Use of surface.

(a) The operator shall be entitled to use only so much of the surface of the lands within the affected lands as is deemed necessary and has been designated in an approved plan. Any use of the Federal lands for a power generation plant or a commercial or industrial facility will be authorized only under a separate permit issued by the appropriate agency for that specific use and subject to all terms and conditions which it may include in that permit. The uses of the lands within the area of operation are subject to the supervision of the Mining Supervisor, and the uses of the remaining lands are subject to the supervision of the appropriate surface management agency. The operator shall not be entitled to use any mineral materials subject to the Materials Act except as provided by Part 3600 of this Chapter.

(b) Operations under other authorized uses on the same lands shall not unreasonably interfere with or endanger operations under uses authorized under the regulations in this chapter nor shall operations under the regulations in this Chapter unreasonably interfere with or endanger operations under any lease, license, permit, or other authorized use pursuant to the provisions of any other Act.

§ 3041.1 Applications.

(a) Any person desiring a lease, permit, or license for coal development shall file an application in the proper BLM office, in accordance with the regulations in this Chapter.

(b) The application shall contain a preliminary plan of operation as described in § 3041.1–1 of this Subpart.

§ 3041.1–1 Preliminary plan.

(a) The preliminary plan required by these regulations shall include the following information:

(1) A map, or maps, available from State or Federal sources, showing the topography of the land applied for, on which the applicant shall show physical features, drainage patterns, present road and trail locations, present utility systems, proposed road and trail location, proposed location of surface and subsurface exploration sites, such as pits, seismic lines, drill holes, trenches, surface or underground mine workings; the proposed location of development or extraction facilities; and the proposed location and aerial extent of the areas to be used for pits, overburden, and tailings; and the location of water sources or other resources which may be used in the proposed operation or facilities incidental thereto.

(2) A narrative statement setting forth his proposed plan, methods, and schedule for diligent operations.

(b) The narrative statement shall also describe the measures proposed to be taken to prevent or control fire, soil erosion, pollution of surface and ground water, damage to fish and wildlife or other natural resources, air and noise pollution and hazards to public health and safety during lease activities, including measures for monitoring the effects of operations on air and water. Such measures shall also include the actions to be taken and the methods to be utilized to meet the performance standards set forth in § 3041.0–7 of these regulations. The applicant shall not enter upon the land for any operational purpose, except for casual use, until he has received a lease, permit, or license and submitted to the Mining Supervisor an exploration or mining plan and received approval thereof. Casual use, as used in this section means activities which do not cause significant surface disturbance, or damage lands, resources and improvements, such as activities which do not include use of heavy equipment, or explosives or vehicular movement off established roads and trails which cause such disturbance.

§ 3041.2 Technical examination/environmental analysis.

In connection with an application for a coal lease, permit or license, or on BLM motion, the authorized officer, with the assistance of the Mining Supervisor, shall make a technical examination and environmental analysis (TEEA).

(a) The technical examination shall include:

(1) An examination of the technical feasibility of the preliminary plan and;

(2) An evaluation of the effect of the preliminary plan on other land uses, resources, or programs on or adjacent to the area.

(b) The environmental analysis shall include: An analysis of the impact of the preliminary plan and alternatives on the living and non-living components of the environment.

§ 3041.2–1 Technical examination/environmental analysis report.

(a) The TEEA report shall contain a summary which, using information from the TEEA, sets forth recommended bonding requirements and stipulations formulated to: (1) Require conformance with the performance standards found in § 3041.0–7 of this Chapter, (2) identify specific reclamation requirements, (3) identify tracts requiring special environmental consideration, and (4) minimize adverse impacts on the environment and other resources, land uses or programs.

(b) If it is recommended that a specific area within the applied for lands should be excluded from a lease, permit, or license, or modification thereof, or if it is recommended that an environmental impact statement is required, the TEEA report shall substantiate these findings.

§ 3041.3 Basis for denial of lease, permit, or license based upon past forfeiture.

(a) An application for a lease, permit, or license to conduct coal exploratory or extractive operations may be denied any applicant or offeror who has forfeited a bond because of failure to comply with an approved exploration or mining plan. However, a lease, permit, or license may not be denied an applicant or offeror because of the forfeiture of a bond if the affected lands under his previous lease, permit, or license have subsequently been reclaimed without cost to the Federal Government.

§ 3041.4 Compliance or performance bond.

(a) The provisions of the regulations in Subpart 3504 of this Chapter are hereby made applicable to these regulations. In addition each compliance bond will be conditioned upon faithful compliance with the regulations in this Subpart and any additional terms and conditions of the lease, permit, or license. In determining the amount of the compliance bond to be required, the authorized officer of the surface management agency and the Mining Supervisor shall consider the cost of complying with the performance and reclamation standards in § 3041.0–7, and with the terms and conditions of the lease, permit, or license.

(b) The authorized officer shall set the amount of a bond and take the necessary action for an increase or for a complete or partial release of a bond. He shall take such actions only after consultation with the Mining Supervisor.

§ 3041.5 Public notice and inspection of records.

Any application for a lease, permit, or license, together with proposed terms, conditions, and special stipulations shall be made available in the proper BLM office. A notice that such material is available shall be posted in the proper BLM office, sent to the County Clerk for the County in which the affected lands are located for posting, and mailed to the surface owner of record if other than the United States. Except as otherwise provided in Part 3520 of this Chapter, the applicant shall, at no expense to the Federal Government, have published a copy of such notice in a newspaper of general circulation in the county in which the lands are situated once a week for four consecutive weeks, or for such other period as may be deemed advisable. Interested parties shall have a period of 30 days after publication of notice that such material is available for public inspection and comment thereon.

§ 3041.6 Reports.

(a) *Operations.* An operator, under a coal lease, permit or license, shall file with the Mining Supervisor, within 30 days after the end of each calendar year or within 30 days after the cessation of operations, a report, in duplicate, containing the following:

(1) Serial number of the lease, permit or license and a description of the lands affected by operations.

(2) The number of acres disturbed and the number of acres reclaimed, including revegetation.

(3) A description of the reclamation work remaining to be done.

(b) *Grading and backfilling.* Upon completion of backfilling and grading required by the operating plan, the operator shall submit a report thereon, in duplicate, to the Mining Supervisor and request inspection for approval. Whenever it is determined by such inspection that the backfilling and grading, which may proceed in appropriate stages, has met the requirements of the approved plan, the Mining Supervisor shall recommend to the authorized officer of the Bureau of Land Management, and/or other Federal surface management agency the release of an appropriate amount of the bond for the area satisfactorily backfilled and graded.

(c) *Revegetation.* (1) The operator shall file a report, in duplicate, with the Mining Supervisor within 30 days after each planting is completed. The report shall:

(i) Identify the lease, permit, or license.

(ii) Show the type of planting or seeding, including mixtures and amounts.

(iii) Show the date of planting or seeding.

(iv) Identify or describe the planted or seeded lands.

(v) Describe fertilization and irrigation procedures, if any, and contain such other information as may be considered relevant.

(2) The Mining Supervisor and the authorized officer of the surface management agency shall, as soon as possible after each full growing season, inspect and evaluate the revegetated areas to determine whether satisfactory vegetative growth has been established, or whether additional revegetation efforts may be required.

(d) *Cessation or abandonment of operations.* (1) Not less than 30 days prior to cessation or abandonment of operations, the operator shall submit to the Mining Supervisor, in duplicate, a report of his intention to cease or abandon operations, together with a statement of the exact number of acres affected by his operations, the extent and kind of reclamation accomplished, and a statement as to the structures and other facilities that are to be removed from or remain on the leased, permitted, or licensed lands.

(2) Upon receipt of such report, the Mining Supervisor and the authorized officer of the surface management agency shall make a joint inspection to determine whether operations have been completed in accordance with the approved operating plan. When the operator has complied with all requirements of the lease, permit, or license and the regulations of this Subpart, the Mining Supervisor shall recommend to the authorized officer of the Bureau of Land Management and/or the other Federal surface management agency that the period of bonded liability be terminated.

(3) When the surface of lands in a lease, permit or license is not owned by the United States, the Mining Supervisor shall consult the surface owner and obtain his recommendation as to whether the operation has been completed in accordance with the approved operating plan before recommending to the appropriate authorized officer that the period of liability of the bond be terminated.

§ 3041.7 Notice of noncompliance: Revocation.

(a) The authorized officer and the Mining Supervisor shall have the right to enter upon the lands under lease, permit, or license, at any reasonable time.

(b) If the authorized officer of the Federal surface management agency determines that an operator is conducting activities which are not in compliance with the requirements of a lease, permit, or license, applicable regulations, or the approved plan and such activities threaten immediate, serious, or irreparable damage to the environment, resources, health and safety of the employees and the public, the authorized officer may order the immediate cessation of such activities and shall promptly notify the Mining Supervisor. Upon such notification, the Mining Supervisor shall orally order immediate remedial action and issue a written notice of noncompliance, where appropriate.

(c) If the authorized officer determines that an operator is in noncompliance with the requirements of a lease, permit, or license, applicable regulations,

or the approved plan and such noncompliance does not threaten immediate, serious, or irreparable damage to the environment, resources, health and safety of the employees and the public, the authorized officer shall refer the matter to the Mining Supervisor for remedial action.

(d) Failure of the operator to take action in accordance with a written notice of noncompliance issued by the Mining Supervisor in accordance with the provisions of 30 CFR 211.72 shall be grounds for suspension of the operation and for possible cancellation of the lease, permit, or license in accordance with the regulations in 43 CFR 3500 of this Chapter.

§ 3041.8 Application of State laws, regulations, practices, and procedures as Federal law by Federal officers.

(a) Upon request of the Governor of any State, the Secretary shall promptly review the laws, regulations, administrative practices and procedures in effect or due to come into effect with respect to reclamation of lands disturbed by surface mining of coal subject to the jurisdiction of that State, to determine whether such controls may appropriately be applied as Federal law to operations relating to coal owned by or subject to the jurisdiction of the United States. In such review the Secretary may hold such public hearings within the State as he may deem necessary and appropriate, and may receive evidence of mining or enforcement practices submitted in writing under oath by any person. He will take into account all relevant constructions and applications of such controls by competent State and local judicial and regulatory authorities, the desirability and practicability of uniformity between Federal and State controls, and the public policy of the State regarding the development of coal resources located therein.

(b) After such review, the Secretary may, by order, direct that all or part of such State laws, regulations, practices and procedures shall be applied as Federal law by the authorized officers of the Department with respect to coal within that State owned by or subject to the jurisdiction of the United States, if he determines that such application would

(1) effectuate the purposes of this Subpart;

(2) result in protection of environmental values which is at least as stringent as would otherwise occur under exclusive application of Federal controls; and

(3) would be consistent with the interest of the United States in the timely and orderly development of its coal resources.

(c) Pending issuance of an order under paragraph (b) of this section, nothing in this section shall be deemed or construed to stay or suspend any otherwise applicable Federal law, regulation, practice or procedure. Any such order under paragraph (b) of this section shall specifically set forth the controls to be applied by Federal officers, and may include specific findings of fact or interpretations thereof which shall be binding upon such officers. Any such order shall remain in effect until rescinded or modified by subsequent order of the Secretary, upon his own motion or at the request of a Governor.

As proposed Part 211 of Title 30 of the Code of Federal Regulations is revised to read as follows:

PART 211—COAL MINING OPERATING REGULATIONS

Sec.
211.1 Scope and purpose.
211.2 Definitions.
211.3 Responsibilities.
211.4 General obligations of lessees, permittees, and licensees (including designated operators or agents).
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MAPS AND PLANS

211.10 Exploration and mining plans.
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211.60 Production records, royalty and audits; maintenance of and access to records.
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INSPECTION, ISSUANCE OF ORDERS, ENFORCEMENT OF ORDERS AND APPEALS

211.70 Inspection of underground and surface conditions.
211.71 Notices, instructions and orders.
211.72 Enforcement of orders.
211.73 Appeals.
211.74 Application of State laws, regulations, practices, and procedures as Federal law by Federal officers.

§ 211.1 Scope and purpose.

(a) The regulations in this Part shall govern operations for the discovery, testing, development, mining, preparation, and handling of coal under coal leases, licenses, and permits issued for federally-owned coal, regardless of surface ownership, pursuant to the regulations in 43 CFR Group 3500 and the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741), and for the reclamation of lands disturbed by such operations. These regulations shall also apply to operations for the discovery, testing, development, mining, preparation, and handling of coal in tribal and allotted Indian lands under leases and permits, regardless of ownership of the surface, issued under the regulations in 25 CFR Parts 171, 172, and 174, and for the reclamation of lands disturbed by such operations.

(b) The purpose of the regulations in this Part is to assure orderly and efficient prospecting, exploration, testing, development, mining, preparation and handling operations, and production practices, without avoidable waste or loss of coal or other mineral resources or damage to coal-bearing or other mineral-bearing formations; to encourage maximum recovery and use of coal resources; to ensure operating practices which will avoid, minimize, or correct resulting damage to the environment—land, water, and air—and to public health and safety; to require effective reclamation of lands; and to require a proper record and accounting of all coal produced.

(c) When the regulations in this Part relate to matters included in the regulations in 25 CFR Part 177—Surface Exploration, Mining, and Reclamation of Lands—pertaining to Indian lands, the regulations in that Part shall govern to the extent of any inconsistencies. In any event, the operating and reclamation standards of § 211.40 of this Part shall apply.

(d) The responsibility for enforcement of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742; 30 U.S.C. 801) and the coal mine health and safety regulations contained in Chapter I of this Title is vested in the Mining Enforcement and Safety Administration, Department of the Interior.

§ 211.2 Definitions.

As used in this Part, the following terms shall have the following meanings:

(a) *Acid and toxic producing deposits* means natural or reworked earth materials having chemical and physical characteristics that, under mining or postmining conditions of drainage, exposure, or other processes, may produce effluents that contain chemical constituents, such as acids, bases, or metallic compounds, in sufficient concentrations to adversely affect the environment.

(b) *Affected lands* means any lands affected or to be affected by exploration, development, and mining operations and the construction of facilities necessary and related to such operations.

(c) *Approximate original contour* means the surface configuration achieved by backfilling and grading of the mined area so that it closely resembles the surface configuration of the land prior to mining (although not necessarily the original elevation) and blends into and complements the drainage pattern and topography of the surrounding terrain.

(d) "Area of operations" means that area of the leased, permitted or licensed lands which is required for exploration, development, producing, and processing operations, including all related surface structures and facilities, and which is delineated on a map or plat that is made a part of the approved plan.

(e) "Authorized officer" means that officer designated by any Federal surface managing agency to exercise its authority in matters relating to coal leases, licenses, and permits and these regulations.

(f) "Coal" means coal of all ranks, from lignite to anthracite.

(g) "Conservation Manager" means a Conservation Manager, Conservation Division, Geological Survey.

(h) "Director" means the Director of the Geological Survey, U.S. Department of the Interior.

(i) "Division Chief" means the Chief of the Conservation Division, Geological Survey.

(j) "Exploration plan" means a detailed plan submitted to the Mining Supervisor for approval before exploration operations commence showing the location and type of exploration work to be conducted, environmental protection procedures, roads, and reclamation procedures to be followed upon completion of such operations.

(k) "General Coal Mining Order" means a formal numbered order issued by the Mining Supervisor, with the prior approval of the Division Chief, which implements the regulations in this Part and applies to operations in a specified geographic area.

(l) "Lease lands, leased premises, or leased tract" means lands embraced within a coal lease and subject to the regulations in this Part.

(m) "Lessee" means any person or persons, partnership, association, corporation, or municipality to whom a coal lease is issued, subject to the regulations in this Part, or an assignee of such lease under an approved assignment.

(n) "Licensee' means any individual, association of individuals, or municipality to whom a coal license is issued, subject to the regulations in this Part.

(o) "Logical mining unit" means an area of coal land that can be developed and mined in an efficient, economical, and orderly manner, with due regard to conservation of coal reserves and other resources. A unit may consist of one or more Federal leaseholds and may include intervening or adjacent non-Federal lands, insofar as all lands are under the effective control of a single operator.

(p) "Maximum extent practicable" means, with respect to a performance standard or a level of control, that degree of compliance which can be achieved with commercially available technology, taking into account the costs of such compliance and all tangible and intangible environmental and other benefits which would be derived therefrom.

(q) "Method of Operation" means the method and manner by which any activities are performed by the operator, as described in a preliminary plan or an exploration or mining plan.

(r) "Mine" means an underground or surface excavation and the surface or underground support facilities that contribute directly or indirectly to coal mining, preparation, and handling.

(s) "Mining plan" means a detailed plan submitted to the Mining Supervisor for approval before mining operations commence showing the location, method and extent of mining and all related activities necessary and incident to such operations, including the steps to be taken to protect the environment during operations, reclamation, and abandonment.

(t) "Mining Supervisor" means the Area Mining Supervisor, Conservation Division, Geological Survey, or District Mining Supervisor or other subordinate acting under his direction.

(u) "Operator" means a lessee, permittee, or licensee, or one conducting operations on lands under the authority of the lessee, permittee, or licensee.

(v) "Permanent impoundment" means an artificially built, dammed, or excavated place for retention of water or sediment that is intended to remain after abandonment of the operation.

(w) "Permit lands" means lands embraced within a coal prospecting permit and subject to the regulations in this Part.

(x) "Permittee" means any person or persons, partnership, association, corporation, or municipality to whom a coal prospecting permit subject to the regulations in this Part is issued, or an assignee of such permit under an approved assignment.

(y) "Preparation" means the crushing, sizing, cleaning, drying, mixing, and other processing of coal to prepare it for market.

(z) "Reclamation" means the process of returning affected lands to a stable condition and form consistent with their premining productivity and use.

(aa) "Secretary" means the Secretary of the Interior.

(bb) "Significant valley floor vegetation" means farm crops, including hay, that are integral parts of agricultural or ranching operations and forests or meadows with significant recreational, watershed, or wildlife habitat value.

(cc) "Topsoil" means natural earth materials at or adjacent to the land surface with physical and chemical characteristics necessary to support vegetation.

(dd) "Valley floors" means the channelways, floodplains, and adjacent low terraces of perennial, intermittent, or ephemeral streams that are flooded during periods of high flow and that are underlain by unconsolidated stream-laid deposits. Excluded are higher terraces and slopes underlain by colluvial and other surficial deposits normally occurring along valley margins.

§ 211.3 Responsibilities.

(a) Subject to the supervisory authority of the Secretary, the regulations in this Part shall be administered by the Director, through the Division Chief, the Conservation Manager, and the Mining Supervisor.

(b) The Mining Supervisor is empowered to approve, disapprove, or require modification of exploration and mining plans pursuant to this Part.

(c) The Mining Supervisor is empowered to oversee prospecting, exploration, testing, development, mining, preparation, handling, reclamation, and abandonment operations under the regulations in this Part. The Mining Supervisor, in the performance of his duties shall:

(1) *Inspection of operations.* Examine, as frequently as necessary but at least quarterly, the lease, permit, or license lands where operations for the discovery, testing, development, mining, preparation, and handling of coal and reclamation of affected lands are conducted, or are to be conducted; inspect such operations, for the purpose of determining whether waste or degradation of mineral substances or damage to formations and deposits or non-mineral resources affected by the operations is being minimized, and whether all provisions of applicable laws, regulations and orders, all terms and conditions of leases, permits, or licenses, and all requirements of approved exploration or mining plans are being complied with.

(2) *Compliance.* Require operators to conduct operations subject to this Part in compliance with all provisions of applicable laws, regulations, and orders, all terms and conditions of leases, permits, or licenses, and all requirements of approved exploration or mining plans.

(3) *Reports and recommendations.* Make reports to the Division Chief, through the Conservation Manager, as to the general conditions of lands under permit, lease, or license, and the manner in which operations are being conducted and orders or instructions are being complied with; and submit information and recommendations for protecting the coal, the coal-bearing formations, other mineral resources, and the non-mineral resources.

(4) *Manner and form of records, reports, and notices.* Prescribe, subject to the approval of the Division Chief, the manner and form in which records of operations, reports, and notices shall be made.

(5) *Records of production; rentals and royalties.* Obtain and check coal production and sales records; determine rental and royalty liability of lessees and permittees; collect and deposit rental and royalty payments; maintain rental and royalty accounts.

(6) *Waiver, suspension, or reduction of rental or minimum royalty.* Act on applications for waiver, suspension, or reduction of rental or minimum royalty filed pursuant to 43 CFR 3503.3–2(d); and transmit to the Bureau of Indian Affairs for appropriate action, applications for waiver, suspension, or reduction of rental or minimum royalty under leases on Indian lands.

(7) *Suspension of operations and production.* Act on applications for suspension of operations or production, or both, filed pursuant to 43 CFR 3503.3–2(e), and terminate, when appropriate, suspensions which have been granted; and transmit to the Bureau of Indian Affairs for appropriate action, applications for suspension of operations or production, or both, under leases on Indian lands.

(8) *Cessation and abandonment of operations.* Upon receipt of notice of proposed cessation or abandonment of operations, or relinquishment of a lease, permit, or license, inspect and determine whether the operator has complied with the terms and conditions of the permit, lease, or license, and the approved exploration or mining plans; whether all rentals and royalties due the lessor have been paid; and determine and report to the Federal agency having administrative jurisdiction over the lands when the lands have been properly conditioned for abandonment. Before approving any such proposed action, the Mining Supervisor will consult with, or obtain the concurrence of, the authorized officer of the Federal agency having administrative jurisdiction over the lands with respect to compliance by the operator with the surface protection and reclamation requirements of the lease, permit, or license, and the exploration or mining plan.

(9) *Wells or prospect holes.* Prescribe or approve the methods for protecting coal-bearing formations from damage or contamination that might be incurred as a result of any wells or prospect holes drilled to, or through, the coal-bearing formations, for any purpose, on lands embraced within a coal lease, permit, or license.

(10) *Trespass.* Report to the Federal agency having administrative jurisdiction over the lands any trespass that involves exploration activities or removal of coal.

(11) *Water and air quality.* Inspect operations to determine compliance with water management and pollution control measures for the protection and control of the quality of surface and ground water resources and compliance with emission control measures for the protection and control of air quality, as required by the approved plans.

(12) *Implementation of regulations.* Issue General Coal Mining Orders and other orders and instructions, and grant consents and approvals, when necessary, to implement or assure compliance with the regulations in this Part. Oral orders, instructions, approvals, and consents shall be confirmed in writing.

(13) *Reclamation bonds.* Determine whether the amounts of bonds or other equally appropriate financial arrangements are at all times adequate to satisfy the estimated costs of completion of remaining reclamation requirements of the approved exploration or mining plan.

(14) *Consultation.* Consult with the authorized officer of the Federal surface managing agency before taking any final action to approve an exploration or mining plan or modification thereof and to determine the amount of a bond for reclamation purposes.

§ 211.4 General obligations of lessees, permittees, and licensees (including designated operators or agents).

(a) Operations involving the discovery, testing, development, mining, preparation, and handling of coal, and reclamation and abandonment of lands shall conform to the provisions of applicable laws and regulations, including applicable effluent and emission limitations; the terms and conditions of the lease, permit, or license; the requirements of an approved exploration or mining plan; and the orders and instructions issued by the Mining Supervisor.

(b) The operator shall take all actions necessary to minimize waste and damage to coal-bearing formations or other mineral resources.

(c) The operator shall take such action as may be needed to minimize, control, and to the maximum extent practicable, avoid (1) soil erosion; (2) pollution of air; (3) pollution of surface or ground water; (4) serious diminution of the normal flow of water; (5) permanent damage to vegetative growth, crops, or timber; (6) injury or destruction of fish and wildlife and their habitat; (7) creation of unsafe or hazardous conditions; (8) damage to improvements, whether owned by the United States, its permittees, licensees, or lessees, or by others; and (9) damage to recreational, scenic, historical, and archaeological values of the land. The surface of leased or permit lands shall be reclaimed as contemporaneously as practicable with the mining operations and in accordance with the terms and conditions prescribed in the lease, permit, or license and the provisions of the approved mining or exploration plan. Good housekeeping practices shall be observed at all times. Where any question arises as to the necessity for, or the adequacy of, an action to meet the requirements of this paragraph, the determination of the Mining Supervisor shall be final, subject to the right of appeal as provided in Part 290 of this Chapter.

(d) The operator shall, when and as required by the Mining Supervisor, monitor water quality to establish data necessary to determine procedures which may be required to minimize, control, or avoid water pollution pursuant to the regulations in this Part.

(e) Accidents threatening damage to the mine, the lands or other resources, or accidents which could cause air or water pollution, along with corrective actions initiated, shall be reported promptly to the Mining Supervisor by telephone. Within 30 days after an accident the operator shall submit to the Mining Supervisor a detailed report of damages caused by the accident and the corrective actions taken.

(f) In areas where surface mining is anticipated, the operator shall drill an adequate number of holes in the overburden overlying the coal, and the stratum immediately below the coal to be mined. The operator shall sample and log each stratum penetrated and analyze each stratum for at least the following: nitrogen, phosphorus, potassium, and pH, and conduct any other tests which the Mining Supervisor may specify. The analyses will be used to determine which materials must be buried during the stripping operations and to determine suitable material that will be placed near the surface for favorable propagation of vegetation. The number of holes and analyses will be specified by the Mining Supervisor.

(g) The operator shall submit the reports required by 25 CFR Part 177, Part 200 of this Chapter, this Part, and any other reports required by the Mining Supervisor.

§ 211.5 Public inspection of records.

(a) Geological and geophysical information and data, including maps, concerning wells and trade secrets, and commercial or financial information obtained from a person under this Part and identified as privileged or confidential shall not be available for public inspection without the consent of the permittee or lessee, so long as the permittee or lessee furnishing such data, or his successors or assignees, continues to hold a permit or lease of the lands involved.

(b) Mining plans submitted under § 211.10 of this Part will be made available for public inspection in the office of the appropriate Mining Supervisor. For new mine plans, for major modifications in existing surface mine plans, or for surface related changes in existing underground plans submitted for approval, interested parties will have a 30-day period after publication of notice to inspect such plans in the office of the District or Area Mining Supervisor and to comment thereon before any action with respect to such approval shall be taken by the Mining Supervisor. A notice of the availability of the plan shall be prepared by the Mining Supervisor, posted at the appropriate office on the day the plan is received, and mailed to the surface owner of record, if other than the United States, and to the appropriate county clerk for posting or publication. A copy of such notice shall be published by the operator in a local newspaper of general circulation in the locality of the proposed operation at least once a week for four consecutive weeks.

MAPS AND PLANS

§ 211.10 Exploration and mining plans.

(a) *General.* Before conducting any operation other than casual use, the operator shall submit to the Mining Supervisor, and obtain his approval of, an exploration or mining plan. Casual use, as used in this section, means activities which do not cause significant surface disturbance or damage to lands, resources and improvements, such as activities which do not include heavy equipment, explosives, or vehicular movement off established roads and trails which causes such disturbance. All such plans shall be submitted in quintuplicate, and shall show in detail the proposed prospecting, exploration, testing, development, mining, preparation, reclamation, and abandonment operations to be conducted. Exploration and mining plans shall be consistent with and responsive to the requirements of the lease, permit, or license for maximizing recovery of the resources, for the protection of non-mineral resources, and for the reclamation of the surface of

the lands affected by the operations. The exploration and mining plans shall show that reclamation is an integral part of the plan and will progress as contemporaneously as practicable with the operations, and shall provide sufficient information to substantiate the effectiveness of the proposed reclamation method. Except as provided in paragraph (e) of this section as to partial plans, where a logical mining unit has been approved by the Mining Supervisor, the mining plan shall cover all operations in the unit. The Mining Supervisor, after considering all comments received pursuant to § 211.5(b), shall, in writing, promptly approve or disapprove the plan or indicate what modifications are necessary to conform to the provisions of the applicable laws and regulations and the terms and conditions of the permit or lease.

(b) *Exploration plans.* The Mining Supervisor shall require that an exploration plan include all of the following:

(1) A brief description of geologic, water, vegetation, fish, wildlife, and other physical factors that may be affected by the proposed operation within the area where exploration is to be conducted.

(2) A description of the present land use within and adjacent to the area.

(3) A narrative description including:

(i) Method of exploration and types of equipment to be used.

(ii) Measures to be taken to prevent or control fire, soil erosion, pollution of surface and ground water, pollution of air, damage to fish and wildlife or their habitat and other natural resources, and hazards to public health and safety.

(iii) Method for plugging drill holes.

(iv) Measures to be taken for surface reclamation which shall take into account the impact of the proposed operation on adjacent land uses and shall include, as appropriate:

(A) A reclamation schedule.

(B) Method of grading, backfilling, and contouring.

(C) Method of soil preparation and fertilizer application.

(D) Type and mixture of shrubs, trees, grasses, or legumes to be planted.

(E) Method of planting, including quantity and spacing.

(4) Estimated timetable for each phase of the work and for final completion of the program.

(5) Suitable maps or aerial photographs showing existing topographic, cultural, and drainage features, the proposed location of drill holes, trenches, access roads, and other items, as required by the Mining Supervisor.

(c) *Mining plans.* The Mining Supervisor shall require that a mining plan include all of the following:

(1) A description of the environment within the area where mining is to be conducted. Such description shall include, as a minimum, geologic conditions, including potential geologic hazards; types, depths, and distribution of soils; types, density, and distribution of vegetation; a monthly range of temperature, precipitation and average direction and velocity of prevailing winds; and the dominant fish and wildlife species.

(2) The conditions of the land covered by the mining plan prior to any mining, including:

(i) The uses existing at the time the mining plan is submitted for approval.

(ii) The capability of the land prior to any mining to support alternative uses, giving consideration to soil characteristics, topography, annual precipitation, and vegetative cover.

(3) The use which is proposed to be made of the land following reclamation, including any consideration which has been given to making the surface mining and reclamation operations consistent with applicable State and local land use plans and programs.

(4) A description of how the proposed postmining land use is to be achieved, including any necessary support activities and facilities.

(5) A narrative description, including:

(i) Nature and extent of the coal deposit, including estimated recoverable reserves.

(ii) Method of mining, including mining sequence and proposed production rate.

(iii) The engineering techniques proposed to be used in mining and reclamation and a description of the major equipment; the plan for the control of water drainage and accumulation; the plan, where appropriate, for backfilling, soil stabilization, and compacting, grading, and revegetation; and an estimate of the cost per acre of the reclamation, including a statement as to how the operator plans to comply with the requirements set out in Section 211.40(a) of this Part and any special terms and conditions of the lease, permit or license.

(iv) The anticipated starting and termination dates of each phase of the mining operation and number of acres of land to be affected.

(v) The steps to be taken to comply with applicable air and water quality laws and regulations.

(vi) Proposed measures for insuring the maximum practicable recovery of the mineral resource.

(vii) An estimated timetable for the accomplishment of each major step of reclamation.

(viii) The method of abandoning mine openings.

(ix) The logs and analyses of overburden samples and the method of depositing the spoils based on these samples.

(x) The hydrology of the area, including quantity and quality of water in surface and ground water systems, water levels and water table measurements, data regarding dissolved and suspended solids under seasonal flow conditions, and an assessment of the probable impacts of the anticipated mining operation upon the hydrology of the area.

(6) Suitable maps or aerial photographs showing:

(i) Topographic, cultural, archaeological, and natural drainage features, roads, and vehicular trails.

(ii) The name of the watershed and location of the surface stream or tributary into which mine waters will be discharged, if applicable.

(iii) Cross sections and plan views of the land to be affected, including the actual area to be mined, showing elevation and location of drill holes and depicting the following information: the nature and depth of the various strata of overburden; the information on subsurface water, if encountered, and its quality; the nature and thickness of any coal or rider seam above the coal seam to be mined; the nature of the stratum immediately beneath the coal seam to be mined; all mineral crop lines and the strike and dip of the coal to be mined within the area of land to be affected; existing surface mining limits, if any; the location and extent of known workings of any underground mines, including mine openings; the location of aquifers; the estimated elevation of the water table; the location of spoil, waste, or refuse areas and topsoil preservation area; the location of all impoundments or other water treatment facilities; constructed or natural drainways and the location of any discharges to any surface body of water on the area of land to be affected or adjacent thereto; and cross sections of the anticipated final surface configuration that will be achieved pursuant to the operator's proposed reclamation activities.

(iv) Locations of surface structures and facilities.

(v) For an underground mine, the planned mine layout, including location and dimensions of shafts, slopes, drifts, crosscuts, rooms, haulageways, aircourses, entries, and barrier pillars.

(d) *Changes in plans.* Exploration and mining plans may be required to be reasonably revised or supplemented at any time by the Mining Supervisor, after consultation with the authorized officer of the Federal surface managing agency, to adjust to changed conditions or to correct oversights. If the operator seeks to change an approved plan, he shall submit a written statement of the proposed revision and the justification therefore to the Mining Supervisor. If any such revision or supplement would constitute a major modification of an approved mining plan, the Mining Supervisor shall follow the procedures provided in § 211.5 (b) of this Part. The Mining Supervisor, after considering any comments received, shall, in writing, approve any such revision or specify the modifications thereto under which the proposed revision would be acceptable.

(e) *Partial plan.* If the circumstances warrant, or if development of an exploration or mining plan for the entire operation is dependent upon unknown factors which cannot, or will not, be determined except during the progress of the operations, a partial plan may be approved and supplemented from time to time. A partial plan shall include all information required by paragraph (c) of this section to the extent that such information is available.

§ 211.11 Approaching oil, gas, or water wells.

When mining operations approach wells or bore holes that may liberate oil,

gas, water, or other fluid substances, the lessee shall present his plans for mining the coal, protecting the wells or bore holes, and for obtaining maximum recovery, so far as practicable, in the vicinity of such holes, and must obtain the approval of the Mining Supervisor before proceeding with mining.

§ 211.12 Mine maps.

(a) *General requirements.* The operator shall maintain an accurate and up-to-date map of the mine, drawn to a scale acceptable to the Mining Supervisor. All maps shall be appropriately marked with reference to government landmarks or lines and elevations with reference to sea level. Before any mine, or section of a mine, is abandoned, closed, or made inaccessible, a survey of such mine or section shall be made and recorded on the maps. All excavations in each separate bed shall be shown in such a manner that the production of coal for any royalty period can be accurately ascertained. Additionally, the map shall show the name of the mine; the name of the lessee; the lease, permit, or license serial number, or Bureau of Indian Affairs lease or permit contract number, tribal name of tribal land, allotment number, if allotted land, and name of the Indian reservation; the lease boundary lines; surface buildings; dip of the bed; true north; map scale and explanatory legend; and such other information as the Mining Supervisor shall request. Copies of such maps shall be properly posted to date and furnished, in duplicate, to the Mining Supervisor annually, or at such other times as he deems necessary.

(b) *Underground mine maps.* Underground mine maps shall, in addition to the general requirements of paragraph (a) of this section, show all mine workings; the date of extension of the mine workings and a coal section at each entry face; the location of all surface mine fans; the position of all fire walls, dams, main pumps, fire pipelines, permanent ventilation stoppings, doors, overcasts, undercasts, permanent seals, and regulators; the direction of the ventilating current in the various parts of the mine at the time of making the latest surveys; sealed areas, known bodies of standing water, either in or above the workings of the mine; areas affected by squeezes; the elevations of surface and underground levels of all shafts, slopes or drifts; and the elevation of the floor, or bottom of the mine workings, at regular intervals in main entries, panels or sections, and sump areas.

(c) *Surface mine maps.* Surface mine maps shall, in addition to the general requirements of paragraph (a) of this section, include date of extension of the mine workings and a coal section at not less than 100-foot intervals along the highwall; all worked out areas; the uncovered, but unmined, coal beds; and the elevation of the top of the coal beds.

(d) *Vertical projections and cross sections of mine workings.* When required by the Mining Supervisor, vertical projections and cross sections shall accompany plan views.

(e) *Other maps.* The operator shall prepare such other maps of the leased lands as, in the judgment of the Mining Supervisor, are necessary to show the surface boundaries; location, surface elevation, depth and thickness of the coal, and total depth of each bore hole; improvements; reclamation completed; topography, including subsidence resulting from mining; and the geological and hydrologic conditions as determined from outcrops, drill holes, exploration or mining; and water monitoring stations.

(f) *Accuracy of maps.* The accuracy of maps furnished shall be certified by a professional engineer, professional land surveyor, or other professionally qualified person.

§ 211.13 Failure of lessee to furnish maps.

(a) *Liability of lessee for expense of survey.* If the operator fails to furnish a required map, the Mining Supervisor shall employ a qualified mine surveyor to make a survey and a map of the mine, the cost of which shall be charged to, and promptly paid by, the operator.

(b) *Incorrect maps.* If any map submitted by an operator is believed to be incorrect, the Mining Supervisor may cause a survey to be made. If the survey shows the maps submitted by the lessee to be substantially incorrect, in whole or in part, the cost of making the survey and preparing the maps shall be charged to, and promptly paid by, the operator.

PROSPECTING AND EXPLORATION OPERATIONS

§ 211.20 Information required to be submitted.

The operator shall submit promptly to the Mining Supervisor, upon request, upon completion or suspension of prospecting or exploration operations, or as provided in the leases, permits, and licenses, duplicate signed copies of records and geologic interpretations of all prospecting and exploration operations performed on the lease or permit lands, including recoverable reserve calculations, along with vertical cross sections through the land and a map showing the exact location of coal outcrops, all drill holes, trenches and other prospecting activities. The records shall include a log of all strata penetrated and conditions encountered, such as water, quicksand, gas, or any unusual conditions; copies of all other in-hole surveys, such as electric logs, gamma ray-neutron logs, sonic logs, or any other logs produced; and copies of coal analyses and results of other tests conducted on the land. All drill holes, trenches, and excavations will be logged under the supervision of a qualified geologist or engineer. Unless otherwise authorized by the Mining Supervisor, representative samples of all drill cores or cuttings shall be retained by the operator for one year and shall be available for inspection or analysis at the convenience of the Mining Supervisor.

§ 211.21 Core and test holes.

(a) *Surveillance wells.* With the approval of the Mining Supervisor, drill holes may be utilized as surveillance wells for the purpose of monitoring the effect of subsequent operations upon the quantity, quality, or pressure of ground water or mine gases.

(b) *Blowout control devices.* When drilling on lands valuable or potentially valuable for oil and gas or geothermal resources, the operator shall, when required by the Mining Supervisor, set and cement casing in the hole and install suitable blowout prevention equipment.

(c) *Use of wells by others.* Upon receipt of a written request from the surface owner or Federal surface administering agency, the Mining Supervisor may approve the transfer of an exploratory well for further use as a water well. Approval of such well transfer will be accompanied by a corresponding transfer of responsibility for any liability for damage and eventual plugging.

MINING METHODS AND MINE ABANDONMENT

§ 211.30 Maximum recovery—underground mines.

Mining operations shall be conducted in a manner to yield the maximum recovery of the coal deposits consistent with the protection and use of other natural resources, sound economic practice, and the protection of the environment—land, water, and air. No entry, level, or panel workings in which the pillars have not been completely extracted within safe limits shall be permanently abandoned and rendered inaccessible, except with the written approval of the Mining Supervisor.

§ 211.31 Subsidence.

(a) Each operator of an underground coal mine shall adopt measures consistent with feasible known technology in order to prevent or control subsidence, maximize mine stability, and maintain the value and use of surface lands, except in those instances where the mining method used requires planned subsidence in a predictable and controlled manner.

(b) Where pillars or panels are not removed and controlled subsidence is not part of the mining plan, pillars or panels of adequate dimensions shall be left to assure surface stability, giving due consideration to the thickness and strength characteristics of the coal beds and of the strata above and immediately below the coal bed.

(c) The Mining Supervisor may require the operator to install a subsidence monitoring system consisting of elevation stations and tiltmeters in a number sufficient to determine the extent of area that may be affected. All records of such surveys shall be accessible for review by the Mining Supervisor.

§ 211.32 Multiple seam mining; underground mining.

(a) *Sequence of mining.* In general, the available coal in the upper beds shall be worked out before the coal in the lower beds is mined, and simultaneous workings in an upper coal bed shall be kept in advance of the workings in each lower bed. The Mining Supervisor may authorize mining of any lower beds be-

fore mining the available coal in each known upper bed.

(b) *Protective barrier pillars in multiple seam mining.* In areas subject to multiple seam extraction, the protective barrier pillars for all main and secondary slope entries, main haulageways, primary aircourses, bleeder entries, and manways in each seam shall be superimposed, regardless of vertical separation or rock competency; however, modifications, exceptions, or variations of this requirement may be approved in advance by the Mining Supervisor.

§ 211.33 Advance workings; underground mines.

Where the room and pillar or other system of mining requires advance workings in solid coal, including entries, rooms or crosscuts, the lessee shall leave sufficient pillars to ensure the maximum practicable recovery of the coal deposits.

§ 211.35 Pillars left for support.

(a) *Barrier pillars.* The operator shall not, without the prior consent of the Mining Supervisor, mine any coal, drive any underground workings, or drill any lateral bore holes within 50 feet of any of the outside boundary lines of the leased lands, or within such greater distance of said boundary lines as the Mining Supervisor may prescribe. Payment up to and including the full value of the coal mined may be required for coal mined within such designated distances of the boundary without the written consent of the Mining Supervisor.

(b) *Lessee may be required to mine barrier pillars on adjacent lands.* If the coal beyond any barrier pillar has been worked out and the water level beyond the pillar is below the lessee's adjacent operations, the lessee shall, on the written order of the Mining Supervisor, mine out and remove all available Federal coal in such barrier, both in the lands covered by the lease and in the adjoining premises, if it can be mined without hardship to the lessee.

(c) *Privately or tribally owned coal on adjoining premises.* If the coal mining rights in adjoining premises are privately or tribally owned and this coal has been worked out, an agreement may be made with the coal owner for the extraction of the coal remaining in the boundary pillars which otherwise may be lost.

§ 211.36 Development of leased tract through adjoining mines.

An operator may, with the approval of the Mining Supervisor, mine leased land from an adjoining underground mine on land privately owned or controlled or from adjacent leased lands, subject to the right of free access to the Federal premises by the Mining Supervisor.

RECLAMATION AND PERFORMANCE STANDARDS

§ 211.40 Operating and reclamation standards.

(a) *Performance standards.* The following performance standards shall be applicable to all coal exploration, development, mining, drilling, preparation, processing, and reclamation operations on the surface of the land subject to these regulations

(1) The operator shall conduct surface coal mining operations so as to maximize the extraction of the coal resource so that future disturbance through the resumption of mining will be minimized.

(2) The operator shall reclaim the land affected pursuant to his approved plan, as contemporaneously as practicable with operations, to a condition at least fully capable of supporting all practicable uses which it was capable of supporting prior to any exploration or mining, or equal or better uses that can reasonably be attained.

(3) The operator shall replace overburden and waste materials in the mined area by backfilling (compacting, where advisable, to insure stability or to prevent leaching of toxic materials), grading, or other means so as, to the maximum extent practicable, to eliminate highwalls and spoil piles and to restore the original contour. Where the thickness of the coal deposits relative to the volume of overburden is large or where the overburden and other spoil and waste materials are either insufficient or more than sufficient to restore the approximate original contour, the operator shall backfill, grade, and compact, using all available overburden or spoil material, to obtain the lowest practicable grade, but not more than the angle of repose, in order to provide adequate drainage and to cover all acid-forming or other toxic materials. Excess overburden or other spoil material, after restoring the approximate original contour, shall be graded, compacted (where advisable), stabilized, and shaped in a way to protect against slides, subsidence, erosion, and water pollution, in accordance with the requirements of this Part. Restoration to approximate original contour may not be required if the Director of the Geological Survey, with the concurrence of the Director of the Bureau of Land Management or the appropriate officer of the Federal surface management agency, determines: (i) That an equal or better proposed postmining land use is practicable and attainable and that a modification of this requirement is the best method of achieving that postmining use, or (ii) that unusual conditions, such as steeply dipping coal beds or multiple seam mining, exist which make backfilling pursuant to this paragraph impractical.

(4) The operator shall stabilize and protect all surface areas, including spoil piles, affected by the coal mining and reclamation operation, to effectively control slides, erosion, subsidence and attendant air and water pollution.

(5) The operator shall remove the topsoil separately, replace it on the backfill area or, if not utilized immediately, segregate it in a separate pile from other spoil. When the topsoil is not replaced on a backfill area within a time short enough to avoid deterioration of the topsoil, the operator shall establish and maintain a cover by quickgrowing plants or other means thereafter so that the topsoil is preserved from wind and water erosion and is in a condition for sustaining vegetation when used during reclamation. If topsoil is of insufficient quantity or of poor quality for sustaining vegetation, and if other strata can be shown to be more suitable for vegetation requirements, then the operator shall remove, segregate, and preserve in a like manner such other strata which are best able to support vegetation.

(b) The operator shall, where permanent impoundments of water on mining sites are to be created, insure that:

(i) The impoundment is adequate for its intended purposes.

(ii) The impoundment will be designed and built in accordance with sound engineering standards and practices and applicable Federal and State laws and regulations.

(iii) The quality of impounded water will be suitable for its intended use and discharges from the impoundment will not unreasonably degrade the water quality in the receiving stream.

(iv) Final grading will provide adequate safety and access for proposed water users.

(v) Such water impoundments will not adversely affect the water resources utilized by adjacent or surrounding landowners for agricultural, industrial, recreational, or domestic uses.

(7) The operator shall cover or plug all auger mine holes with noncombustible material in order to minimize or prevent harmful drainage.

(8) The operator shall minimize disturbances to the prevailing quality and quantity of water in surface and ground water systems, and of the prevailing erosion and deposition conditions at the mine site and in adjacent offsite areas, both during and after coal mining operations and during reclamation by:

(i) Controlling acid or other toxic drainage and the adverse consequences thereof by such measures as, but not limited to, restricting the flow of water through acid or other toxic-producing materials, treating drainage to reduce acid or other toxic content which adversely affects downstream water upon being released to water courses; and casing, sealing, or otherwise treating drill holes, shafts and wells to keep acid or other toxic drainage from entering ground and surface waters.

(ii) Conducting surface mining operations so as, to the maximum extent practicable, to prevent (A) contributions of suspended solids to streamflow or runoff outside the mining site above natural levels under seasonal flow conditions as measured for a period and at sites determined by the Mining Supervisor, in consultation with the authorized officer of the Federal surface managing agency, and (B) deepening or enlargement of stream channels where operations require the discharge of water from mines.

(iii) Removing or modifying siltation structures after disturbed areas are revegetated and stabilized unless otherwise directed by the Mining Supervisor after consultation with the authorized officer of the Federal surface managing agency.

(iv) Protecting, to the maximum extent practicable throughout the mining

and reclamation process, the quality and quantity of both upstream and downstream surface and ground water resources of those valley floors which provide water sources that support significant valley floor vegetation or supply water for other purposes, by such measures as, but not limited to, relocating and maintaining the gradients of streams.

(9) The operator shall, with respect to surface disposal of mine wastes, coal processing wastes, and other wastes in areas other than the mine workings or other excavations, place all waste piles in areas designated in the approved mining plan and stabilize them through construction in compacted layers, including, if necessary, the use of incombustible and impervious materials; shape waste piles to be compatible with the natural surroundings and terrain; cover with topsoil or other suitable material in accordance with paragraph (a)(5) of this section; and revegetate in accordance with paragraph (a)(16) of this section.

(10) The operator shall refrain from surface coal mining within 200 feet of active and abandoned underground mines, except as may be authorized in the approved mining plan.

(11) The operator shall incorporate sound engineering standards and practices for the design, construction, and use of impoundments for the disposal of coal mine wastes, coal processing wastes, or other liquid or solid wastes to insure that structures and impoundments will have necessary stability with an adequate margin of safety. No mine or processing waste shall be used in the construction of water impoundments, water retention facilities, dams, or settling ponds unless authorized in the approved mining plan.

(12) The operator shall:

(i) Treat or dispose of all rubbish and noxious substances in a manner designed to prevent air and water pollution and fire hazards;

(ii) Dispose of all solid waste resulting from the mining and preparation of coal in a manner designed to prevent, to the maximum extent practicable, air and water pollution and spontaneous ignition.

(13) The operator shall use explosives only in accordance with existing Federal and State laws and the conditions specified by the Mining Supervisor, who may require the operator to:

(i) Provide adequate advance written notice by publication and/or posting of the planned blasting schedule to local governments and to residents who might be affected by the use of such explosives, and maintain a log of the magnitudes and times of blasts for a period of at least two years.

(ii) Limit the size, timing, and frequency of blasts, as determined by the physical conditions of the site, to prevent personal injury or damage to public and private property.

(14) The operator shall construct, maintain and, when they are no longer necessary, remove roads, pipelines, powerlines and similar utility access facilities into and across the site of operations in a manner that will control or prevent erosion and siltation, pollution of water, damage to fish or wildlife or their habitat, or public or private property, except that the Mining Supervisor, with the concurrence of the authorized officer of the Federal surface managing agency, may approve the retention, after mining, of specific access roads where consistent with the proposed postmining use of the affected lands.

(15) The operator shall refrain from constructing roads or other access ways in or near stream beds or drainage channels that would seriously alter the normal flow of water therein.

(16) The operator shall, except where other reclamation is expressly provided for in an approved mining plan, establish on the regraded areas and all other affected lands a diverse vegetative cover, native to the area and capable of self-regeneration, at least equal in density and permanence to the natural vegetation. The Mining Supervisor, with the concurrence of the authorized officer of the Federal surface managing agency, may allow the use of introduced species as an interim measure, where desirable, to achieve quick cover.

(17) The operator shall assume responsibility for successful revegetation, as herein provided. The operator's responsibility and liability for revegetation of each planting area shall extend until such time as the authorized officer of the Federal surface managing agency, in consultation with the Mining Supervisor, determines that successful revegetation, in compliance with paragraph (a)(16) of this section, has occurred; provided that, this period shall extend for a minimum of five full years after the first year of planting, and for a total period of liability not to exceed 10 years from the original planting; and further provided that, where the authorized officer of the Federal surface managing agency determines that natural conditions, such as annual precipitation, soil characteristics and native vegetation, are stable and favor rapid revegetation, and that revegetation pursuant to paragraph (a)(16) of this section is likely to occur before the expiration of such minimum period, he may specify in the lease, permit, or license that such minimum period will not apply with respect to some or all of the lands included in such lease, permit, or license.

(18) The operator shall allow access to and upon the affected Federal lands subject to lease, permit, or license for all lawful and proper purposes, except where such access would unduly interfere with the authorized use or would constitute a hazard to public health and safety.

(19) The operator shall, in all areas of active operations, including lands undergoing reclamation, regulate public access, vehicular traffic, and wildlife or livestock grazing to protect the public, wildlife, and livestock from hazards associated with the coal mining and exploration operations and to protect the revegetated areas from unplanned and uncontrolled grazing. For this purpose, the operator shall provide warning signs, fencing, flagmen, barricades, and other safety and protective measures as appropriate.

(b) *Fire prevention.* Accumulations of slack coal or combustible waste shall be stored in a loction and manner so as not to be a fire hazard. If a coal seam exposed by surface mining or an accumulation of slack coal or combustible waste becomes ignited during the term of a lease, the operator will immediately extinguish the fire.

(c) *Coal face to be covered in strip pits.* Upon completion or indefinite suspension of mining operations in all or any part of a strip pit, the face of the coal shall be covered with non-combustible material that will effectively protect the coal bed from becoming ignited.

(d) *Underground workings from any strip pit.* The driving of any underground openings by auger or other methods from any strip pit shall not be undertaken without prior written approval of the Mining Supervisor.

§ 211.41 Abandonment; surface openings.

(a) *Prospecting and development.* Drill holes, trenches, and other excavations for development or prospecting shall be abandoned in a manner to protect the surface and not to endanger any present or future underground operations or any deposit of oil, gas, other mineral resources, or ground water. Methods of abandonment shall be approved in advance by the Mining Supervisor and may include backfilling, cementing, capped casing, or combinations of these, or other methods.

(b) *Temporary abandonment.* In areas in which there are no current operations, the operator shall substantially backfill, fence, protect, or otherwise effectively close all surface openings, auger holes, subsidence holes, surface excavations or workings which are a hazard to people or animals. Openings at all underground mines which are temporarily closed shall be adequately fenced or equipped with a substantial incombustible gate or door which shall remain locked when not in use. Conspicuous signs shall be posted prohibiting entrance of unauthorized persons. All such protective measures shall be maintained in a secure condition during the term of the lease, permit, or license.

(c) *Mining—permanent abandonment.* Before permanent abandonment of operations, all openings and excavations, including water discharge points, shall be closed or backfilled, or otherwise permanently dealt with in accordance with sound engineering practices and according to the approved mining plan.

(d) *Reclamation and clean-up.* Reclamation and clean-up of surface areas around and near permanently abandoned underground and strip mines, including, except where otherwise expressly provided in the approved mining plan, removal of equipment and structures related to the mining operation, shall commence without delay following cessation of mining operations.

§ 211.42 Disposal of mine waste or rejects.

(a) All waste or rejects containing practically no coal shall be deposited separately and apart from sized coal for which no immediate market exists. Waste piles shall be shaped to blend into the surrounding area, covered with topsoil or other suitable material in accordance with § 211.40(a)(5) and revegetated in accordance with § 211.40(a)(16).

(b) Waste containing coal in such quantity that it may be later separated from the waste by washing or other means shall also be stored separately.

MISCELLANEOUS PROVISIONS

§ 211.60 Production records, royalty, and audits; maintenance of and access to records.

(a) Lessee shall maintain current and accurate records showing: (1) The type, quality or grade, and weight of all coal mined, sold, used on the premises, or otherwise disposed of, and all coal in storage (remaining in inventory); (2) the prices received for all coal sold and to whom sold, by type and by quality or grade.

(b) All records maintained in accordance with paragraph (a) of this section, and all other records which are pertinent to or related to lessee's operation, shall be available for examination, upon request, by the Mining Supervisor or other authorized officer of the Secretary of the Interior.

(c) Licensees must maintain a correct record of all coal mined and removed.

§ 211.61 Basis for royalty computation.

(a) *Value Basis.* The value of production for the purpose of computing royalty shall be the product of (1) the sale or contract price of the coal prepared for shipment f.o.b. the mine and (2) the weight of coal delivered at the usual and customary place of shipment. However, if there is no sale or contract price, as in the case of coal used or stored by the operator, or if the Mining Supervisor determines that the sale or contract price has not been arrived at in an arms-length transaction, the Mining Supervisor shall determine the estimated reasonable value of the product, giving due consideration to the price of coal being sold in any current arms-length transactions in the same area, and such other relevant factors as may be appropriate to establish the comparability of such transactions.

(b) *Bone or other impurities.* All bone coal, rock, and other impurities may be removed from the raw coal prior to determination of coal weights for royalty purposes.

(c) *Discretion of Mining Supervisor.* (1) The right is reserved to the Mining Supervisor to determine and declare the value, either before or after receipt of royalty payments, if it is deemed necessary by him to do so for protection of the interests of the lessor.

(2) If royalties become due and payable prior to removal of bone coal, rock, and other impurities of final weighing of coal, the Mining Supervisor may determine, by estimate, the weight of the coal for royalty purposes. In addition, the Mining Supervisor may, after the removal of bone coal, rock, and other impurities and final weighing of the coal, require the payment of such additional royalties, or allow such credits or refunds as may be necessary, to adjust the royalty payments to reflect the true weight of the coal.

§ 211.62 Reports.

(a) *Operations.* An operator under a coal lease, permit, or license shall file with the Mining Supervisor, within 30 days after the end of each calendar year or within 30 days after the cessation of operations, a report, in duplicate, containing the following:

(1) Serial number of the lease, permit, or license and a description of the lands affected by operations.

(2) The number of acres disturbed and the number of acres reclaimed, including revegetation.

(3) A description of the reclamation work remaining to be done.

(b) *Grading and backfilling; bond.* Upon completion of backfilling and grading required by the operating plan, the operator shall submit a report thereon, in duplicate, to the Mining Supervisor and request inspection for approval. Whenever it is determined by such inspection that the backfilling and grading, which may proceed in appropriate stages, has met the requirements of the operating plan, the Mining Supervisor shall recommend to the authorized officer of the Bureau of Land Management and/or other Federal surface managing agency release of an appropriate amount of the compliance bond for the area satisfactorily backfilled and graded.

(c) *Revegetation.* (1) The operator shall file a report, in duplicate, with the Mining Supervisor within 30 days after each planting is completed. The report shall:

(i) Identify the lease, permit, or license.

(ii) Show the type of planting or seeding, including mixtures and amounts.

(iii) Show the date of planting or seeding.

(iv) Identify or describe the planted or seeded lands.

(v) Describe fertilization and irrigation procedures, if any, and contain such other information as may be considered relevant.

(2) The Mining Supervisor and the authorized officer of the Federal surface managing agency shall, as soon as possible after each full growing season, inspect and evaluate the revegetated areas to determine whether satisfactory vegetative growth has been established, or whether additional revegetation efforts may be required.

(d) *Cessation or abandonment of operations.* (1) Not less than 30 days prior to cessation or abandonment of operations, the operator shall submit to the Mining Supervisor, in duplicate, a report of his intention to cease or abandon operations, together with a statement of the exact number of acres affected by his operations, the extent and kind of reclamation accomplished, and a statement as to the structures and other facilities that are to be removed from or remain on the leased, permitted, or licensed lands.

(2) Upon receipt of such report, the Mining Supervisor and the authorized officer of the Federal surface managing agency shall make a joint inspection to determine whether operations have been completed in accordance with the approved operating plan. Where the operator has complied with all requirements of the lease, permit, or license and the regulations of this Part, the Mining Supervisor shall recommend to the authorized officer of the Bureau of Land Management and/or the Federal surface managing agency that the period of bonded liability be terminated.

(3) When the surface of lands in a lease, permit, or license is not owned by the United States, the Mining Supervisor shall consult the surface owner and obtain his recommendation as to whether the operation has been completed in accordance with the approved operating plan before recommending to the appropriate authorized officer that the period of liability of the bond be terminated.

(e) *Production and payments*—(1) *Lessees.* Lessees shall report, on the report form provided, within 30 days after expiration of the period covered by the report, all coal mined during each calendar quarter and the value basis on which royalty has been paid or will be paid. Except as provided by leases and permits issued under the regulations in 25 CFR Parts 171, 172, 173, and 174, the royalty for coal mined shall be paid prior to the end of the third month succeeding the extraction of the coal from the mine.

(2) *Licensees.* Licensees shall report all coal mined on a semi-annual basis on the report form provided.

(3) *Penalty.* If a lessee or permittee records or reports less than the true weight or value of coal mined, the Secretary may impose a penalty equal to double the amount of royalty due on the shortage, or the full value of the shortage. If, after warning, a lessee or permittee maintains false records or files false reports, a suit to cancel the lease may be instituted in addition to the imposition of penalties.

§ 211.63 Audits.

An audit of the lessee's accounts and books may be required annually, or at other such times as may be directed by the Mining Supervisor, by a qualified independent certified public accountant and at the expense of the lessee. The lessee shall furnish, free of cost, duplicate copies of such annual or other audits to the Mining Supervisor within 30 days after the completion of each auditing. Where such audits are required, the Mining Supervisor will specify the purpose and scope of the audit and the information which is to be verified or obtained.

INSPECTION, ISSUANCE OF ORDERS, ENFORCEMENT OF ORDERS AND APPEALS

§ 211.70 Inspection of underground and surface conditions.

The operator shall provide access and means at all reasonable times for the Mining Supervisor to inspect or investigate the operation to determine whether it is in compliance with applicable laws, regulations, and orders; the terms and conditions of the lease, permit, or license; and the requirements of the exploration or mining plan.

§ 211.71 Notices, instructions, and orders.

(a) *Address of responsible party.* Before beginning operations, the operator shall inform the Mining Supervisor, in writing, of the operator's temporary and permanent post office address and the name and post office address of the superintendent, or designated agent, who will be in charge of the operations and who will act as the local representative of the operator. Thereafter, the Mining Supervisor shall be informed of each change of address.

(b) *Receipt of notices, instructions, and orders.* The operator shall be construed to have received all notices, instructions, and orders that are mailed to or posted at the mine or mine office, or mailed or handed to the superintendent, the mine foreman, the mine clerk, or higher officials connected with the mine or exploration site for transmittal to the operator or his local representative.

§ 211.72 Enforcement of orders.

(a) If the Mining Supervisor determines that an operator has failed to comply with the regulations in this Part, other applicable Departmental regulations, the terms and conditions of the lease, permit, or license, the requirements of an approved exploration or mining plan, or with the Mining Supervisor's orders or instructions, and such noncompliance does not threaten immediate, serious, and irreparable damage to the environment, the mine or the deposit being mined, or other valuable mineral deposits or other resources, the Mining Supervisor shall serve a notice of noncompliance upon the operator by delivery in person to him or his agent or by certified or registered mail addressed to the operator at his last known address. Failure of the operator to take action in accordance with the notice of noncompliance or to appeal to the Director pursuant to Part 290 of this Chapter shall be grounds for suspension of operations by the Mining Supervisor or his recommendation for the initiation of action for cancellation of the lease, permit, or license and forfeiture of the required bonds.

(b) The notice shall specify in what respect the operator has failed to comply with the provisions of applicable regulations, the terms and conditions of the lease, permit, or license, the requirements of an approved exploration or mining plan, or the orders and instructions of the Mining Supervisor, and shall specify the action which must be taken to correct the non-compliance and the time limits within which such action must be taken. A written report shall be submitted by the operator when a non-compliance has been corrected.

(c) If, in the judgment of the Mining Supervisor, an operator is conducting activities which fail to comply with the regulations, the terms and conditions of the lease, permit, or license, the requirements of approved exploration or mining plans or the Mining Supervisor's orders or instructions and which threaten immediate, serious, or irreparable damage to the environment, the mine or the deposit being mined, or other valuable ore-bearing mineral deposits or other resources, the Mining Supervisor shall order the immediate cessation of such activities, without prior notice of noncompliance, either in writing or orally with written confirmation. Such order may be appealed as provided in Part 290 of this Chapter. Compliance with such order shall not be suspended by reason of an appeal having been taken unless such suspension is authorized in writing by the Director or the Interior Board of Land Appeals (depending upon the official before whom the appeal is pending), and then only upon a determination that such suspension will not be detrimental to the lessor or adversely affect the public interest, or upon submission of a bond deemed adequate to indemnify the lessor from loss or damage.

§ 211.73 Appeals.

Orders or decisions issued under the regulations in this Part may be appealed as provided in Part 290 of this Chapter.

§ 211.74 Application of State laws, regulations, practices, and procedures as Federal law by Federal officers.

(a) Upon request of the Governor of any State, the Secretary shall promptly review the laws, regulations, administrative practices and procedures in effect, or due to come into effect, with respect to reclamation of lands disturbed by surface mining of coal, subject to the jurisdiction of that State, to determine whether such controls may appropriately be applied as Federal law to operations relating to coal owned by or subject to the jurisdiction of the United States. He shall take into account all relevant constructions and applications of such controls by competent State and local judicial and regulatory authorities, the desirability and practicability of uniformity between Federal and State controls, and the public policy of the State regarding the development of coal resources located therein.

(b) After such review, the Secretary may, by order, direct that all or part of such State laws, regulations, practices, and procedures shall be applied as Federal law by the authorized officers of the Department with respect to coal within that State owned by or subject to the jurisdiction of the United States, if he determines that such application would (1) effectuate the purposes of this Part; (2) result in protection of environmental values which is at least as stringent as would otherwise occur under exclusive application of Federal controls; and (3) would be consistent with the interest of the United States in the timely and orderly development of its coal resources.

(c) Pending issuance of an order under subsection (b) hereof, nothing in this Section shall be deemed or construed to stay or suspend any otherwise applicable Federal law, regulation, practice, or procedure. Any such order under subparagraph (b) shall specifically set forth the controls to be applied by Federal officers and may include specific finds of fact, or interpretations thereof, which shall be binding upon such officers. Any such order shall remain in effect until rescinded or modified by subsequent order of the Secretary, upon his own motion or at the request of a Governor.

PART 216—OPERATING REGULATIONS GOVERNING THE MINING OF COAL IN ALASKA

Part 216 of Chapter II of this Title 30 of the Code of Federal Regulations is revoked.

PART 23—SURFACE EXPLORATION, MINING AND RECLAMATION OF LANDS

§ 23.2 [Amended].

Section 23.2(b) of Part 23 of Title 43 of the Code of Federal Regulations is amended by the deletion of the period and the addition at the end thereof of the following language: "; nor minerals or operations subject to the provisions of 43 CFR Subpart 3041."

Dated: August 29, 1975.

KENT FRIZZELL,
Acting Secretary.

[FR Doc.75-23486 Filed 9-4-75;8:45 am]

Geological Survey

[30 CFR Parts 211, 216]

COAL MINING OPERATING REGULATIONS

Notice of Proposed Rulemaking

CROSS REFERENCE: For a document issued by the Bureau of Land Management and Geological Survey, Department of the Interior, see FR Doc. 75-23486 appearing elsewhere in this issue.

National Park Service

[36 CFR Part 7]

BLUE RIDGE PARKWAY, NORTH CAROLINA-VIRGINIA

Parking and Crossing Permits for Hunters

Notice is hereby given that pursuant to the authority contained in Section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3); the Act of June 30, 1936 (49 Stat. 2041; 16 U.S.C. 460a-2 as amended); 245 DMI (27 F.R. 6395); National Park Service Order No. 66 (36 F.R. 21218), as amended; and Regional Director, Southeast Region Order No. 5 (37 F.R. 7721), it is proposed to amend § 7.34 of Title 36 of the Code of Federal Regulations as is set forth below.

The purpose of the amendment is to conform hunter parking and crossing permits issued by the Superintendent, Blue Ridge Parkway, with the applica-

ble hunting seasons of the States of Virginia and North Carolina.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Superintendent, Blue Ridge Parkway, Post Office Box 7606, Asheville, N.C. 28807 on or before October 7, 1975.

Section 7.34(d) is revised as set forth below:

§ 7.34 Blue Ridge Parkway.

* * * * *

(d) *Parking and crossing permits for hunters.* During the hunting seasons for game birds and game animals prescribed by the States of North Carolina and Virginia, hunters may, under permits issued by the Superintendent, park vehicles in designated parking areas, cross Parkway lands from and to their vehicles with dogs on leash, firearms unloaded with breach or chamber open, bows unstrung, and wildlife lawfully killed on lands adjacent to the Parkway. The loading or unloading of any hunter, dog, or game from any point within the Parkway boundaries other than at previously designated parking areas is prohibited.

GRANVILLE B. LILES,
Superintendent,
Blue Ridge Parkway.

[FR Doc.75-23764 Filed 9-4-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Part 113]

VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

Notice of Extension of Time To Submit Written Data, Views, or Arguments

Notice is hereby given in accordance with the provisions contained in section 553 of Title 5, United States Code, that the time for filing data, views, and arguments with respect to the proposed amendments to the regulations relating to viruses, serums, toxins, and analogous products in 9 CFR Part 113, as published in the FEDERAL REGISTER on June 17, 1975, (40 FR 15754) is extended to October 17, 1975, (37 Stat. 832–833; 21 U.S.C. 151–158).

Because of the newness of the requirements contained in the proposal, unexpected variations in the test results have occurred and additional time has been requested by industry to conduct more of the tests before making their comments.

Interested parties are invited to submit written data, views, or arguments regarding the proposed regulations to Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 828–A, Federal Building, Hyattsville, Maryland 20782. All comments received on or before October 17, 1975, will be considered.

All written submissions made pursuant to this notice will be made available for public inspection at the above address, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27 (b)).

Done at Washington, D.C., this 2nd day of September, 1975.

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

[FR Doc.75-23653 Filed 9-4-75;8:45 am]

[9 CFR Parts 317, 319]

"COUNTRY," "COUNTRY STYLE," OR "DRY CURED" HAMS AND PORK SHOULDERS

Notice of Proposed Rulemaking

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that the Department of Agriculture, pursuant to the authority conferred by sections 7 and 21 of the Federal Meat Inspection Act, as amended (21 U.S.C. 607, 621), proposes to amend the Federal meat inspection regulations (9 CFR, Chapter III, Subchapter A) to establish a standard for products labeled "Country Ham," "Country Style Ham," "County Pork Shoulder," "Country Style Pork Shoulder," "Dry Cured Ham," and "Dry Cured Pork Shoulder."

Statement of Considerations: On July 17, 1971, there appeared in the FEDERAL REGISTER (36 FR 13273) a notice of proposed rule making, pursuant to a request by a group of meat processors in North Carolina, to provide a standard for hams and pork shoulders labeled with the term "Country" or "Country Style."

A total of 145 comments were received. General agreement was indicated on the following points:

1. A standard should be established for hams and pork shoulders labeled as "Country" or "Country Style."

2. "Country" or "Country Style" hams and pork shoulders must be free of live trichinae and capable of being distributed without refrigeration.

3. The products should be dry cured; have a salt content of at least 4 percent throughout, and shrink a minimum of 18 percent from the weight of the raw uncured meat.

4. The term "Country" should be considered as generic when used in the labeling of hams and pork shoulders, referring to product characteristics rather than the geographic location where the product is produced.

A significant number of the comments recommended that the standard be flexible enough to permit processors to prepare products with variable characteristics of flavor and texture or other unique properties that were familiar to and expected by their customers. This included provisions to permit product preparation under natural atmospheric conditions. There was a lack of unanimity, as shown by the numerous recommendations made, on the time period necessary for curing, salt equalization, and drying or "aging."

The majority of comments suggested that allowing an internal temperature in excess of 95° F. during the drying or "aging" period would not be consistent with the processing practices traditionally associated with hams and pork shoulders merchandised as "Country."

Based on the information, views, and arguments submitted on the proposal, as well as other information available to the Department on July 13, 1972, the Department published in the FEDERAL REGISTER (37 FR 13717–18) a second proposal.

Forty seven comments were received in response to the second proposed standard. The response was generally favorable except, again for the time period necessary for curing, salt equalization and aging; and the maximum temperature to which such products should be subjected during drying or aging.

In an effort to establish appropriate requirements, the Department has reviewed the development of these products. The Department's information indicates that years ago it became common practice for people, especially in the rural areas, to prepare meat during the colder months of the winter so that it would not spoil when the warmer months of spring and summer arrived. This preparation, or preserving procedure, involved the application of salt, and in some cases other things such as saltpeter, and the natural removal of moisture. The salt had time to penetrate and equalize in the meat during these colder months. With the warming temperatures of spring and summer the drying process continued and completed the preservation; killed any possible live trichinae; and contributed to the development of flavor, odor, texture, and visual characteristics which became associated with products prepared in this manner.

With the advent of mechanical refrigeration and other technological advances, the preservation of these types of products were no longer dependent on climatic conditions. However, the Department is interested in establishing minimum requirements that will produce a product having properties which will approximate those traditionally associated with country cured products. In so doing, the Department is neither attempting to forestall technological advances, nor trying to contribute to a rapid evolution in the methods used in preparing country cured products.

A review of 230 processing procedures for country cured products revealed that the majority of plants are using procedures which do not raise the product's temperature above 95° F., and require at least 70 days for hams, and 50 days for pork shoulders, for curing, salt equalization and drying (or aging). A shorter

time period can be used for pork shoulders because of the difference in shape and smaller size of the pork shoulders. These procedures, coupled with the usual applications of salt and cure and an 18 percent shrink from fresh weight, seem to produce a product which has characteristics approximating those traditionally expected, and which has gained wide recognition and acceptance as being country cured. Adopting such procedures, however, will not prohibit the production of products under natural climatic conditions and which are held for aging for much longer periods provided such preparation procedures assure a safe and wholesome finished product.

Some hams and pork shoulders are prepared using procedures that are very similar to those proposed herein for country cured products, but differ primarily in drying (aging time). Since such products could not be called "country" or "country style," the Department proposed that they could properly and accurately be called "dry cured hams" or "dry cured pork shoulders," as the case may be.

The proposed standard provides for the use of mixtures of salt and sodium (or potassium) nitrate and/or nitrite, and of salt alone. In curing mixtures containing nitrate or nitrite and salt, the usual application is 4 pounds of salt per 100 pounds of meat.

When salt is used alone, the Department believes the amount used should be based on obtaining a brine concentration of at least 10 percent or a water activity of not more than 0.92. Such a brine concentration can usually be attained by using 7 pounds of salt for each 100 pounds of meat. However, because of the effects of time and temperature during drying, 7 pounds may not be needed in each process. The brine concentration is determined in the finished product by analyzing for salt and moisture, and dividing the salt content by the total salt plus moisture content. Water activity (usually abbreviated as A_w) refers to available water in product which microorganisms depend on for growth, since their nutrients must be in solution. The A_w for fresh meat is 0.99 or above, as compared to an A_w of 1.0 for pure water. The A_w of 0.99 for meat is at or near the optimum for many varieties of microorganisms, although many can grow at a lower A_w. As the A_w decreases the conditions become less favorable for microbial growth.

Therefore, based on the comments, views, data and other information considered, the Department is proposing to amend the federal meat inspection regulations to provide standards of composition for country cured and dry cured products as set forth herein.

1. Subpart D of Part 319 would be amended by adding thereto a new § 319.106 to read:

§ 319.106 "Country ham," "country style ham," "dry cured ham," "country pork shoulder," "country style pork shoulder," and "dry cured pork shoulder."

(a) "Country Ham," "Country Style Ham," or "Dry Cured Ham" and "Country Pork Shoulder," "Country Style Pork Shoulder," or "Dry Cured Pork Shoulder" are the uncooked, cured, dried, smoked or unsmoked meat food products made respectively from a single piece of meat conforming to the definition of "ham," as specified in § 317.8(b) (13) of this subchapter, or from a single piece of meat from a pork shoulder. They are prepared in accordance with paragraph (b) of this section by the dry application of salt (NaCl), or by the dry application of salt (NaCl) and one or more of the optional ingredients as specified in paragraph (c) of this section. They may not be injected with nor placed in curing solutions.

(b) (1) The entire exterior of the ham or pork shoulder shall be coated by the dry application of salt or by the dry application of salt combined with other ingredients as permitted in paragraph (c) of this section. Additional salt or salt mixed with other permitted ingredients, may be reapplied to the product as necessary to insure complete penetration of cure.

(2) When sodium (or potassium) nitrate or nitrite, or both, is used, the application of salt shall be in sufficient quantity to insure that the finished product has an internal salt content of at least 4 percent.

(3) When sodium (or potassium) nitrate or nitrite is not used, the application of salt shall be in sufficient quantity to insure that the finished product has a brine concentration of not less than 10 percent or a water activity of not more than 0.92.

(4) For hams or pork shoulders labeled "country" or "country style," the combined period for curing and salt equalization shall not be less than 45 days for hams, and shall not be less than 25 days for pork shoulders; and the total time for curing, salt equalization, and drying shall not be less than 70 days for hams, and shall not be less than 50 days for pork shoulders. If the product is dried under controlled atmospheric conditions during the drying period, the internal temperature of the product must not exceed 95° F.

(5) For hams or pork shoulders labeled "dry cured," the combined period for curing and salt equalization shall not be less than 45 days for hams, and shall not be less than 25 days for pork shoulders; and the total time for curing, salt equalization, and drying shall not be less than 55 days for hams, and shall not be less than 40 days for pork shoulders.

(6) The weight of the finished hams and pork shoulders covered in this section shall be at least 18 percent less than the fresh weight.

(c) The optional ingredients for products covered in this section are:

(1) Sucrose, dextrose, corn syrup solids, honey, pepper, spices, flavorings and other ingredients as approved by the Administrator in specific cases.

(2) Sodium or potassium nitrate and sodium or potassium nitrite used as prescribed in this section and in accordance with § 318.7(c) (4) of this subchapter.

(d) The product must be treated for the destruction of possible live trichinae in accordance with section 318.10 of the regulations in this subchapter.

(e) The method of preparation must result in product capable of being distributed without refrigeration.

§ 317.8 [Amended]

2. In § 317.8(b), the following provision would be added at the end of the first sentence in subparagraph (2): "And *Provided further*, That the provisions of this subparagraph shall not apply to products prepared in accordance with § 319.106 of this subchapter."

Any person wishing to submit written data, views, or arguments concerning the proposed amendment may do so by filing them, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, or if the material is deemed to be confidential, with the Product Standards Staff, Technical Services, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, by November 4, 1975.

Any person desiring an opportunity for oral presentation of views should address such request to the Staff identified in the preceding paragraph, so that arrangements may be made for such views to be presented prior to the date specified in the preceding paragraph. A record will be made of all views presented orally.

All written submissions and records of oral views made pursuant to this notice will be made available for public inspection in the Office of the Hearing Clerk during regular hours of business, unless the person makes the submission to the Staff identified in the preceding paragraph and requests that it be held confidential. A determination will be made whether a proper showing in support of the request has been made on grounds that its disclosure could adversely affect any person by disclosing information in the nature of trade secrets or commercial or financial information obtained from any person and privileged or confidential. If it is determined that a proper showing has been made in support of the request, the material will be held confidential; otherwise, notice will be given of denial of such request and an opportunity afforded for withdrawal of the submission. Requests for confidential treatment will be held confidential (7 CFR 1.27(c)).

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

Done at Washington, D.C., on: August 28, 1975.

F. J. MULHERN,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc.75-23589 Filed 9-4-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[45 CFR 5b]

PRIVACY ACT

Notice of Proposed Exemptions

Notice is hereby given that the Secretary proposes exemptions as provided

under subsections (j) and (k) of the Privacy Act, Public Law 93–579, 5 U.S.C. 552a. These exemptions are proposed in addition to those exemptions proposed in § 5b.9(b) of the Secretary's proposed regulations, implementing the Privacy Act, published in the FEDERAL REGISTER on August 14, 1975 (40 FR 34129).

The "Maryland Psychiatric Case Register" (hereinafter "Register") is a system of records maintained by the National Institute of Mental Health (hereinafter NIMH) proposed to be exempted, as provided in subsection (k)(4) of the Act, from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) of the Act.

The "Register" was established in 1961 as a part of a collaborative and ongoing effort between NIMH and the Maryland Department of Mental Hygiene for the purpose of research and study in the area of mental health. Included in this effort is a survey, initiated by NIMH, relating to emotionally disturbed or mentally retarded Maryland residents who received services in Maryland or elsewhere from psychiatrists, psychiatric facilities, and vocational rehabilitation and other agencies. NIMH engaged in this joint effort under the authority of section 301 of the Public Health Service Act (42 U.S.C. 241 as amended).

To assure the full cooperation of the Maryland authorities who would be the voluntary sources of information included in the "Register" and in anticipation of the enactment of a new section to Article 35 of the Annotated Code of Maryland, NIMH entered into an agreement under the authority of 42 CFR 1.103(a) with the Maryland Department of Mental Hygiene in July 1962. This agreement provided an assurance to every person or agency furnishing information for "Register" purposes that all individually identifiable information supplied would be held confidential; would be used solely by personnel engaged in and only for the purposes of the research project, and would not be disclosed to persons not participating in that project. The new section (§ 101) to Article 35 of the Annotated Code of Maryland was enacted into law in June 1963. It requires the State Board of Health and Mental Hygiene and its authorized agents to use individually identifiable records within its control only for the purposes of research and study for which assembled or procured. The section also includes criminal penalties should any person give away or otherwise disclose any individually identifiable information to persons not engaged in research and study for the Board.

It is on the basis of Article 35, § 101, Annotated Code of Maryland (1957 Edition and 1962 Supplement as amended) and in light of the agreement between NIMH and the Maryland Department of Mental Hygiene, that the Secretary now proposes a (k)(4) exemption for the "Maryland Psychiatric Case Register."

The "Investigatory Material compiled for Law enforcement Purposes System, HEW," is a system of records proposed to be exempted, as provided in subsection (j)(2) of the Act, from all subsections of the Act except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i). This system is maintained for criminal investigation purposes by the Division of Investigations in the Agency's Office of Investigations and Security. Records maintained in the system pertain to employees, former employees, grantees, subgrantees, contractors, subcontractors, and others doing business with the Department who have or allegedly have violated Federal and/or State criminal laws.

The Division of Investigations performs as its principal function criminal investigations for the purpose of enforcement of criminal laws. Information which it compiles and maintains for this purpose includes reports of informants and investigators associated with an identifiable individual.

The "General Criminal Investigations File HEW SSA," the "Criminal Investigations File HEW SSA," and the "Program Integrity Case Files HEW SSA," maintained by various offices and bureaus in the Social Security Administration, are systems of records proposed to be exempted as provided in (k)(2) of the Act from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (f) of the Act. Information contained in these systems includes investigatory materials on alleged violators of Federal and State criminal laws on Social Security Administration property and on alleged violators of the criminal provisions of the Social Security and Federal Coal Mine Health and Safety Acts.

The (j)(2) and (k)(2) exemptions are proposed for these systems to assure the orderly and unbiased conduct of law enforcement investigations. Investigatory efforts for law enforcement purposes would be severely impaired if the subjects of these investigations were aware that their activities were being observed. If these subjects were given access to the investigatory materials in these systems of records, they may have ample opportunity to attempt to thwart the investigation or escape prosecution.

Also proposed to be exempted from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) of the Act are the "Investigatory Material Compiled for Security and Suitability Purposes System, HEW," maintained by the Division of Security of the Agency's Office of Investigations and Security, and the "Suitability for Employment Records, HEW," a system maintained by the Agency's Personnel Offices. As provided in subsection (k)(5) of the Act these systems are proposed to be exempted from these subsections to the extent that access to its records or portions of its records would reveal a confidential source or to the extent that disclosure of its records or a portion of its records is otherwise prohibited by law. Information contained in these systems includes information pertaining to the suitability, eligibility, or qualifications of Agency applicants, employees, former employees, and others doing business with the Agency.

The (k)(5) exemption is proposed for these systems to assure that efforts to obtain accurate and objective information relating to a person's suitability and eligibility for Agency employment or business will not be frustrated. Many sources of this type of information will be reluctant to provide a full and objective appraisal of a person's suitability or eligibility unless they can be assured that their identity will not be revealed. Additionally much of the information presently contained in these systems of records was obtained under an implied promise that the identity of the source would be held in confidence. No useful public purpose would be served if these past confidences were violated or if the Agency was not in a position to expressly guarantee that the identity of future sources would be treated confidentially if the giving of such appraisals were conditioned upon a promise that the identity of its source would not be revealed.

As provided in subsections (j)(2), (k)(2) and (5) of the Act, the "Clinical Investigator Records, HEW/FDA," the "Regulated Industry Employee Enforcement Records, HEW/FDA," and the "employee, consultant, contractor security and investigative records," systems of records maintained by the Food and Drug Administration, are proposed to be exempted from subsections (c)(3), (d)(1) through (4) and (f), (e)(4)(G) and (H), and (e)(3) of the Act. The Commissioner of Food and Drugs is proposing regulations to implement the Privacy Act as it will affect systems of records maintained by the Food and Drug Administration. Also included in these proposed regulations are those systems of records maintained by the Food and Drug Administration proposed to be exempted in this notice. The proposed Food and Drug Administration regulations should be consulted for a full statement of the rationale and justification for the exemptions.

Interested persons and organizations are invited to submit written comments on these proposed exemptions to the Director, Fair Information Practices Staff, Department of Health, Education, and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201.

All comments received on or before September 17, 1975 will be considered by the Secretary before taking action on the proposed exemptions, and will be available for public inspection in Room 4513, at the above address.

These exemptions are proposed under the authority of subsections (j) and (k) of 5 U.S.C. § 552a and 5 U.S.C. § 301.

In consideration of the foregoing, it is proposed to amend Part 5b of 45 CFR Subtitle A (40 FR 34129) as follows:

PART 5b—PRIVACY ACT REGULATION

1. By adding paragraphs (b)(2)(iv), (3), (4), (5), (6) and (c) as follows:

§ 5b.9 Exemptions.

(b) * * *

(2) * * *

(iv) The "Maryland Psychiatric Case Register," a system of records which includes the "Social Security Earnings Study," the "Washington County (Maryland) Census Project," the "Division of Special Services of the Baltimore City Public School System," and the "Family Services (Agencies) of Prince Georges and Montgomery Counties, Maryland," authorized under section 301 of the Public Health Service Act (42 U.S.C. 241 as amended), and required under Article 35, § 101, Annotated Code of Maryland (1957 Edition and 1962 Supplement as amended) to be maintained and used by the National Institute of Mental Health solely as statistical records.

(3) As provided in subsection (j) (2) of the Act, the "Investigatory Material Compiled for Law Enforcement Purposes System, HEW," a system of records, maintained by the Division of Investigation of the Agency's Office of Investigations and Security is exempt from all subsections of the Act except subsections (b), (c) (1) and (2), (e) (4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i) which govern conditions of disclosing records contained in a system of records and criminal penalties for the willful and knowing disclosure of records which are prohibited from disclosure under 552a; and which require each agency, with respect to each system of records under its control, to: make and keep an accounting for all disclosures except for disclosures made under subsections (b) (1), (2), and (7) of the Act; annually published the existence and character of the systems of records; assure that records are accurate and relevant for agency purposes prior to disseminating any record about an individual; maintain no record describing how an individual exercises First Amendment rights unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity; establish rules of conduct for persons maintaining systems of records and administrative, technical and physical safeguards to insure the security and confidentiality of records; and, publish in the FEDERAL REGISTER notice of new or intended uses of information in a system at least 30 days prior to publication of a routine use for public comment. This system of records is maintained for the purpose of criminal investigation and includes reports of informants and investigators associated with an identifiable individual under the authority of section 535(b) of title 28, United States Code and title 18, United States Code.

(4) As provided in subsection (k) (2) of the Act and except where access is required under that subsection, and paragraph (c) (2) of this section, the following systems of records are exempt from subsections (c) (3), (d), (e) (1), (e) (4) (G), (H) and (I), and (f) of the Act which require each agency, with respect to systems of records, under its control, to: make accountings of disclosures available to individuals named in records at their request; provide access to records; maintain in its records only such information about an individual which is relevant and necessary to accomplish an agency purpose; annually publish access procedures and categories of sources of records in the system, and the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him; and to promulgate rules establishing procedures whereby individuals can be notified of information in systems of records pertaining to the individual, requirements for verification of the identity of individuals requesting access to records, for reviewing requests for amending an individual's record, and procedures for establishing fees.

(i) The "General Criminal Investigation Files HEW SSA," a system of records, maintained by the Office of Management and Administration, SSA containing information on alleged violators of Federal and State criminal laws on Social Security Administration property maintained under the authority of § 535 of title 28, United States Code, to the extent that the records are investigatory materal compiled for law enforcement in anticipation of criminal proceedings.

(ii) The "Criminal Investigations File HEW SSA," a system of records maintained by the Office of Management and Administration, SSA maintained under the authority of §§ 206, 208, 221, 222, 1106, 1107, 1631, 1632, 1633, 1816, 1842, 1872, 1874, 1876, and 1877 of the Social Security Act (42 U.S.C. 406, 408, 421, 422, 1306, 1307, 1383, 1383a, 1395h, 1395u, 1395kk, 1395mm, 1395nn), and §§ 413 and 427 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 923 and 937) containing information on alleged violators of the criminal provisions of the Social Security Act and the Federal Coal Mine Health and Safety Act to the extent that the records are investigatory materials compiled for law enforcement purposes or investigatory materials compiled in anticipation of criminal law enforcement proceedings.

(iii) The "Program Integrity Case Files HEW SSA," a system of records maintained by the Bureau of Retirement and Survivors Insurance, Bureau of Disability Insurance, Bureau of Health Insurance, Health Insurance Regional offices, and the Office of Management and Administration, SSA containing information on alleged violators of the criminal provisions of the Social Security Act and the Federal Coal Mine Health and Safety Act and maintained for the purpose of determining whether investigation by the Office of Management and Administration, SSA is warranted. This system of records is maintained under the authority of §§ 206, 208, 221, 222, 1106, 1107, 1631, 1632, 1633, 1816, 1842, 1872, 1874, 1876, and 1877 of the Social Security Act (42 U.S.C. 406, 408, 421, 422, 1306, 1307, 1383, 1383a, 1395h, 1395u, 1395kk, 1395mm, 1395nn), and §§ 413 and 427 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 923 and 937).

(5) As provided in subsection (k) (5) of the Act and except to the extent that access is required under that subsection and paragraph (c) (2) of this section, the following systems of records are exempt from subsections (c) (3), (d), (e) (1), (e) (4) (G), (H) and (I), and (f) of the Act which require each agency, with respect to each system of records under its control, to: make accountings of disclosures available to individuals named in records at their request; provide access to records; maintain in its records only such information about an individual which is relevant and necessary to accomplish an agency purpose; annually publish access procedures and categories of sources of records in the system, and the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him; and to promulgate rules establishing procedures whereby individuals can be notified of information in systems of records pertaining to the individual, requirements for verification of the identity of individuals requesting access to records, for reviewing requests for amending an individual's records, and procedures for establishing fees.

(i) The "Investigatory Material Compiled for Security and Suitability Purposes System, HEW," a system of records, maintained by the Division of Security of the Agency's Office of Investigations and Security under the authority of § 7302 of title 5, United States Code and Executive Orders 10450 and 11652 containing investigatory material compiled for the purpose of determining the suitability, eligibility, or qualifications of Agency applicants, employees, former employees, and others doing business with the Agency.

(ii) The "Suitability for Employment Records, HEW," a system of records, maintained by the Agency's Personnel Offices under the authority of §§ 3301, 3302, 7301 of title 5, United States Code and Executive Orders 10577 and 11222 containing information pertaining to an agency employee's suitability for employment. This system includes information relating to an employee's character, reputation, and fitness, and includes letters of reference, responses to pre-employment inquiries, National Agency Checks and Inquiries material received from the Civil Service Commission relating to nonsensitive positions, qualifications and character investigations.

(6) As provided in subsections (j) (2), (k) (2), and (5) of the Act, the "Clinical Investigator Records, HEW/FDA," the "Regulated Industry Employee Enforcement Records, HEW/FDA," and the "employee, consultant, and contractor security and investigative records," systems of records maintained by the Food and Drug Administration, are exempt from the following provisions of the Act:

(i) 552a(c) (3) requiring that an individual be provided with the accounting of disclosures of records about himself; and,

(ii) 552a(d) (1) through (4) and (f) requiring procedures for individuals to be given notification of and access to records about themselves, and to be allowed to challenge the accuracy, relevance, timeliness, and completeness of

such records except where access is required under subsection (k) (2) of the Act and to the extent that access is required under subsection (k) (5) of the Act, and paragraph (c) (2) of this section; and,

(iii) 552(e) (4) (G) and (H) regarding the inclusion in the notice for the system of information about agency procedures for notification, access, and contest; and,

(iv) 552a(e) (3) requiring that individuals asked to supply information be provided a form outlining the authority for the request, the purposes for which the information will be used, the routine uses in the notice of a Food and Drug Administration record system notice, and the consequences to the individual of not providing the information, but only with respect to information compiled by the Food and Drug Administration in a criminal law enforcement investigation where the conduct of the investigation would be prejudiced by such procedures.

(c) *Access to Exempted Systems.* (1) Where a system of records is exempt under paragraph (b) of this section, an individual may request notification of whether a system of records about him exists and may request access to any record about himself in that system.

(2) Except as provided in paragraph (c) (3) of this section, an individual making a request in accordance with paragraph (c) (1) of this section shall be given access to any record if:

(i) The record is in a system of records which is exempt under subsection (k) (2) of the Act and the individual has been denied any right, privilege, or benefit to which he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of that record; or,

(ii) The record is in a system of records which is exempt under subsection (k) (5) of the Act.

(3) An individual shall not be given access to any record or any portion of a record, as provided in paragraph (c) (2) of this section:

(i) When disclosure would reveal the identity of a source who furnished information contained in the record to the agency under an express promise, and prior to September 27, 1975 an implied promise, that his identity would be held in confidence; or,

(ii) Where public disclosure of the record or a portion of the record is otherwise prohibited by law. Individuals requesting records that would reveal a confidential source shall be informed in a general way that an item of information exists in the record which would reveal the identity of that source.

Dated: August 29, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.75-23621 Filed 9-4-75;8:45 am]

Social and Rehabilitation Service

[45 CFR Part 233]

DEFINITION OF UNEMPLOYED FATHERS

Extension of Comment Period

This notice extends the period for comments provided in the notice published August 8, 1975 (40 FR 33461) proposing requirements for States to have a definition of "unemployed father" that includes fathers who are unemployed because of conduct or circumstances that disqualify them for unemployment compensation under State law and exclude those who are disqualified for unemployment compensation under State law because of the nature of their involvement in a labor dispute. The time for comment is hereby extended from September 8, 1975 to October 8, 1975.

Prior to the adoption of the proposed amended regulation, consideration will be given to any comments, suggestions, or objections thereto which are received in writing by the Acting Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, P.O. Box 2372, Washington, D.C. 20013, on or before October 8, 1975. Comments will be available for public inspection in Room 5225 of the Department's offices at 330 C Street SW., Washington, D.C., beginning approximately two weeks after date of publication, on Monday thru Friday of each week from 8:30 to 5 p.m. (area code 202-245-0950).

(Section 1102, 49 Stat. 647 (42 U.S.C. Section 1302))

(Catalog of Federal Domestic Assistance Program 13.761, Public Assistance-Maintenance Assistance (State Aid))

Dated: September 2, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

Approved: September 3, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.75-23719 Filed 9-4-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 75-EA-51]

MARTIN 404

Proposed Airworthiness Directive

The Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations to include a new airworthiness directive applicable to Martin 404 aircraft.

Copies of these aircraft now in operation have accumulated from 22,000 to 55,000 hours, and Maintenance and Deficiency files reflect that many of them have developed corrosion in various areas. This condition caused the Federal Aviation Administration to issue AC 20-7L which recommends periodic inspection to detect corrosion. On at least 15% of the Martin 404 fleet some degree of corrosion has been found in wing spar splices at station 187.

Since this indicates that a like condition may exist or develop in other aircraft of the Martin 404 fleet, it is proposed to issue an airworthiness directive which will require periodic inspections for corrosion of wing spar splice joints at wing station 187, and appropriate corrective action.

Interested parties are invited to participate in the making of the proposed rule by submitting written data or views. Communications should identify the docket number and be submitted in duplicate to the Office of Regional Counsel, FAA, Federal Bldg., John F. Kennedy International Airport, Jamaica, New York 11430.

All communications received on or before October 7, 1975 will be considered before taking action upon the proposed rule. The proposals contained in this Notice may be changed in the light of comments received. All comments will be available in the Office of Regional Counsel for examination by interested parties.

In consideration of the foregoing, it is proposed to issue a new airworthiness directive as hereinafter set forth:

MARTIN. Applies to all Martin 404 Aircraft Certificated in all categories.

Compliance required as indicated.

1. Affects the wing spar chord splice joints at wing station 187.

a. Within the next three months after the effective date of this AD, unless accomplished within five years preceding the effective date, remove the left and right outer wings and visually inspect the wing spar splice joints at wing station 187 for corrosion.

b. Repeat the inspection specified in paragraph (a) at intervals not to exceed 10,000 hours' time in service or five years, whichever comes first, for left wings, and 12,000 hours' time in service or six years, whichever comes first, for right wings.

c. For airplanes that have an FAA approved alteration installed at the wing spar chord splice joints at WS 187 for corrosion control, in lieu of the foregoing accomplish the following:

1. Externally inspect the left and right wing panels at wing station 187 within the next 10,000 hours' time in service or five years, whichever comes first, by:

(i) Stripping all sealant from the joint and performing a complete dye-check of the alteration and spars.

(ii) Removing two bolts from each splice and inspecting the bolts visually and the holes by borescope for corrosion. If corrosion is evident, remove both wing panels and inspect the wing structure.

1. After another 10,000 hours' time in service or five years, whichever comes first, remove both wings at wing station 187 and accomplish complete corrosion inspection of the wing structure.

2. Repair corroded parts in accordance with an FAA approved repair or replace with an unused part of the same part number or an equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

3. Upon submission of substantiating data by an owner or operator through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, may adjust the inspection interval specified in this AD.

This amendment is made under the authority of section 313(a), 601 and 603 of the Federal Aviation Act of 1958 [49 U.S.C. 1354(a), 1421 and 1423], and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

Issued in Jamaica, N.Y., on August 28, 1975.

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.75-23598 Filed 9-4-75;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 454]

ADVERTISING AND LABELING OF PROTEIN SUPPLEMENTS

Proposed Trade Regulation

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, *et seq.*, the provisions of Part I, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.7, *et seq.*, and Section 553 of Subchapter II, Chapter 5, Title 5, U.S. Code (Administrative Procedure) has initiated a proceeding for the promulgation of a Trade Regulation Rule concerning the Advertising and Labeling of Protein Supplements.

Accordingly, the Commission has proposed the following Trade Regulation Rule and would amend Subchapter D, Trade Regulation Rules, Chapter 1 of 16 CFR by adding a new Part 454 as follows:

PART 454—ADVERTISING AND LABELING OF PROTEIN SUPPLEMENTS

Sec.
454.1 Preamble.

Subpart I—General

454.2 Definitions.
454.3 Methods of calculation.
454.4 Form, content and method of making disclosures.
454.5 Inconsistent or derogating representations.
454.6 Interpretation and conformity with with related regulations.

Subpart II—Affirmative Disclosures

454.7 Protein content disclosure.
454.8 Health hazard disclosures.
454.9 Protein need disclosure.

Subpart III—Voluntary Claims

454.10 Use of protein supplements by infants or young children.
454.11 Quick energy representations.
454.12 Energy and calorie representations.
454.13 Athletic or physical activity representations.
454.14 Aging, senility or therapeutic representations.
454.15 Weight reduction representations.
454.16 Emphatic nutrition representations.
454.17 Protein comparison representations.
454.18 Protein need representations.

AUTHORITY: 38 Stat. 717, as amended, 15 U.S.C. 41, *et seq.*

§ 454.1 Preamble.

In connection with the advertising and labeling of protein supplements in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of such products, it is an unfair method of competition and an unfair or deceptive act or practice within the meaning of Section 5 and 12 of that Act to fail to comply with the following provisions of the Trade Regulation Rule in this part.

Subpart I—General

§ 454.2 Definitions.

For the purposes of this part, the following definitions shall apply:

(a) "Advertisement" or "advertising". (1) Any written or verbal statement, illustration, or depiction, which is designed to effect the sale of any protein supplement, or create interest in the purchase of such product, whether the same appears in a newspaper, magazine, leaflet, circular, mailer, book insert. catalog, sales promotional material, other periodical literature, billboard, public transit card, or in a radio or television broadcast or in any other medium.

(2) For purposes of this part, the terms "advertisement" or "advertising" do not include: (i) Labeling or (ii) point-of-purchase advertising or any promotional material developed and/or disseminated by manufacturers or distributors of protein supplements, the content of which refers solely to the price of the advertised protein supplement and which does not contain representations regarding nutrition, nourishment, or other nutrition claims relative to the product.

(b) "Label" and "labeling". (1) "Label" means a display of written, printed or graphic matter upon the immediate container of any article, or any such matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity.

(2) "Labeling" includes all written, printed, or graphic matter accompanying an article, and specifically includes, although it is not limited to, labels.

(c) "Food". Any article used for food or drink by humans, including chewing gum. However, it does not include: (1) Foods represented for use solely under medical supervision to meet nutritional requirements under specific medical conditions and which, if advertised, are advertised only in professional medical journals or publications.

(2) Alcoholic beverages subject to the provisions of the Federal Alcohol Administration Act of 1935 (27 U.S.C. § 201, *et seq.*).

(d) "Protein supplement". For purposes of this part protein supplement is any food represented, marketed or intended for use as a protein supplement.

(e) "Clearly and conspicuously disclose". (1) Disclosing in a manner which can be easily understood (in the case of television and print advertising, also easily seen and read) by the casual observer, listener, or reader, among members of the public, and which, for advertising in any medium, conforms in all relevant respects (except where otherwise provided in this part) to the Commission's Statement of Enforcement Policy of October 21, 1970. (See Vol. 2, CCH Trade Regulation Reporter § 7569:09.)

(2) Each disclosure shall be printed in the same language principally employed in the advertising or labeling. (See Commission's Statement of Policy of July 24, 1973, as amended, 38 FR 21494-95.) Such disclosures in any medium must in no way be obscured by background contrast, obscuring designs or vignettes, or crowding with any other written, printed, or graphic or audio-visual matter.

(f) "Representation" or "represent"; guarantees as representations. Any direct or indirect statement, suggestion, or implication in advertising or labeling, including but not limited to one which is made orally, in writing, pictorially, or by any other audio or visual means, or by any combination thereof. Any statement in the form of a guarantee of the attributes or effects of any protein supplement is a representation that the product possesses those attributes or will produce those effects.

(g) "Calorie". One kilocalorie.

(h) "United States Recommended Daily Allowance" (U.S. RDA). The U.S. RDA of the protein in a protein supplement is 45 grams if the protein efficiency ratio (PER) of the total protein in the product is equal to or greater than that of casein, and 65 grams if the PER of the total protein in the product is less than that of casein.

§ 454.3 Methods of calculation.

(a) *"Protein Efficiency Ratio" (PER).* A measure of protein quality, as determined by the method prescribed in § 43.183 of the *Official Methods of Analysis of the Association of Analytical Chemists,* 12th edition, 1975.

(b) *Percentage of protein.* The percentage of protein by weight in the protein supplement in the form sold for consumer use.

(c) *Measurement of "protein" or "protein content".* For purposes of this part, protein or protein content may be calculated on the basis of the product of the factor 6.25 times the nitrogen content of the food as determined by the appropriate method of analysis prescribed in the *Official Methods of Analysis of the Association of Analytical Chemists,* 12th edition, 1975, unless otherwise specified by the AOAC or when the official Food and Drug Administration procedure for a specific food requires another factor.

§ 454.4 Form, content and method of making disclosures.

(a) *Advertising disclosures.* Any disclosure required or described by any pro-

vision of this part which is applied to advertising as defined in this part shall be made (1) clearly and conspicuously; (2) in accordance with the provisions of 16 CFR 437.2; and (3) as may be specifically prescribed in a section of this part dealing with that particular disclosure.

(b) *Labeling disclosures.* Any disclosure required or described by any provision of this part to be made in labeling shall be made (1) clearly and conspicuously; and (2) as may be specifically prescribed in the section of this part dealing with that particular disclosure; but in no event shall the smallest letter of such a disclosure be smaller than one-sixteenth of an inch in height except as may be otherwise permitted under § 454.4(c).

(c) *Alternative forms of disclosure.* For unusual advertising or labeling materials or material too small to reasonably comply with the requirements of this section, the Commission may establish acceptable alternative forms of making the required disclosures. A petition formally requesting permission to utilize an alternative form of disclosure may be submitted to the Secretary for due consideration by the Commission.

§ 454.5 Inconsistent or derogating representations.

No representation shall be made which, directly or by implication, contradicts, negates or is inconsistent with any disclosure required or described by any provision of this part, or in any way obscures, mitigates or derogates from the intent or meaning of such disclosure.

§ 454.6 Interpretation and conformity with related regulations.

(a) The advertising of all products covered by this part shall comply with the requirements of 16 CFR Part 437. No provision in this part shall be construed or interpreted to exempt any advertisement or advertising from the provisions of 16 CFR Part 437.

(b) The labeling of all products covered by this part shall comply with the requirements of 21 CFR 1.17 and any other applicable FDA regulations. No provision in this part shall be construed or interpreted to exempt any labeling from the provisions of 21 CFR 1.17.

(c) This part shall not be interpreted to contradict or conflict with the provisions of 16 CFR Part 437 or of 21 CFR 1.17.

(d) If any provision of this part cannot be interpreted consistently with the provisions of 16 CFR Part 437 or 21 CFR 1.17, then this part shall govern, but only the conflicting portion of 16 CFR Part 437 or 21 CFR 1.17 shall be inapplicable.

Subpart II—Affirmative Disclosures

§ 454.7 Protein content disclosure.

The advertising and labeling of any protein supplement shall disclose clearly and conspicuously, in immediate conjunction with or within the principal display of the product name, the percentage of protein in the product and the major source(s) of protein in the product.

§ 454.8 Health hazard disclosures.

The following disclosure shall be included verbatim clearly and conspicuously both on the label and in labeling for any protein supplement which derives 50 percent or more of its calories from the protein content of the food in the form in which it is sold for consumer use:

WARNING

Serious illness can result from improper use of this product: Not to be used for feeding of infants (birth to 1 year of age) or by persons with chronic or acute liver or kidney disease, except under medical supervision. Use of this product by children 1 to 3 years of age increases their need for liquids other than milk.

§ 454.9 Protein need disclosure.

The following disclosure shall be included verbatim clearly and conspicuously in advertising, on the label and in labeling for any protein supplement:

Protein supplements are unnecessary for most Americans. The U.S. Public Health Service has determined that the daily diet of most Americans provides adequate protein.

Subpart III—Voluntary Claims

§ 454.10 Use of protein supplements by infants or young children.

(a) No representation shall be made, directly or by implication, that:

(1) any protein supplement is to be used, without medical supervision or authorization, as any part of the diet of infants from birth to one year of age, or

(2) any protein supplement is to be used by children one to three years of age unless the following disclosure is included verbatim clearly and conspicuously in immediate conjunction with each such representation:

Use of this product by children 1–3 years of age increases their need for liquids other than milk.

(b) This section, however, shall not apply to any protein supplement which derives less than 50 percent of its calories from the protein content of the food in the form in which it is sold for consumer use.

§ 454.11 Quick energy representations.

No representation shall be made, directly or by implication, that protein produces or provides quick energy or promptly remedies fatigue or lassitude.

§ 454.12 Energy and caloric representations.

No representation shall be made, directly or by implication, that:

(a) Any protein supplement or protein itself contains, produces, provides, enhances, or is a source of "energy" or "food energy," unless it is clearly and conspicuously disclosed in immediate conjunction with each such representation, that "energy" or "food energy" is supplied by calories, as well as the number of calories contained in a stated serving of the protein supplement;

(b) Consumption of any protein supplement or protein, by itself, will produce or provide health, general vigor, sustained energy or alertness, or that the energy from calories, by itself, will produce or provide strength, endurance, intellectual performance, or the prevention or relief of fatigue, or

(c) Consumption of any protein supplement or protein itself in any way enhances or contributes to a person's vigor, energy, alertness, strength or endurance, unless it is clearly and conspicuously disclosed, in immediate conjunction with each such representation:

(1) That such vigor, energy, alertness, strength or endurance is enhanced by and depends, in part, upon the calories in the protein supplement or in protein itself, and

(2) The number of calories contained in a stated serving of the protein supplement.

§ 454.13 Athletic or physical activity representations.

No representation shall be made, directly or by implication, that:

(a) Protein is used or depleted in greater than normal amounts by strenuous physical activity or that physical activity of any kind, particularly by athletes, children or busy individuals, significantly increases the body's need for protein; or

(b) Use of a protein supplement can improve or increase the level of performance of athletics or strenuous physical labor by increasing strength, endurance, vitality, vigor or muscle tissue unless the following disclosure is included verbatim, clearly and conspicuously in immediate conjunction with each such representation:

Consumption of protein beyond the Recommended Daily Allowance (56 grams or about 2 ounces for a 154-pound man) does not improve or increase the level of performance of athletic or strenuous physical labor.[1]

§ 454.14 Aging, senility or therapeutic representations.

No representation shall be made, directly or by implication, that any protein supplement: (a) Can counteract or delay the effects or signs of aging or senility including but not limited to baldness, thinning hair, aging skin and decreased mental and physical capacities;

(b) Is to be used for the cure, diagnosis, treatment, mitigation or prevention of disease or of subclinical disorders or can serve a specific medical purpose; or

(c) Is to be used by the elderly unless the following disclosure is included verbatim clearly and conspicuously in immediate conjunction with each such representation:

Not to be used by persons with chronic or acute liver or kidney disease except under medical supervision.

Provided, however, that this disclosure may be omitted if the protein supplement so represented does not derive 50 percent or more of its calories from the protein content of the food in the form in which it is sold for consumer use.

[1] For purposes of this section, the reference is not to U.S. RDA, but to RDA as defined in *Recommended Dietary Allowances*, Food and Nutrition Board, National Research Council, National Academy of Sciences, Washington, D.C. 8th edition, 1974, p. 47.

§ 454.15 Weight reduction representations.

No representation shall be made, directly or by implication, that:

(a) Protein burns or eliminates body fat:

(b) A protein supplement or a serving thereof constitutes a nutritionally adequate meal, unless the protein supplement or a serving thereof complies with an applicable Federal regulation prescribed in the Code of Federal Regulations; or

(c) Consumption of any protein supplement or protein itself is useful for, or contributes in any way to, or is useful in regulating or maintaining caloric intake or body weight by the use of any demonstration or depiction, or any word or phrase such as "diet", "dietetic", "low calorie", "low in calories", "fewer calories", "calorie reduced", "contains artificial sweeteners", "artificially sweetened", or any other demonstration, depiction or term of similar import, unless it is clearly and conspicuously disclosed in immediate conjunction with each such representation:

(1) That protein has approximately the same caloric content by weight as carbohydrate, and ingestion of protein in excess of the body's daily caloric and protein needs contributes calories which can cause weight gain;

(2) That weight reduction can occur only if the body uses more calories than it ingests from all sources, including protein;

(3) The protein supplement so represented complies with the provisions of 21 CFR 125.6;[3] and

(4) The number of calories contained in a stated serving of the protein supplement is clearly and conspicuously disclosed in immediate conjunction with each such representation.

§ 454.16 Emphatic nutrition representations.

(a) No representation shall be made, directly or by implication, in the product name (*e.g.*, "Protein Plus" or "Hi-Pro"), or otherwise that any protein supplement is exclusively or totally protein or nearly so unless: (1) The percentage of protein is clearly and conspicuously disclosed in immediate conjunction with such representations, and (2) the percentage of protein is no less than 90 percent.

(b) No representation shall be made, directly or by implication, that any protein supplement is of good nutritional quality, unless the protein is of at least as high a quality as that of casein, as shown by a Protein Efficiency Ratio (PER) equal to or greater than 100 percent of casein.

For purposes of this part, any of the following representations among others shall constitute a representation that the protein supplement is of good nutritional quality: The product

(1) Contains all of the essential amino acids,

(2) Is of good biological value, or

(3) Is biologically complete.

§ 454.17 Protein comparison representations.

(a) No representation shall be made, directly or by implication, that any protein supplement is a more economical source of protein than any other food unless:

(1) The cost per gram of protein in the protein supplement is less than the cost per gram of protein in the compared food, and

(2) The representation is in compliance with the requirements of 16 CFR 437.4.

(b) No representation shall be made, directly or by implication, that any protein supplement is higher, richer or more concentrated in protein than another food unless the comparison is one which measures the protein concentration of the protein supplement and a compared food in the same form, for example, liquid milk to a protein supplement drink or powdered milk to a protein supplement in powdered form. If the protein supplement is not (generally) recommended for consumption in the form in which it is sold to consumers, no comparison shall be made between the protein concentration of the product and the protein concentration of any food which is in a form in which it is generally consumed or recommended for consumption.

§ 454.18 Protein need representations.

No representation shall be made, directly or by implication, that:

(a) The adult daily protein need is greater than the Recommended Daily Allowance (RDA) established by the Food and Nutrition Board, National Research Council, or the U.S. RDA; or

(b) The adult RDA for protein is other than .8 grams per kilogram body weight plus the additional increment recommended for pregnant and lactating women, *provided, however,* that within six months after establishment of a different adult RDA for protein by the National Research Council, the new adult RDA for protein shall be used.

STATEMENT OF REASONS FOR THE PROPOSED RULE

It is the Commission's purpose, in issuing this statement, to set forth its reasons for proposing this Trade Regulation Rule with sufficient particularity to allow informed comment. The precise format of such statements may vary from rule to rule depending on the complexity of the issues involved. In this proceeding, the Commission has determined that meaningful comment by the public will be facilitated by presenting (1) a statement describing the basic factual and legal premises underlying the Commission's determination to propose the Rule, and (2) a series of questions designed to draw to the public's attention matters which the Commission deems particularly pertinent and on which comment is especially solicited.

The Commission's objective in these proceedings is to develop a Rule which will: (1) Require advertisers and sellers of protein supplements to disclose possible health hazards from improper use of protein supplements and to prevent the unsafe marketing of these products, if such would be the case, for the use of certain groups of persons, such as infants; (2) require advertisers and sellers of protein supplements to disclose material facts concerning the need for and the utility of protein supplements, if any, for American consumers; and (3) prevent advertisers and sellers of protein supplements from misrepresenting the nutritive characteristics and health benefits of these products or failing to disclose material facts concerning claimed nutritional and health benefits from the use of these products, without restricting the amount of useful information an advertiser may present in marketing these products.

The Commission emphasizes that neither the statement of factual and legal premises nor the questions set out in the materials accompanying the proposed Rule should be interpreted as a designation of disputed issues of fact. Such designations shall be made by the Commission or its duly authorized presiding official pursuant to the Commission's Procedures and Rules of Practice.

STATEMENT

In connection with the marketing of protein supplements in and among the United States, the Commission has reason to believe that:

(1) Industry members commonly misrepresent or fail to disclose in both labeling and advertising (a) the amount or percentage of protein in the product and (b) the product's protein source;

(2) Industry members represent that concentrated protein supplements are safe and beneficial for all persons when, in fact, they are not and, further, fail to disclose, in either advertising or labeling, the health hazards associated with improper use of certain protein supplements by infants, young children and persons with liver or kidney disorders;

(3) Industry members commonly represent, often directly and almost invariably by implication, that, contrary to fact, protein deficiency is a common and significant health problem among Americans generally and among various subgroups of Americans;

(4) Industry members commonly advertise, contrary to fact, that protein supplements are sources of "quick energy," likening the metabolic effect of protein foods to sugar and carbohydrates;

(5) Industry members commonly represent or imply, contrary to fact, that (a) protein is a source of food "energy" apart from its caloric value; (b) consumption of protein will itself produce general good health, vigor, sustained energy and alertness; and (c) consumption of protein itself enhances strength and endurance apart from the caloric value of the protein food;

[3] Section 125.6, "Label Statements Relating to Food Which Purports to Be or Is Represented for Use as a Means of Regulating Caloric Intake or Body Weight" has not yet been adopted by FDA in final form.

(6) Industry members commonly represent, without an adequate basis in fact and contrary to the clear weight of scientific evidence, that protein is used or depleted in greater than normal amounts by strenuous physical activity;

(7) Industry members commonly represent, contrary to fact, that use of protein supplments can improve or increase the level of the user's athletic performance or other strenuous physical activity regardless of whether the user's diet contains the amounts of protein sufficient to meet daily requirements;

(8) Industry members commonly represent, contrary to fact, that (a) consumption of protein supplements can effectively combat or delay various effects and signs of aging (such as balding or decreased mental and physical vigor), and (b) protein supplements can be used for the cure, treatment, mitigation or prevention of disease and subclinical disorders;

(9) Industry members often promote their products for use by the elderly without disclosing that persons with liver and kidney disorders (the elderly are, as a group, most susceptible to such ailments) may be injured by high protein intake and ought to have their protein intake medically supervised;

(10) Industry members commonly promote the use of protein supplements as weight reduction aids, in part by misrepresenting the metabolic effects and characteristics of protein; and in part by deceptively failing to disclose in connection with voluntary weight reduction claims: (a) That protein has the same caloric content by weight as carbohydrate, (b) that ingestion of protein in excess of the body's daily needs contributes calories which can cause weight gain, and (c) that weight reduction can occur only if the body uses more calories than it ingests from all sources, including protein;

(11) Industry members represent, directly and by implication, through the use of product names and otherwise, that their protein supplements are exclusively or totally protein or nearly so, when in fact they are not;

(12) Industry members commonly represent, contrary to fact, directly and by implication, that the protein component of their protein supplements is of good nutritional quality;

(13) Industry members commonly represent, often falsely, that their protein supplements are more economical sources of protein than specified ordinary protein-rich foods (*e.g.*, steak or eggs) without disclosing the inferiority of the protein supplement in overall nutritional value;

(14) Industry members commonly make deceptive comparisons between their protein supplements and ordinary protein-rich foods with regard to the concentration of protein in the compared foods, *e.g.*, comparison of a powder not intended for consumption except as it would be used in liquid form with a liquid such as milk;

(15) Industry members commonly represent, directly and by implication and contrary to fact, that daily adult protein need is greater than the Recommended Daily Allowance (RDA) established by the Food and Nutrition Board of the National Research Council, or the U.S. RDA;

(16) Industry members commonly delay for unreasonable periods of time, with resultant deception, alterations in advertising and labeling to reflect changes in established protein RDA's for adults.

The Commission is of the view that it is an unfair or deceptive act or practice under Section 5 and Section 12 of the Federal Trade Commission Act for advertisers of protein supplements to fail to disclose affirmatively certain information concerning the health hazards and nutritive characteristics of protein supplements and the extent of protein deficiency in the United States. The Commission's authority to require the disclosure of health and safety hazards from products is unquestionable.[3] Further, even where no danger to consumers exists, the Commission's authority to require the disclosure of other material facts is well established.[4] The pattern of protein supplement misrepresentations concerning the extent of protein deficiency and the percentage of protein in protein supplements has established a need for accurate consumer information. However, beyond these past practices, disclosures of the nutritive characteristics of protein supplements and the extent of protein deficiency in the United States are required in order to give consumers adequate information to make product comparisons and rational marketplace purchasing decisions.

The Commission has determined that it has reason to believe the above statements on the basis of information compiled by Commission staff during a comprehensive industrywide investigation of protein supplement advertising and labeling which was aimed at: identifying common protein supplement messages; analyzing the nutritional health information they provide; and identifying patterns of misleading nutrition, health, and other benefit claims. In the course of the investigation the Commission staff has received extensive documentary evidence bearing upon the issues raised in this proposed Rule. The staff investigation included consultations with experts from a variety of disciplines whose expertise bears upon the issues raised in this proposal and examination of the findings of many studies related to these issues. The Commission has not adopted any findings or conclusions of the staff. All findings in this proceeding shall be based solely on matter in the rulemaking record.

[3] *See*, e.g., *American Medicinal Products, Inc. v. FTC*, 136 F.2d 426 (9th Cir. 1943).

[4] *See*, e.g., *J. B. Williams Company, Inc. v. FTC*, 381 F.2d 884 (6th Cir. 1956); *Theodore Kagen Corp. v. FTC*, 283 F.2d 371 (D. C. Cir. 1960); *Keele Hair and Scalp Specialists, Inc. v. FTC*, 275 F.2d 18 (5th Cir. 1960); *Mohawk Refining Corp v. FTC*, 203 F.2d 818 (3d Cir. 1959); and *Segal v. FTC*, 142 F.2d 255 (2d Cir. 1944).

The Proposed Trade Regulation Rule concerning the Advertising and Labeling of Protein Supplements is designed to eliminate deception and unfairness which may result from the making of certain affirmative claims with respect to the nutritional, health and other benefits of protein supplements. This proposed Rule prohibits outright certain other claims, the making of which would be deceptive. Additionally, this proposed Rule requires the advertising and labeling of protein supplements to disclose affirmatively certain information concerning the health hazards and nutritive characteristics of protein supplements, and the extent of protein deficiency in the United States.

Furthermore, the Commission has recently accepted a consent order requiring a protein supplement advertiser to cease and desist from the dissemination of certain misleading claims. The Commission, having reason to believe that adjudication alone is inadequate to establish well-defined legal standards for the guidance of consumers and protein supplement manufacturers and distributors, undertakes herewith to define with specificity some acts or practices which may be unfair or deceptive and to prescribe requirements for affirmative disclosures to further avoid unfairness or deception to consumers.

QUESTIONS

Interested persons are urged to consider carefully these questions. Although certain proposals were drafted in specific language, the Commission retains its authority to promulgate a final Rule which differs in ways suggested by the following questions.

(CONSUMER BENEFITS)

1. What is the nature and extent, if any, of possible hazards from improper use of protein supplements? Are consumers currently sufficiently aware of these possible health hazards?

2. What is the need, if any, for protein supplementation of the ordinary or usual diets of (a) American consumers in general; (b) infants; (c) young children; (d) teenagers; (e) adults; (f) pregnant women; (g) the elderly; (in all income groups), in particular. Is protein deficiency a significant health problem for any significant group or number of persons in the U.S.?

3. Are consumers currently sufficiently aware of the protein content of protein supplements to make informed product comparisons?

4. Are consumers currently sufficiently aware of the health and nutrition effects of protein supplements to evaluate advertising and labeling claims and shop wisely? To what extent do considerations of expected health and nutrition benefits play a role in the purchasing decisions made by consumers for protein supplements?

5. Would the additional information required to be disclosed by §§ 454.7, 454.8 and 454.9 help consumers to make more prudent purchase decisions for protein supplements? If not, are there any additions, modifications or deletions to these

disclosures which would so aid consumers?

6. What is the prevalence in the protein supplement industry of the acts and practices addressed by this Rule? In what manner and to what extent are the acts and practices addressed by this Rule potentially or currently unfair or deceptive?

(RULE COVERAGE)

7. Is the definition of "protein supplement" adequate to indicate to the protein supplement industry the products which are intended to be covered by the Rule? If not, what alternative definition(s) would be appropriate and adequate for purposes of this Rule?

8. Is the definition of "protein supplement" adequate to indicate that ordinary foods are not intended to be subject to this Rule? If not, what would be an adequate alternative definition to convey this intent?

(AFFIRMATIVE REQUIREMENTS)

9. Is the information required to be disclosed by § 454.7, Protein content disclosure, necessary and sufficient to advise consumers of the protein content of protein supplements? If not, what should be deleted, modified or added.

10. Is the information required to be disclosed by § 454.8, Health hazard disclosures, necessary and sufficient to inform consumers of possible adverse effects of concentrated protein supplements? Is the class of protein supplement subject to the Health hazard disclosure appropriately defined? If not, what alternative definition would cover all of the appropriate products but not any inappropriate products? What is the extent and severity of the health hazard to infants, children 1–3 years of age, and persons with chronic or acute liver or kidney disease from protein supplements with different protein concentration levels? Are any other groups of persons exposed to significant health risks from the improper use of protein supplements?

11. Is the information required to be disclosed by § 454.9, Protein need disclosure, necessary and sufficient to inform consumers of their need for protein supplementation of their usual diet? If not, what should be deleted, modified or added? Do most Americans get all the protein they need from their usual diet? If a consumer doubts that he gets enough protein, what is the best way for the consumer to determine that fact?

12. Is the length of the disclosures required in any labeling by §§ 454.7, 454.8 and 454.9 and in any advertising by §§ 454.7 and 454.9 unduly burdensome? If so, what should be deleted or modified for what size, manner and type of advertising or labeling? Should required disclosures be tailored to different sizes or lengths of advertising and labeling messages?

(HEALTH AND NUTRITION CLAIMS)

13. Does protein produce or provide quick energy or promptly remedy fatigue or lassitude?

14. Does physical activity of any kind significantly increase the body's need for protein? Can use of a protein supplement improve or increase the level of performance of athletics or strenuous physical activity?

15. Can use of a protein supplement counteract or delay the effects or signs of aging or senility?

16. What is the extent and severity of health hazards to the elderly due to liver or kidney disease? Are there any other diseases which afflict the elderly which create health risks from the improper use of a concentrated protein supplement? Is the class of protein supplements which derive 50 percent or more of their calories from their protein content the necessary and sufficient class of products for which the health disclosure required by §§ 454.8 and 454.14(c) is appropriate?

17. What is the utility of protein supplements for weight reduction? Is the information required to be disclosed by § 454.15(c) when a voluntary weight reduction or maintenance claim is made necessary and sufficient for consumers to evaluate such claims and shop wisely? If not, what should be deleted, modified or added?

18. Is comparison to the Protein Efficiency Ratio of casein the appropriate standard and test for protein supplement representations of good nutritional quality?

19. Is six months after the establishment of a new Recommended Daily Allowance (RDA) for protein an adequate period for the protein supplement industry to update voluntary advertising and labeling representations concerning the RDA for protein?

(POSSIBLE RESTRICTIONS ON RULE PROVISIONS)

20. To what extent would any Public health, safety, welfare or economic problems be created or exacerbated by the proposed Rule? Are there any available alternatives that would protect the public interest with fewer adverse effects?

21. What costs or other impact to health food stores, pharmacies and other wholesale or retail distributors, especially those which are small businesses, would result from implementation of the proposed Rule? How could such costs and adverse impacts be minimized?

(LEGAL AND POLICY CONSIDERATIONS)

22. Would implementation of the proposed Rule go beyond the statutory authority of the Federal Trade Commission? Please be specific.

23. Can well-defined legal standards for the guidance of consumers and protein supplement manufacturers and distributors most efficiently be established by promulgation of a Trade Regulation Rule? If not, are there any available alternatives which could accomplish this goal?

INVITATION TO PROPOSE ISSUES OF FACT FOR CONSIDERATION IN PUBLIC HEARINGS

All interested persons are hereby given notice of opportunity to propose any disputed issues of fact which are material and necessary to resolve. The Commission, or its duly authorized presiding official, shall, after reviewing submissions hereunder, identify any such issues in a Notice which will be published in the FEDERAL REGISTER. Such issues shall be considered in accordance with Section 18(c) of the Federal Trade Commission Act as amended by Public Law 93-637, and rules promulgated thereunder. Proposals shall be accepted until not later than November 7, 1975, by the Special Assistant Director for Rulemaking, Federal Trade Commission, Washington, D.C. 20580. A proposal should be identified as "Proposal Identifying Issues of Fact—Advertising and Labeling of Protein Supplements," and furnished, when feasible and not burdensome, in five copies. The times and places of public hearings will be set forth in a later Notice which will be published in the FEDERAL REGISTER.

INVITATION TO COMMENT ON THE PROPOSED RULE

All interested persons are hereby notified that they may also submit to the Special Assistant Director for Rulemaking, Federal Trade Commission, Washington, D.C. 20580, data, views or arguments on any issue of fact, law or policy which may have some bearing upon the proposed Rule. The Commission also especially and specifically solicits comment on the need for the appropriateness of the provisions of § 454.9 of the proposed Rule. The Commission also seeks comments evaluating the economic impact of the Rule on small business and consumers. Written comments, other than proposals identifying issues of fact, will be accepted until forty-five (45) days before commencement of public hearings, but at least until November 7, 1975. To assure prompt consideration of a comment, it should be identified as a "Advertising and Labeling of Protein Supplements Comment," and furnished, when feasible and not burdensome, in five copies.

Issued: September 5, 1975.

By direction of the Commission.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-23526 Filed 9-4-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1952]

TENNESSEE

Proposed Supplements to Approved Plan

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On July 5, 1973, a notice was published in the Federal Register of the approval of the Tennessee plan and the adoption of Subpart P of Part 1952 containing the

decision and describing the plan (38 FR 17838). In March 1974, and on June 21, 1974, the State of Tennessee submitted supplements to its plan involving developmental changes (see Subpart B of 29 CFR Part 1953). The supplements consist of the Tennessee "Occupational Safety and Health Public Sector Plan" and procedures of the Tennessee Occupational Safety and Health Review Commission. Following Regional review the supplements have been forwarded to the Assistant Secretary for Occupational Safety and Health (hereinafter referred to as Assistant Secretary) for his determination as to whether they should be approved.

2. *Issues.* (a) The Tennessee Occupational Safety and Health Act of 1972 provides for coverage of State and local government employees in a manner designed to be at least as effective as that in the private sector. The plan supplement provides detail on how the program will be administered. State agencies are required to maintain an effective and comprehensive occupational safety and health program consistent with the standards promulgated under the Tennessee Occupational Safety and Health Act including a program of self-inspection and internal sanctions subject to monitoring by the Tennessee Commissioners of Labor and Public Health. This public sector plan supplement contains details on the establishment of a Tennessee Occupational Safety and Health Council to assist State agencies in achieving compliance; the individual State agency obligation to comply with standards, regulations, and submission of annual reports; and the designees' intended monitoring actions including but not limited to investigation of fatalities, catastrophies, and complaints, and work-site inspections of at least 100 State agency sites per year.

State agency programs found defective may be cited and may contest the citation before the Tennessee Occupational Safety and Health Review Commission which will in turn submit its findings of fact and recommendations to the Governor. County, municipal and other local governments have the option of being treated as a private employer or developing their own program of compliance. Guidelines on intended State compliance action for local governments choosing to be treated as private employers are provided. For local governments choosing a self-compliance approach details on the components of an adequate program including a model ordinance for enactment by the local governing body are discussed. Each such political subdivision must submit a plan of action for approval by the Commissioner of Labor.

(b) Rules of Procedure adopted by the Tennessee Occupational Safety and Health Review Commission are largely parallel to those of the Federal Review Commission as contained in 29 CFR Part 2200. However, it appears that in cases where a hearing examiner presides, his decision may be the final decision which is then appealable through the courts. Two additional rules allow the Commissioners of Labor and Public Health to administratively amend contested citations during the 20 day contest period (rule 132) and to rule on Petitions for Modification of Abatement subject to employee appeal to the Review Commission (rule 34).

The Assistant Secretary has reviewed the above described supplements and hereby gives notice that their approval is in issue before him.

3. *Location of the supplement for inspection and copying.* A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Room N-3112, 200 Constitution Avenue, NW., Washington, D.C. 20210; Office of the Assistant Regional Director Occupational Safety and Health Administration, 1375 Peachtree Street, NE., Suite 587, Atlanta, Georgia 30309; and Office of the Tennessee Commissioner of Labor, Room C-1-100, Cordell Hull Building; 5th Avenue North, Nashville, Tennessee 37219; Office of the Commissioner of Public Health, Cordell Hull Building, 5th Avenue North, Nashville, Tennessee 37219.

4. *Public participation.* Interested persons are hereby given until October 6, 1975, in which to submit written data, views and arguments concerning whether the supplements should be approved. Such submissions are to be addressed to the Associate Assistant Secretary for Regional Programs at his address as set forth above where they will be available for inspection and copying.

Any interested person may request an informal hearing concerning the proposed supplements by filing particularized written objections with respect thereto within the time allowed for comments with the Associate Assistant Secretary for Regional Programs. If, in the opinion of the Assistant Secretary, substantial objections are filed which warrant further public discussions, a formal or informal hearing on the subjects and issues involved may be held.

The Assistant Secretary shall consider all relevant comments, arguments, and requests submitted in accordance with this notice and shall thereafter issue his decision as to approval or disapproval of the supplements, make appropriate amendments to Subpart P of Part 1952, and initiate further proceedings, if necessary.

Signed at Washington, D.C. this 28th day of August 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc.75-23650 Filed 9-4-75;8:45 am]

Office of Federal Contract Compliance

[41 CFR Part 60-5]

AFFIRMATIVE ACTION PLAN FOR FEDERALLY INVOLVED CONSTRUCTION CONTRACTORS IN THE WASHINGTON, D.C. AREA

Notice of Proposed Rulemaking

This notice of proposed rulemaking is issued under the authority of sections 201, 205, 207, 301, and 303 of Executive Order 11246 (30 FR 12319), as amended.

Section 201 of Executive Order 11246, as amended, provides that the Secretary of Labor shall adopt rules and regulations necessary and appropriate to achieve the purposes of the Order. One of the purposes of Executive Order 11246, as amended, is to require Federal and Federally assisted construction contractors and subcontractors to "take affirmative action to ensure that applicants are employed, and that employees are treated, during employment, without regard to their race, color, religion, sex or national origin." (section 202(1)).

Notice is hereby given that the Secretary proposes to adopt a Revised Washington Plan in order to further implement the affirmative action mandate of Executive Order 11246, as amended. If adopted it is proposed to make the Revised Washington Plan effective thirty days from the date of its republication in the FEDERAL REGISTER.

BACKGROUND

In April 1970, public hearings were conducted by the Department of Labor to determine what action should be taken to ensure equal employment opportunity in the construction industry in the Washington, D.C. area. These hearings were convened after efforts to formulate a hometown plan failed.

As a result of the material presented at the public hearing and other investigations the Washington Plan was issued by the Secretary of Labor (41 CFR 60-5, 35 FR 19352, December 22, 1970). The Washington Plan applies to eleven trades and covers the Washington Standard Metropolitan Statistical Area which includes portions of Maryland and Virginia as well as the District of Columbia. The Washington Plan was scheduled to expire on May 31, 1974, but has since been extended a number of times, the most recent extension being effective through July 9, 1975. The purpose of these extensions was to provide the Department of Labor with ample time to explore the possibility of replacing the Washington Plan with a voluntary hometown plan. The principle support for a voluntary hometown plan originated from a group of construction contractors, building trades representatives and minority community leaders known as the Washington Plan Review Committee. The Committee held public hearings on September 23-25, 1973 to evaluate the Washington Plan and develop recommendations for

future action in support of the affirmative action mandate of Executive Order 11246, as amended. Following the public hearings, the Washington Plan Review Committee developed a proposed hometown plan the emphasis of which was upon the recruitment and training of minorities through apprenticeship programs. For various reasons this proposal was unacceptable to the Office of Federal Contract Compliance. Subsequent efforts by the Washington Plan Review Committee and the OFCC have failed to produce an acceptable affirmative action plan for the Washington, D.C. area construction industry. As a result of these efforts it is the determination of the Office of Federal Contract Compliance that a viable hometown plan is not forthcoming despite the best efforts of the Department of Labor and the Washington Plan Review Committee.

Therefore, it is the recommendation of OFCC that a Revised Washington Plan be promulgated which includes 23 construction crafts rather than the current eleven.

General Findings

Executive Order 11246, as amended, is designed to make equal employment opportunity a reality for present and potential employees of Federal and Federally assisted construction contractors and subcontractors. The contract compliance program is premised on the right and the responsibility of the Federal Government to determine the terms and conditions upon which it will contract with private parties for the procurement of supplies and services, including construction, essential to the functioning of Government. Under Executive Order 11246, as amended, Federal and Federally assisted construction contractors are obliged to forbear from employment discrimination based on race, color, religion, sex, or national origin, and to take affirmative action to ensure that employees and applicants for employment are treated without regard to these non-merit factors. This obligation is embodied in Section 202 of Executive Order 11246, as amended, and is commonly referred to as the Equal Employment Opportunity Clause. The Executive Order's affirmative action requirement is intended to ensure prompt achievement of full and equal employment opportunity through the establishment of specific and results-oriented procedures.

Computation of Goals for Minority Utilization

In order to give form and content to the affirmative action obligation of Executive Order 11246, as amended, the Department of Labor developed the concept of goals and timetables. In computing goals for minority manpower utilization, the Department has attempted to rely upon the most precise standards and statistics available. In assessing whether a goal for minority manpower utilization is reasonable, the Department of Labor is guided by the principle that the objective of a goal is to place eligible minority members in the position which they would have enjoyed if not for underutilization in the past. The Department believes that statistics reported in the 1970 Census are a reasonable measure of the relevant minority labor force which, but for underutilization, would be equally represented in the Washington, D.C. area construction industry. Even though the labor force statistics in the 1970 Census reflect persons who were 16 years of age and over in 1970, such persons are now at least 18 years of age and are eligible for consideration for employment in the construction industry. Data is available on the black, Oriental, American Indian, and Spanish language civilian labor force in the Washington, D.C. area but there are no labor force statistics collected by the Bureau of the Census on Spanish surnamed individuals in the area. Therefore, absolute precision is not possible. However, statistics on Spanish surnamed individuals in the labor force can be estimated from data compiled for the Spanish language [1] population of the area.

It is also necessary to consider the percentage of persons of Spanish origin in the labor force in the Washington, D.C. area who regard themselves as being black rather than white. Otherwise, certain individuals will be counted twice, once as black and once as a member of the Spanish origin group, resulting in an artificially inflated statistic. This statistic varies depending upon the jurisdiction in which the person of Spanish origin resides. In the District of Columbia 37.3 percent of the persons reported as being of Spanish origin regard themselves as being black. However, in Maryland and Virginia persons of Spanish origin regard themselves as black to a lesser degree, 12.2 percent and 13.7 percent respectively. Therefore, it was necessary to break out the Spanish language labor force by local jurisdictions in order to calculate an accurate overcount.

Taking into account these basic factors, the number of minorities in the labor force in the Washington, D.C. area may be derived by adding the black (307,795), Oriental (3,439) and American Indian (1,317) labor forces, together with the number of Spanish language persons in the labor force (28,439). This result is then reduced by the percentage of Spanish language individuals in the area who count themselves as black rather than white. Based upon these calculations, the adjusted Spanish language labor force of the Washington, D.C. area is estimated to be 22,965. The percentage of minorities in the total labor force results from dividing the total of minority labor force (335,516) by the number of persons in the labor force in the Washington, D.C. area (1,227,597).

Accordingly, the resulting relevant minority labor force statistic is 27.33 percent.

The Department of Labor also considers the availability of qualified minorities for work in the construction industry. Assessments of current availability are speculative at best. However, it is reasonable to consider the educational achievement of construction workers. It is significant that as of 1970, 92 percent of the construction workers reported by the Bureau of the Census had completed four years of high school or less. Thus, it is deemed appropriate to compare the minority labor force in the Washington, D.C. area who have a high school education or less with the total labor force with similar educational achievement. After considering the educational achievement of the minority labor force with that of the total labor force it appears that a greater portion of the minority labor force is available for employment in the construction industry. As a result of adjustment for this educational factor, the relevant minority labor force becomes 34.7 percent.

One other factor in the analysis of the proper goal for minority utilization in the Washington, D.C. area is the population "undercount", defined as omission in coverage of the decennial Census. The undercount is computed by the Bureau of the Census and is used by the Bureau to update the decennial Census findings in intermediate years. The Bureau of Census reports that the national minority undercount is approximately 7.7 percent while that of non-minorities is 1.9 percent. Inclusion of this factor in the computation of the relevant labor force raises the goal to 36.5 percent.

Conclusion of Findings. Taking into account the factors recited herein, as well as considering the availability of qualified and qualifiable minorities for employment in the construction industry and allowing for possible over inclusiveness of the Spanish language data as a substitute for statistics for Spanish surnamed individuals, the Department of Labor finds that the goal for minority utilization for each construction trade covered by the Revised Washington Plan should be 36 percent.

In adopting this goal, the Department believes that it is less important that a particular percentage goal might be slightly optimistic, given current availability of qualified and qualifiable minorities, provided the Revised Washington Plan contains fair procedures for contractors to make such a showing. Accordingly, the Revised Washington Plan includes provisions for notice to contractors and a meaningful opportunity to challenge any allegations of noncompliance and prove that they have made the good faith efforts required of them to comply with the requirements of the Plan.

[1] United States Department of Commerce, Bureau of the Census, *1970 Census of the Population, Current Social and Economic Characteristics—District of Columbia* PC (1)–C10, Appendix B, indicates that persons of Spanish heritage are identified in various ways. In 42 states and the District of Columbia, this population is identified as "Persons of Spanish-language:" in five Southwestern States as "Persons of Spanish-language or Spanish Surname;" and in three middle Atlantic States as "Persons of Puerto Rican birth or parentage."

TIMETABLES

In an effort to ensure equal employment opportunity and provide practical intermediate goals for the annual increase in minority participation in the Washington D.C. area construction industry, the Department has determined that the proposed Revised Washington Plan should cover a three-year period. Those trades currently covered by the Washington Plan shall be deemed to be committed to the goals of the last year of the Washington Plan with subsequent increases to meet the 36 percent figure by 1978. As to those trades not covered by the Washington Plan, intermediate goals are established which recognize that efforts in support of affirmative action have been in effect in Washington since 1970. Therefore, the first year goals are set at a level which reflects the Department's confidence that effort toward equal employment opportunity has occurred.

COVERAGE

It is determined that the Revised Washington Plan is necessary to provide for minority participation in the following trades:

Asbestos Workers	Operating Engineers
Boiler Makers	Millwrights
Brick Layers	Painters & Paperhangers
Carpenters	Pile Drivers
Cement Masons	Plasterers
Electricians	Plumbers
Elevator Constructors	Roofers
Glaziers	Sheet Metal Workers
Pipefitters & Steamfitters	Sprinkler Fitters
Iron Workers	Stone & Marble Masons
Laborers	Tile & Terrazzo Workers
Lathers	

EVALUATION AND ADVISORY RECOMMENDATION

The Department recognizes that the contractors, unions, and the minority community, who must operate on a day-to-day basis under the Revised Washington Plan are in the best position to evaluate the effectiveness of the Plan. Therefore, the Department of Labor has encouraged the development of a voluntary committee representing these three groups, which shall periodically review the effectiveness of the Plan and make advisory recommendations to the Department in this regard. Accordingly, the Washington Plan Review Committee was formed and is encouraged to continue its activities.

OPPORTUNITY FOR COMMENTS

Inquiries may be addressed, and data, views, and arguments concerning the proposed Revised Washington Plan may be submitted to Mr. Philip J. Davis, Director, Office of Federal Contract Compliance, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210. All material received on or before October 7, 1975, will be considered. All comments in response to this proposal will be available for public inspection during normal business hours at the foregoing address.

It is therefore proposed to issue 41 CFR Part 60–5 in the manner set forth below:

PART 60–5—REVISED WASHINGTON PLAN

Sec.

60–5.1 Purpose and scope of the revised Washington Plan.
60–5.2 Notice.
60–5.3 Goals for minority utilization.
60–5.4 Good faith efforts.
60–5.5 Administrative procedure for enforcement.
60–5.6 Contractor obligations.
60–5.7 Obligations of the Federal Government.

AUTHORITY: Secs. 201, 202, 205, 211, 301, 302, and 303 of Executive Order 11246 (30 FR 12319, 3 CFR 1964–65 Comp., P. 406) and 41 CFR §§ 60–1.1 and 60–1.40.

§ 60–5.1 Purpose and scope of the revised Washington Plan.

The purpose of this regulation is to implement the provisions of Executive Order 11246, and the rules and regulations issued pursuant thereto, requiring a program of equal employment opportunity by Federal contractors and subcontractors and Federally assisted construction contractors and subcontractors in the Washington, D.C. area, including the District of Columbia, the Virginia cities of Alexandria, Fairfax, Loudon, and Prince William and the Maryland counties of Montgomery, Prince Georges and Charles. All construction activity, including non-Federally involved work of any contractor or subcontractor performing on a non-exempt Federal and Federally assisted construction contract in the Washington, D.C. area shall be subject to the requirements of this regulation. Accordingly, the Revised Washington Plan must be included in all invitations and other solicitations for bids for a Federally involved construction contract or subcontract in the Washington, D.C. area when its estimated cost exceeds $10,000.

§ 60–5.2 Notice.

The following Notice shall be included in all invitations and other solicitations for bids on non-exempt Federally involved construction contracts in the Revised Washington Plan area.

NOTICE OF REQUIREMENT—SUBMISSION OF AFFIRMATIVE ACTION PLAN TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY

Each bidder, contractor or subcontractor (hereafter the Contractor) must fully comply with the requirements, terms and conditions of the Revised Washington Plan including the goals for minority manpower utilization as to each construction trade it intends to use on this construction contract and all other construction work (both Federal and non-Federal) in the Washington, D.C. area during the performance of this contract or subcontract. The Contractor commits itself to the goals for minority manpower utilization contained herein and all other requirements, terms and conditions of the Revised Washington Plan by submitting a properly signed bid.

§ 60–5.3 Goals for minority utilization.

(a) The following goals for minority manpower utilization shall express the contractor's commitment to the percentage of minority workhours to be worked in each specified craft on all work performed by the contractor in the Washington, D.C. area during the performance of this contract. "Minority" is defined as including blacks, Spanish surnamed Americans, Orientals and American Indians and includes both minority men and minority women.

GOALS FOR MINORITY GROUP EMPLOYMENT UNTIL SEPTEMBER 30, 1976

Trade:	Percent
Asbestos Workers[1]	32
Boilermakers[1]	30
Bricklayers	30
Carpenters	30
Cement Masons	30
Electricians[1]	34
Elevator Constructors[1]	36
Glaziers[1]	34
Pipefitters & Steamfitters[1]	30
Ironworkers[1]	36
Laborers	36
Lathers[1]	36
Operating Engineers	30
Millwrights	30
Painters & Paperhangers[1]	36
Pile Drivers	30
Plasterers	30
Plumbers[1]	30
Roofers	30
Sheet Metal Workers[1]	31
Sprinkler Fitters	30
Stone & Marble Masons	30
Tile & Terrazzo Workers[1]	34

GOALS FOR MINORITY GROUP EMPLOYMENT UNTIL SEPT. 30, 1977

Trade:	Percent
Asbestos Workers[1]	34
Boilermakers[1]	33
Bricklayers	33
Carpenters	33
Cement Masons	33
Electricians[1]	36
Elevator Constructors[1]	36
Glaziers[1]	36
Pipefitters & Steamfitters[1]	33
Ironworkers[1]	36
Laborers	36
Lathers[1]	36
Operating Engineers	33
Millwrights	33
Painters & Paperhangers[1]	36
Pile Drivers	33
Plasterers	33
Plumbers[1]	33
Roofers	33
Sheet Metal Workers[1]	33
Sprinkler Fitters	33
Stone & Marble Masons	33
Tile & Terrazzo Workers[1]	33

GOALS FOR MINORITY GROUP EMPLOYMENT UNTIL SEPT. 30, 1978

Trade:	Percent
Asbestos Workers[1]	36
Boilermakers[1]	36
Bricklayers	36
Carpenters	36
Cement Masons	36
Electricians[1]	36
Elevator Constructors[1]	36
Glaziers[1]	36
Pipefitters & Steamfitters[1]	36
Ironworkers[1]	36
Laborers	36
Lathers[1]	36
Operating Engineers	36

Trade—*Continued*	*Percent*
Millwrights	36
Painters & Paperhangers [1]	36
Pile Drivers	36
Plasterers	36
Plumbers	36
Roofers	36
Sheet Metal Workers [1]	36
Sprinkler Fitters	36
Stone & Marble Masons	36
Tile & Terrazzo Workers [1]	36

[1] Trade covered by current Washington Plan.

(b) The goals for minority manpower utilization above are expressed in terms of workhours of training and employment as a proportion of the total workhours to be worked by the contractor's aggregate work force in that trade on all projects (both Federal and non-Federal) in the Washington, D.C. area during the performance of its contract or subcontract (i.e. the period beginning with the first day of work on the Federal or Federally assisted construction contract and ending with the last day of work).

(c) The workhours of minority employment must be substantially uniform throughout the length of the contract in each trade, and minorities should be employed evenly on each of a contractor's projects. Nevertheless, failure of a contractor to employ minorities evenly on each of its projects shall not constitute noncompliance provided the percentage of minority manhours employed by the contractor in its aggregate work force in the Washington, D.C. area meets or exceeds its commitment to the goals for minority manpower utilization in the Revised Washington Plan and the contractor has not violated the Equal Opportunity Clause of the contract in the assignment of minorities to its projects. The transfer of minority employees from employer-to-employer or from project-to-project for the purpose of meeting the contractor's goal shall be a violation of the Revised Washington Plan. Otherwise, the contractor shall be deemed to be in compliance with the requirements, terms, and conditions of the Revised Washington Plan if:

(1) The minority manpower utilization rate of the contractor meets or exceeds its commitment to the goals for minority manpower utilization in its aggregate work force, both Federally involved and non-Federal, within the Washington, D.C. area provided, that if the contractor has denied equal employment opportunity in violation of the Equal Opportunity Clause of this contract, it shall not be in compliance with the Revised Washington Plan or

(2) The contractor can establish that it is a member of a contractor's association or other employer organization which has as one of its purposes the expanded utilization of minority manpower and the total minority manpower utilization rate of all the member contractors on all projects in which they are involved within the Washington, D.C. area meets the contractor's minority manpower utilization commitment in the Revised Washington Plan provided, that if the contractor has denied equal employment opportunity in violation of the Equal Opportunity Clause of this contract it shall not be in compliance with the Revised Washington Plan or

(3) The contractor can establish that it has a collective bargaining agreement with a labor organization, that it utilizes such organization as its source for over 80 percent of its manpower needs, and, that the percentage of minority membership of such organization and the total percentage of minorities referred for employment on all projects within the Washington, D.C. area meets the contractor's commitment in the Revised Washington Plan provided, that if the contractor has denied equal employment opportunity in violation of the Equal Opportunity Clause of this contract it shall not be in compliance with the Revised Washington Plan.

(d) In the event that work is performed after the expiration date of the Revised Washington Plan on a construction contract awarded pursuant to the requirements, terms and conditions of the Plan the goals for minority manpower utilization for 1978 shall be applicable to such work.

(e) The contractor's commitment to goals of minority manpower utilization is intended to meet its affirmative action obligations under Executive Order 11246, as amended, and is not intended and shall not be used to discriminate against any qualified applicant or employee. Whenever it comes to the contractor's attention that the goals are being used in a discriminatory manner, it shall immediately report that fact to the Office of Federal Contract Compliance so that appropriate proceedings may be instituted.

§ 60–5.4 Good faith efforts.

The contractor shall be deemed to be in compliance with the requirements, terms, and conditions of the Revised Washington Plan if it meets or exceeds its commitment to the goals for minority manpower utilization in its aggregate work force in the Washington, D.C. area for each trade for which it is committed to a goal under the Revised Washington Plan. The contractor's commitment to the goals for minority manpower utilization as required by the Revised Washington Plan constitutes a commitment that it will make every good faith effort to meet such goals. No contractor shall be found in noncompliance solely on account of its failure to meet its goals, but shall be given the opportunity to demonstrate that it has instituted all the affirmative action steps specified in the Revised Washington Plan and has made every good faith effort to make these steps work toward the attainment of its goals within the timetables, all to the purpose of expanding minority manpower utilization in its aggregate work force in the Washington, D.C. area. Contractors who fail to achieve their commitments to the goals for minority manpower utilization must have engaged in affirmative action directed at increasing minority manpower utilization, which is at least as extensive as the following steps:

(a) Notification to the minority community organizations when the contractor or union has employment opportunities available and maintenance of records regarding the organizations' response.

(b) Maintenance of a file of the names and addresses of each minority worker referred by the union to the contractor and what action was taken with respect to each such referred worker. If a worker was sent to the union hiring hall for referral and such worker was not referred back by the union or, if referred, not employed by the contractor, the file should document this and the reasons therefor.

(c) The contractor shall promptly notify the Office of Federal Contract Compliance when the union or unions with which the contractor has collective bargaining agreements has not referred to the contractor a minority worker sent by the contractor, or the contractor has other information that the union referral process has impeded efforts to meet its goals.

(d) Participation in training programs in the area, especially those funded by the Department of Labor.

(e) Dissemination of the contractor's or union's EEO policy within the respective organizations as applicable by including it in any policy manual; by publicizing it in company or union newspaper, annual report, etc.; by posting of the policy; and by specific review of the policy with minority employees or members.

(f) Dissemination of its EEO policy externally by informing and discussing it with all recruitment sources; by advertising in news media, specifically including minority news media; and by notifying and discussing it with all contractors, and subcontractors.

(g) Specific and constant written and oral recruitment efforts directed at all minority organizations, schools with minority students, minority recruitment organizations and minority training organizations within the contractor's or union's recruitment area.

(h) Specific efforts to encourage present minority employees or members to recruit their friends and relatives.

(i) The contractor shall validate all tests and other selection requirements as required by the Testing and Selection Order (41 CFR Part 60–3).

(j) Making every effort to provide after school, summer and vacation employment to minority youths.

(k) Where reasonable, the development of on-the-job training opportunities and participation and assistance in any association or group training programs relevant to the contractor's or union's needs.

(l) Continuing inventory and evaluation of all minority personnel or members for promotional opportunities and encouragement of minority employees or members to seek such opportunities.

(m) Assuring that seniority practices, job classifications, etc., do not have a discriminatory effect.

(n) Assuring that all facilities and activities are non-segregated.

(o) Continual monitoring of all personnel activities to ensure that its EEO policy is being carried out.

(p) The contractor shall solicit bids for subcontracts from available minority subcontractors with the trades covered by the Revised Washington Plan to the maximum extent practicable including circulation of minority contractor associations.

§ 60–5.5 Administrative procedure for enforcement.

(a) Each agency shall review the contractor's employment practices during the performance of the contract. If the contractor meets its goals or can demonstrate that it has made every good faith effort to meet the goals and is not otherwise violating the Equal Opportunity Clause of this contract or any other Federal equal employment opportunity laws or regulations, the contractor shall be presumed to be in compliance with Executive Order 11246, as amended, and the Revised Washington Plan. In that event, no formal sanctions or proceedings leading toward sanctions shall be instituted unless the agency otherwise determines that the contractor is not providing equal employment opportunities.

(b) Where the agency (see 41 CFR § 60–1.3 (a) and (b)) finds that the contractor has failed to comply with the requirements of Executive Order 11246, the implementing regulations and the Revised Washington Plan, the agency shall take such action and impose such sanctions as may be appropriate under the Executive Order and its regulations. When the agency proceeds with such formal action it has the burden of proving that the contractor has not met the requirements of the Revised Washington Plan. The contractor's failure to meet its goals shall, however, shift to it the requirement to come forward with evidence to show that it has made every "good faith" effort (as described in § 60–5.4) to meet such goals. The pendency of such formal proceedings shall be taken into consideration by Federal agencies in determining whether such contractor can comply with the requirements of Executive Order 11246, as amended, and is therefore a "responsible prospective contractor" within the meaning of Federal procurement law.

(c) It shall be no excuse that the union with which the contractor has a collective bargaining agreement providing for exclusive referral failed to refer minority employees. Discrimination in referral for employment, even if pursuant to provisions of a collective bargaining agreement, is prohibited by the National Labor Relations Act, as amended, and Title VII of the Civil Rights Act of 1964. It is the policy of the Office of Federal Contract Compliance that contractors have a responsibility to provide equal employment opportunity if they wish to participate in Federally-involved contracts. To the extent they have delegated the responsibility for some of their employment practices to a labor organization and, as a result, are prevented from meeting their obligations pursuant to Executive Order 11246, as amended, such contractors cannot be considered to be in compliance with Executive Order 11246, as amended, its implementing rules, and regulations.

§ 60–5.6 Contractor obligations.

(a) All contractors shall include the Revised Washington Plan in all bid invitations or other prebid communications, written or otherwise, with their prospective subcontractors. Whenever a contractor subcontracts a portion of the work in any trade covered by the Revised Washington Plan it shall include the Plan in such subcontracts and each subcontractor shall be bound by the Revised Washington Plan to the full extent as if it were the prime contractor. The contractor shall not be accountable for the failure of its subcontractor to fulfill its affirmative action commitments. However, the prime contractor shall give notice to the Office of Federal Contract Compliance and the contracting agency of any refusal or failure of any subcontractor to fulfill its obligations under the Revised Washington Plan. Noncompliance with these requirements by a subcontractor will be treated in the same manner as such failure by the prime contractor.

(b) Contractors must keep such records and file such reports relating to the provisions of the Revised Washington Plan as shall be required by the contracting or administering agency.

§ 60–5.7 Obligations of the Federal Government.

(a) Nothing in the Revised Washington Plan shall be interpreted to diminish the responsibilities of the contracting and administering agencies nor the obligations of contractors pursuant to Executive Order 11246 as amended, for those trades and those contracts not covered by the Plan.

(b) The procedures set forth in the Revised Washington Plan shall not apply to any contract when the head of the agency (see 41 CFR 60–1.3 (a) and (b)) determines that such contract is essential to the national security and that its award without following such procedure is necessary to the national security. Upon making such a determination, the agency head will notify, in writing, the Director of the Office of Federal Contract Compliance within 30 days.

(c) Nothing in the Revised Washington Plan shall be interpreted to diminish the present contract compliance review and complaint programs.

(d) Requests for exemptions from the Revised Washington Plan must be made in writing, with justification, to the Director, Office of Federal Contract Compliance, U.S. Department of Labor, Washington, D.C. 20210, and shall be forwarded through and with the endorsement of the agency head.

Signed at Washington, D.C. this 2nd day of September, 1975.

JOHN T. DUNLOP,
Secretary of Labor.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

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

[FR Doc.75-23648 Filed 9-4-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1106]

[EX PARTE NO. 314]

SPECIAL PROCEDURES FOR GENERAL FREIGHT RATE INCREASES BASED ON REVENUE NEED

Notice of Oral Argument

AUGUST 26, 1975.

The Interstate Commerce Commission, will hold oral argument in the above entitled proceeding in order to provide the parties with a further opportunity to make their views known to the Commission. Oral argument is scheduled to commence at the office of the Commission in Washington, D.C. at 9:30 a.m. on Wednesday, October 1, 1975.

The October 1st date has been selected to afford the parties an advance opportunity to consider the views expressed by the other parties to this proceeding and based on that review to determine whether there is a possibility of consolidating their presentation at oral argument with other parties expressing the same or similar views. Further, the October 1, 1975, date will enable the parties to evaluate the Commission's statement delivered by Chairman Stafford on July 16, 1975. This statement attached as Appendix I hereto[1] entitled "Statement of George M. Stafford, Chairman of the Interstate Commerce Commission, Before the Subcommittee on Transportation and Commerce of the House Committee on Interstate and Foreign Commerce on H.R. 6351 and H.R. 7631, "together with a summary, places the proposed special procedures in context and provides the parties to this proceeding with an insight as to why the Commission prefers to consider changes through the administrative process.

In response to the notice of proposed rulemaking entered in this proceeding on June 10, 1975, served June 12, 1975 (40 FR 25603), 75 parties submitted written statements of verified facts, views, and arguments regarding the proposed procedures. Attached hereto as Appendix II

[1] Service list and statement of the Chairman with covering letter, are filed as part of original.

is a service list of the parties submitting representations. Ten days from date of service of this notice the parties listed on Appendix II are to serve the other parties on the list with copies of their statements previously filed with the Commission. Ten days prior to oral argument the parties desiring to participate therein shall by letter advise the Commission (1) that they have complied with the service requirement; (2) the name of their representative who will appear at the oral argument on their behalf and/or representing other parties having similar positions; and (3) the approximate amount of time needed to present their position at oral argument.

Although the Commission has made no determination on the merits on whether or not to adopt the proposed regulations with or without modification, it would be helpful to the Commission if the parties at oral argument would address the following issues, which are not to be construed as all inclusive, but rather as focal points for informed discussion:

1. Is there a need for special procedures of the type contemplated by the notice of proposed rulemaking for all modes or for any one mode?

2. Has the entry of the Commission's decision in Ex Parte No. 311, Expedited Procedures for Recovery of Fuel Costs, 350 I.C.C. 563, rendered unnecessary or undesirable the promulgation of another expedited procedure?

3. If the procedures set forth in the notice of proposed rulemaking were to be adopted on an experimental basis for one mode, several modes or all modes, should the increases be based solely on increased labor cost as was originally contemplated in Ex Parte No. 296, Procedures for Partial Recoupment of Increased Carrier Labor Costs?

4. If it were possible to fashion an expedited procedure that would clearly spell out that the Commission retains the right to suspend a general revenue proposal (or portion thereof, i.e., increases pertaining to individual commodities or weight brackets) filed under the special procedure for potential undue preference, prejudice or discrimination, would this be acceptable to the carriers and shippers alike? How do you view this proposal as compared with the rate provisions set forth in the Rail Revitalization Act of 1975 and discussed in Appendix I hereto?

5. If the special procedures were to be adopted, should the carriers utilizing the procedures be limited to one other general increase per year and should the special procedures be limited to increases timed to become effective on a specified date as for example January 1 of each calendar year?

6. If special procedures are adopted on an experimental basis, what are your views as to the reasonableness of the proposed 5-percent figure? Would some other figure be more appropriate?

7. Does the Commission's practice of allowing interim increases pending formal investigation of rail general increases offer a viable alternative to the special procedures set forth in the notice of proposed rulemaking and should such a procedure be available to other modes absent a statutory refund provision?

Notice of oral argument shall be given to the general public by depositing a copy of this notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection and by delivering a copy of the notice, without attachments, to the Director, Office of the Federal Register for publication therein as notice to interested persons.

[SEAL] ROBERT L. OSWALD,
Secretary.

AUGUST 26, 1975.

[FR Doc.75-23668 Filed 9-4-75;8:45 am]

notices

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

DEPARTMENT OF STATE

Agency for International Development

HOUSING GUARANTIES

Prescription of Rate

Pursuant to section 223(f) of the Foreign Assistance Act of 1961 as amended ("the Act"), contracts of guaranty to be entered into for loan investments in housing under section 221 and section 222 of the Act will be subject to the following restriction:

The maximum allowable rate of interest to an eligible U.S. investor shall not exceed nine and one-half percent (9½ percent) per annum.

This prescription of rate shall be effective August 21, 1975.

Dated: August 27, 1975.

CHARLES A. MANN,
Assistant Administrator, Bureau for Program and Management Services.

[FR Doc.75-23637 Filed 9-4-75;8:45 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

CERTAIN NON-POWERED HAND TOOLS FROM JAPAN

Determination of Sales at Less Than Fair Value and Discontinuance of Antidumping Investigation

Information was received on August 5, 1974, that certain non-powered hand tools from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

For purposes of this notice, the term "certain non-powered hand tools" means chisels, punches, hammers and sledges (with or without handles), vises, c-clamps, battery service tools, micrometers, vernier calipers and dial indicators. Battery service tools include battery terminal lifters, battery post and terminal cleaning brushes, battery terminal spreaders, angle-nose pliers, booster cables and battery service kits (terminal puller, cleaning brush and two terminals).

A notice of "Withholding of Appraisement and Notice of Tentative Discontinuance of Antidumping Investigation" was published in the FEDERAL REGISTER of June 5, 1975 (40 FR 24218).

Determination of Sales at Less than Fair Value. I hereby determine that, for reasons stated below, punches, chisels, hammers and sledges (with or without handles), vises, c-clamps and battery service tools from Japan, are being, or are likely to be sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of Reasons on Which This Determination is Based:

Analysis of information from all sources reveals that the proper basis of comparison for fair value purposes is between purchase price of the merchandise and its adjusted home market price, adjusted third country price, or constructed value, as applicable to individual manufacturers.

Purchase price was calculated on the basis of a c.i.f. or f.o.b. price, as appropriate, with deductions for inland freight, Customs clearance charges, and a commission, as applicable.

The adjusted home market price was based on a weighted-average delivered price with deductions for inland freight, interest, advertising, catalogs, direct selling expenses, and discounts, as appropriate. Adjustments were made for difference in packing, and differences in the merchandise, as appropriate.

The adjusted third country price was calculated on the basis of the f.o.b. or c.i.f. price with deductions for inland freight, ocean freight, shipping charges and insurance, as appropriate. An adjustment was made for differences in packing, as appropriate.

The constructed value was calculated on the basis of the cost of materials and labor, the statutory minimum or actual general expenses and profit, and the cost of packing, as appropriate.

Using the above criteria, purchase price was found to be lower than the applicable adjusted home market price, adjusted third country price, or constructed value of such or similar merchandise.

Hammers from Imoto Hamono Co., Ltd., Kyoto Tool Co., Ltd., sledges from Hiroto Tekko K.K., angle nose pliers and terminal spreaders from Tashiro Seisakusho, and battery post and terminal cleaning brushes, from Japan Export Brush Co., Ltd., are excluded from this determination since 100 percent or virtually 100 percent of their export sales of these articles during the period under consideration were examined as appropriate, and the foreign market value or constructed value, as applicable, was found to be lower than the purchase price of identical merchandise in every instance.

The United States International Trade Commission is being advised of this determination.

Discontinuance of Antidumping Investigation. With regard to non-powered precision measuring instruments consisting of micrometers, vernier calipers, and dial indicators, a statement of reasons for the tentative action was published in the notice of tentative discontinuance referred to above, and interested parties were afforded an opportunity to make written submissions and to present oral views in connection with the tentative discontinuance.

After consideration of all views and arguments, and for the reasons stated in the notice of "Withholding of Appraisement and Notice of Tentative Discontinuance of Antidumping Investigation", I hereby discontinue the antidumping investigation on micrometers, vernier calipers, and dial indicators from Japan.

This "Determination of Sales at Less Than Fair Value and Discontinuance of Antidumping Investigation" is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)) and section 153.15(d) of the Customs Regulations (19 CFR 153.15(d)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

AUGUST 29, 1975.

[FR Doc.75-23487 Filed 9-4-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

Notice of Closed Meetings

Pursuant to the provisions of Section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that closed meetings of a Panel of the DIA Scientific Advisory Committee will be held as follows:

26 September 1975—Pomponio Plaza, Rosslyn, Va.

27 September 1975—Naval Intelligence Support Center, Suitland, Md.

The entire meetings commencing at 0900 hours are devoted to the discussion of classified information as defined in Section 552(b)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter is to work on a study of specialized intelligence data requirements.

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

AUGUST 29, 1975.

[FR Doc.75-23527 Filed 9-4-75;8:45 am]

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON "SYSTEMS VULNERABILITY"

Notice of Advisory Committee Meeting

The Defense Science Board Task Force on "Systems Vulnerability" will meet in closed session on 29–30 September 1975 as Lawrence Livermore Laboratory, Livermore, California.

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

The DSB Systems Vulnerability Task Force will review the Air Force Weapons Laboratory report on KC–135 hardness and provide an assessment of the validity and completeness of this effort. The Task Force will also review the hardness parameters used for other strategic aircraft. In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Task Force meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

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

SEPTEMBER 2, 1975.

[FR Doc.75-23628 Filed 9-4-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON "ELECTRONIC TEST EQUIPMENT"

Notice of Advisory Committee Meeting

Pursuant to the provisions of Public Law 92–463, notice is hereby given that the Defense Science Board Task Force on "Electronic Test Equipment" will meet in open session on 23 and 24 October 1975 in Room 9W67, National Center Building #1, 2511 Jefferson Davis Highway, Arlington, Virginia.

The session will commence at 9 a.m. each day.

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

The primary responsibility of the Task Force is to examine the greater use of the Department of Defense of privately-developed, commercially-available, off-the-shelf electronic test equipment, including modifications thereof, with the goal of achieving economy and reliability benefits for the several Armed Services and to recommend policies and procedures which will maximize these benefits.

This will be the seventh meeting of the Task Force. The planned agenda will cover three general areas:

1. Procurement.
2. Logistics.
3. Applications, Requirements and Equipment.

The detailed discussions and investigations into these general areas will be conducted by working groups made up of designated Task Force members or their designated representatives and selected Task Force Observers. Each working group will formulate proposals related to its general area of responsibility corresponding to one of the three specified above. The working group proposals as approved by the Task Force will form the basis for the ultimate Task Force recommendations.

Persons wishing to attend are advised that a reasonable quantity of seating for observers will be available on a first-come, first-seated basis. No specific arrangements or notification of desire to attend is necessary.

The Executive Secretary for the Task Force is Mr. Rudolph J. Sgro, OASD (I&L) WS, Room 2A318, Pentagon, Washington, D.C. 20301.

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

SEPTEMBER 2, 1975.

[FR Doc.75-23629 Filed 9-4-75;8:45 am]

DEPARTMENT OF INTERIOR

Bureau of Land Management

BOISE DISTRICT ADVISORY BOARD Meeting

Notice is hereby given that the Advisory Board of the Boise District of the Bureau of Land Management will meet in the Boise District Office at 9:00 a.m., September 18, 1975. This will be a one day meeting.

The agenda for the meeting is as follows:

1. Orientation of Board to District programs and Advisory Board operations.
2. Election of Advisory Board officers.
3. Consideration of work plan for Board range improvement funds.

The meeting will be open to the public. Time will be made available for brief statements by members of the public. Such statements should be limited to matters set forth in the agenda. Those wishing to make an oral statement on an agenda topic should notify the District Manager, Bureau of Land Management, 230 Collins Road, Boise, Idaho 83702. Any interested person or organization may file a written statement with the Board for its consideration. Such statements may be submitted at the meeting or mailed to the District Manager. Further information concerning the meeting may be obtained from D. Dean Bibles, District Manager, 230 Collins Road, Boise, Idaho 83702. His telephone number is (208) 342–2711, Ext. 2582.

D. DEAN BIBLES,
District Manager.

[FR Doc.75-23545 Filed 9-4-75;8:45 am]

[Colorado 22923]

NORTHWEST PIPELINE CORP.

Notice of Pipeline Application

AUGUST 28, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corporation, P.O. Box 1526, Salt Lake City, Utah 84110, has applied for a right of way for a natural gas pipeline across the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 3 S., R. 102 W.,
Section 34: SW¼SE¼
Section 36: SW¼SW¼, SE¼SW¼
T. 4 S., R. 102 W.,
Section 1: Lots 7 and 8
Section 2: Lot 5, SE¼NE¼, SW¼NE¼, SE¼NW¼, NE¼SW¼, NW¼SW¼
Section 3: Lots 5, 6, and 7, NE¼SE¼, SE¼NE¼, SE¼NW¼

The pipeline is an addition to Northwest Pipeline Corporation's natural gas gathering system in Rio Blanco County, Colorado. The purpose of this project is to enable the applicant to meet the increasing demands for natural gas.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of Environmental and other analyses necessary for determining whether the application should be approved, and if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or filing an objection must include evidence that a copy thereof has been served on the applicant. Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, within 30 days from the date of this notice.

RODNEY A. ROBERTS,
Acting Chief, Branch of Land Operations.

[FR Doc.75-23546 Filed 9-4-75;8:45 am]

[NM 26441]

NEW MEXICO

Notice of Application

AUGUST 28, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for one 4½ inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 28 E.
Sec. 30, lots 1 and 2.

This pipeline will convey natural gas across .207 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their

name and address to the District Manager, Bureau of Land Management, PO Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-23547 Filed 9-4-75;8:45 am]

[Wyoming 52113]

WYOMING

Notice of Application

AUGUST 27, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Stauffer Chemical Company has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 21 N., R. 103 W., sec. 6.
T. 22 N., R. 103 W., sec. 28; sec. 32; sec. 34.
T. 21 N., R. 104 W., sec. 12.

The pipeline will convey natural gas from wells in the NW¼ of sec. 34, T. 22 N., R. 103 W., and the NE¼ of sec. 5, T. 21 N., R. 103 W., to a gas gathering line in the SW¼ of sec. 12, T. 21 N., R. 104 W., Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, Wyoming 82901.

PHILIP C. HAMILTON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-23549 Filed 9-4-75;8:45 am]

[Wyoming 52164]

WYOMING

Notice of Application

AUGUST 27, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Kansas-Nebraska Natural Gas Company has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 39 N., R. 90 W.,
sec. 32, W½NW¼, SE¼NW¼, NE¼SW¼, and W½SE¼.

The pipeline will convey natural gas from the Inexco-Madden Deep #1-32 well in the NW¼NW¼ of sec. 32 to existing facilities in the SW¼SE¼ of sec. 32, T. 39 N., R. 90 W., Fremont County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 670, Rawlins, WY 82301.

PHILIP C. HAMILTON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-23548 Filed 9-4-75;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant:

Woodland Park Zoological Gardens,
5500 Phinney Avenue,
North Seattle, Wash. 98107
James W. Foster, D.V.M., Interim Director

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT (Export)

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Woodland Park Zoological Gardens wishes to export 1.2 Starlings, Rothschild's, Hynh (Leucopsar rothschildi) (an endangered species) to the Calgary Zoological Society, Alberta, Canada for breeding program which has been in progress since 1972.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Woodland Park Zoological Gardens
5500 Phinney Avenue, North
Seattle, Washington 98107
Phone: (206) 782—2919—

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING
☐ MR. ☐ MRS. ☐ MISS ☐ MS.
HEIGHT WEIGHT
DATE OF BIRTH HAIR COLOR EYE COLOR
PHONE NUMBER (WHERE EMPLOYED) SOCIAL SECURITY NUMBER
OCCUPATION

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY OR INSTITUTION, COMPLETE THE FOLLOWING
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
A society operated municipal zoological park

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
James W. Foster, D.V.M., Interim Director
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Calgary Zoological Society
St. George Island
Calgary, Alberta, Canada
T2G 3H4

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☒ NO
(If yes, list license or permit number)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☒ YES ☐ NO
(If yes, list jurisdictions and type of document)
Provincial import permit, Alberta, issued for only 30 days. Original permit

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. [illegible] issue of U.S. endangered species permit.
Immediate | Nine (9) months

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 C.F.R. 13.12(b)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 C.F.R. UNDER WHICH ATTACHMENTS ARE PROVIDED.
17.22

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (Do not stamp) DATE
7/31/75

James W. Foster, D.V.M., Interim Director
Woodland Park Zoological Gardens, Seattle, Washington

(1) Starlings, Rothschild's Mynah (*Leucopsar* rothschildi)

1.2 animals *♂ 1974 ♀'s 1973.* The Woodland Park Zoological Gardens at 5500 Phinney Ave. N. Seattle, WA, wishes to *export* these animals to the Calgary Zoological Society, Calgary, Alberta, Canada for a breeding program which has been in progress since 1972.

(2) These animals were born at the Woodland Park Zoological Gardens in *1973–1974.*

(3) Calgary Zoological Society is attempting to obtain captive raised animals from a professional zoological garden rather than attempt capture of wild birds.

(4) Wildlife sought was born and raised by professional staff at the Woodland Park Zoological Gardens (a municipal zoo), 5500 Phinney Ave. N. Seattle, Washington 98107.

(5) Calgary Zoological Society, St. George Island, Calgary, Alberta, Canada T2G 3H4; Phone (403) 265–9310.

(6) Live wildlife requested by permit.

(i) The area where these birds will be housed is: flight cage off of main aviary which is 8′ wide x 25′ long by 8′ high. It has a small pool on the ground with a continuous fresh water feed, a large number of both exotic and native plants, nest boxes and nesting materials, two feeding stations, glass on 3 sides to permit natural lighting. See Attachment A.

(ii) The present person in charge of the Aviary and waterfowl started working at Calgary in 1966. He resigned his position in 1971 to work in an Australian Zoo for two years and then rejoined the Calgary Zoo in 1973. He is an extremely knowledgeable and capable person with birds as is witnessed by the fact that over 20% of the Calgary waterfowl collection is successfully breeding with remarkable success with a large number Passeriformes.

(iii) The Calgary Zoological Society as applicant is willing to participate in a cooperative breeding program and to contribute data to a studbook on a regular basis.

(iv) Birds will be shipped in individual compartmented cage. 10″x12″x12″ (each compartment) with perch near bottom. Screened vents, bedding material, water and feed containers adequate for sustenance for 48 hours. The shipment could leave on Hughes Airwest Flight #772, from Seattle, at 9:00 AM any day—arriving Spokane, Washington at 9:50 AM, transfer to Hughes Airwest Flight #6, arriving at Calgary at 2:00 PM the same day. A total of 5 hours flight time. The Calgary Zoo will meet flight.

(v) Rothschild's Mynah—Calgary Zoological Society record for last five years.

Oct. 31, 1960	None in collection.
Oct. 31, 1970	Do.
Oct. 31, 1971	Do.
Oct. 31, 1972	Do.
Dec. 28, 1972	1/1 bought from Mich Ken Breeding Farm, 01212 Carlevoix St., Montreal, Canada.
Aug. 18, 1973	0/1 found dead in pen.
Oct. 31, 1973	1/0 in collection.
Oct. 31, 1974	Do.

The ♀ that died August 18, 1973, appeared to have flown into the glass window in June; as a consequence she developed central nervous system problems and died August 18, 1973. The exhibit was immediately modified to include more branches and plants in front of window areas. Have had no problems since.

(7) See Attachment B.

(8) We believe that the Calgary Zoological Society can provide the necessary housing facility and environment conducive to propagating Rothschild's Mynahs (*an endangered species.*)

We therefore wish to export 1.2 Rothschild's Mynahs from Woodland Park Zoo to Calgary, in order to establish their breeding colony. Upon receipt of a valid permit, the birds would then be shipped to the Calgary Zoo via Hughes Airwest as follows:

Flight #722 departing Seattle, at 9:00 AM, arriving Spokane 9:50 AM, transfer to Flight #6 arriving in Calgary at 2:00 PM, the same day. Flight time: 5 (five) hours.

Two of the primary functions of zoological parks today are conservation and education. These birds would be placed in a breeding program which will, if successful, help to prevent the extinction of another species and at the same time add valuable information which will help in captive management and husbandry practices.

These birds will remain at the Calgary Zoological Park the remainder of their natural life.

JAMES W. FOSTER, D.V.M.,
Interim Director, Woodland Park Zoological Gardens, Seattle, Wash.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before October 7, 1975, will be considered.

Dated: August 29, 1975.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-23682 Filed 9-4-75;8:45 am]

MARINE MAMMALS

Issuance of Permit

On April 9, 1975, a notice was published in the FEDERAL REGISTER (40 FR 16105-6-7) that an application had been filed with the Fish and Wildlife Service by the Louisville Zoological Garden, Louisville, Kentucky (Robert B. Bean, Director) for a permit for the importation of two POLAR BEAR cubs from the Calgary Zoo, Calgary, Alberta, Canada.

Notice is hereby given that on August 27, 1975, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), the Fish and Wildlife Service issued a permit to the Louisville Zoological Garden, Louisville, Kentucky, subject to certain conditions set forth therein. The permit is available for public inspection during normal business hours at the Fish and Wildlife Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Dated: August 29, 1975.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-23681 Filed 9-4-75;8:45 am]

Office of the Secretary

[INT FES 75-76]

PROPOSED DESERT WILDERNESS AREA

Availability of Final Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, the Department of the Interior has prepared a final environmental statement for the Proposed Desert Wilderness Area, Clark and Lincoln Counties, Nevada.

The proposal recommends that approximately 1,322,900 acres of the Desert National Wildlife Range, in Clark and Lincoln Counties, Nevada, be designated wilderness within the National Wilderness Preservation System. It is further recommended that 76,000 acres of adjoining public domain lands administered by the Bureau of Land Management be designated wilderness at such time as they become part of the Desert National Wildlife Range.

Copies of the final statement are available for inspection at the following locations:

Regional Director, U. S. Fish and Wildlife Service, 730 N. E. Pacific Street, P. O. Box 3737, Portland, Oregon 97208.

Refuge Manager, Desert National Wildlife Range, 1500 North Decatur Boulevard, Las Vegas, Nevada 89108.

U.S. Fish and Wildlife Service, Division of Wildlife Refuges, Room 2280, 18th & C Streets, NW., Washington, D.C. 20240.

Single copies may be obtained by writing the Environmental Impact Statement Coordinator, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Dated: August 29, 1975.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.75-23561 Filed 9-4-75;8:45 am]

[INT DES 75-50]

PROPOSED LEWIS AND CLARK NATIONAL HISTORIC TRAIL

Availability of Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the proposed authorization and designation of the Lewis and Clark National Historic Trail as a component of the national trails system and invites written comment on or before October 20, 1975. Comments should be addressed to Regional Director, Mid-Continent Region, Bureau of Outdoor Recreation, Denver Federal Center, Building 41, P.O. Box 25387, Denver, Colorado 80225.

The environmental statement considers the designation of the entire 3,700-mile route between Wood River, Illinois, and the Pacific Ocean in Oregon as a national historic trail. The trail borders or passes through the States of Illinois, Missouri, Iowa, Kansas, Nebraska, South Dakota, North Dakota, Montana, Idaho, Washington, and Oregon. Development would be confined to 21 Federal, State,

and locally administered components. This action would provide 2,010 miles of land- and water-based trail (135 miles of land, 1,875 miles of water).

Copies are available for inspection at the following locations:

Office of Communications, Office of the Secretary, Department of the Interior, Washington, D.C. 20240.

Office of Information, Bureau of Outdoor Recreation, Room 4024, Department of the Interior, Washington, D.C. 20240, Telephone: (202) 343-5726.

State Clearinghouses at the following addresses:

Division of Budget, Policy Planning and Coordination, Room 122, Statehouse, Boise, Idaho 83720.

Office of Planning and Programming, State Capitol, Des Moines, Iowa 50319.

State Clearinghouse, Bureau of Budget, 103 State House, Springfield, Illinois 62706.

Office of Administration, Division of State Planning and Analysis, P.O. Box 809, State Capitol, Jefferson City, Missouri 65101.

Office of Budget and Program Planning, Office of the Governor, Helena, Montana 57601.

State Office of Planning and Programming, State Capitol, Box 94601, Lincoln, Nebraska 68509.

North Dakota State Planning Agency, State Capitol, Bismarck, North Dakota 58501.

Intergovernmental Relations Division, State of Oregon, Executive Department, 240 Cottage Street, S.E., Salem, Oregon 97310.

State Plannnig Agency and the Office of the Budget, State Capitol, Pierre, South Dakota 57501.

Office of Program Planning and Fiscal Management, Second Floor, House Office Building, Olypmia, Washington 98504.

Budget Division, Department of Administration, 1st Floor, State House, Topeka, Kansas 66612.

Regional Offices of the Bureau of Outdoor Recreation located at the following addresses:

Mid-Continent Regional Office, 603 Miller Court, Lakewood, Colorado 80215.

Northwest Regional Office, 915 Second Avenue, Seattle, Washington 98174.

Lake Central Regional Office, 3853 Research Park Drive, Ann Harbor, Michigan 48104.

Dated: August 29, 1975.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.75-23560 Filed 9-4-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

FLEMING KEY ANIMAL IMPORT CENTER

Notice of Meeting and Extension of Comment Period

On July 3, 1975, a Notice of Availability of Draft Environmental Statement relating to the construction of the proposed Fleming Key Animal Import Center, Key West, Florida was published in the FEDERAL REGISTER (40 FR 28111).

Comments to be received by September 2, 1975, were invited from the public, 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 had not been requested specifically.

Among comments received to date are requests that a public meeting be held in order to provide certain individuals and interested groups an opportunity to express ideas and views concerning the proposal.

Since the Department is interested in receiving all meaningful views and comments, a public meeting will be held September 18, 1975, in the Key West High School Auditorium, 2100 Flagler Avenue, Key West, Florida at 8:00 p.m., to receive further comments concerning the Draft Environmental Statement relating to the proposed Fleming Key Animal Import Center. The meeting will be open to the public. Persons wishing to present oral views or comments will be given an opportunity to do so. Under these circumstances, it is also deemed proper to extend the original comment period from September 2, 1975 to September 18, 1975.

Therefore, written comments and other material relating to this matter may be submitted a the meeting in Key West or may be submitted to Mr. O. V. Cummings, Jr., Director, Administrative Services Division, Animal and Plant Health Inspection Service, United States Department of Agriculture, Room 5148-S, 14th and Independence Ave., S.W., Washington, D.C. 20250, on or before September 18, 1975.

Dated: August 29, 1975.

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

[FR Doc.75-23588 Filed 9-4-75;8:45 am]

Forest Service

AQUATIC WEED CONTROL

Availability of Addendum to 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 an addendum to the final environmental statement for Aquatic Weed Control, Apache-Sitgreaves National Forests, USDA-FS-FES (Adm) R3-74-01.

The addendum to the environmental statement includes copies of internal communication from the Arizona State Clearing House and the Forest Service response.

The addendum to the final statement was transmitted to CEQ on August 28, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, So. Agriculture Bldg., Room 3028, 12th & Independence Ave., S.W., Washington, D.C. 20250.

USDA, Forest Service, Southwestern Region, 517 Gold Avenue, SW., Albuquerque, New Mexico 87102.

Apache-Sitgreaves National Forests, Federal Building, Springerville, Arizona 85938.

Single copies are available upon request to the Forest Supervisor, Apache-Sitgreaves National Forests, Federal Building, Springerville, Arizona 85938; Regional Forester Southwestern Region, 517 Gold Avenue, SW, Albuquerque, New Mexico 87102; and the Colorado Plateau Environmental Advisory Council, P.O. Box 1389, Flagstaff, Arizona 86001. Please refer to name and number of environmental statement addendum when ordering.

Copies of the addendum to the final environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

M. J. HASSELL,
Deputy Regional Forester, R3.

AUGUST 28, 1975.

[FR Doc.75-23580 Filed 9-4-75;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

CENSUS ADVISORY COMMITTEE ON THE BLACK POPULATION FOR THE 1980 CENSUS

Public Meeting

The Census Advisory Committee on the Black Population for the 1980 Census will convene on October 10, 1975, at 9:30 a.m. in Room 2424, Federal Building 3 at the Bureau of the Census in Suitland, Maryland.

The Committee was established in October 1974 to advise the Director, Bureau of the Census, on such 1980 census planning elements as improving the accuracy of the population count, recommending subject content and tabulations of especial use to the black population, and expanding the dissemination of census results among present and potential users of census data in the black population.

The Committee is composed of 21 members appointed by the Secretary of Commerce.

The agenda for the meeting is: (1) Developments at the Census Bureau since the last meeting, (2) 1980 census subject content plans, (3) coverage and content research, and (4) update on Minority Statistics Programs with emphasis on Community Services program.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting should contact the Committee Control Officer, Mr. Clifton S. Jordan, Demographic Census Staff, Bureau of the Census, Room 3779, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, D.C. 20233). Telephone: (301) 763-5169.

Dated: August 28, 1975.

VINCENT P. BARABBA,
Director, Bureau of the Census.

[FR Doc.75-23615 Filed 9-4-75;8:45 am]

Domestic and International Business Administration

[Order No. 43-2; Amdt. 2]

BUREAU OF INTERNATIONAL COMMERCE

Organization and Functions

AUGUST 6, 1975.

This order, effective August 6, 1975, amends the material appearing at 39 FR 20622 of June 12, 1974 and 39 FR 35694 of October 3, 1974.

DIBA Organization and Function Order 43-2, dated March 25, 1974, as amended, is hereby further amended, as follows:

1. *Section 5. Office of Export Development*

In order to reflect transfer from the Office of Market Planning of the staff support for the President's Interagency Committee on Export Expansion (PICEE), the following sentence should be added to Subsection .04 Domestic Export Programs Division: "The Division shall provide coordination and support services for the President's Interagency Committee on Export Expansion (PICEE)."

2. *Pen and ink* Deletion to Amendment 1:

Amend Section 4.01, Office of Market Planning by *deleting* the following:

"The Office of the Director shall coordinate all Bureau publications and communications programs and information systems and shall provide coordination and support services for the President's Interagency Committee on Export Expansion."

3. SECTION 6. *OFFICE OF INTERNATIONAL MARKETING* is amended to read, as follows:

SECTION 6. OFFICE OF INTERNATIONAL MARKETING

.01 The *Office of the Director* includes: the *Director* who shall plan and direct the execution of the policies and programs of the Office, and the *Deputy Director* who shall provide principal direction to overseas operations and perform the functions of the Director in his absence. The Director shall have responsibility for any activities resulting from the participation of the United States in the International Exposition on the Environment which was held in Spokane, Washington, in 1974, and shall supervise and direct the following:

.02 The *Assistant Director for Program Development* shall coordinate country programs, collect foreign market data and develop the mechanism for securing the necessary approvals for country commercial programs within DIBA.

a. The *Program Coordination Division* shall coordinate the development of individual country commercial programs with the country marketing managers, other elements of DIBA, the State Department, Foreign Service Posts, and assure concurrence with Government policy and program documents such as Policy Analysis and Resource Allocation (PARA) and the Country Analysis and Strategy Paper (CASP).

b. The *Market Research Division* shall design and coordinate the program to produce marketing information about countries, regions and markets which will identify U.S. export problems and opportunities; and shall collect specific product/industry information to assist U.S. industry in solving problems of advertising, pricing and product development in the marketing of specific products.

.03 The *Assistant Director for Develgent Markets* shall have responsibility for for the following areas:

Northern Europe (Scandinavia, United Kingdom, Canada, Benelux).
Western Europe (France, Germany, Austria).
Southern Europe (Italy, Greece, Yugoslavia, Switzerland, Portugal, Spain).
Japan, Australia, New Zealand.

.04 The *Assistant Director for Emergent Markets* shall have responsibility for the following areas:

Far East (including South Asia).
Latin America.
Africa (exclusive of Egypt, Morocco, Tunisia, Algeria, and Libya).

.05 The Developed Markets and Emergent Markets areas shall each be responsible for the content and management of country marketing programs for its assigned territory within global export priorities and targets established by the Office of Market Planning; shall serve as the focal point in DIBA for the development of the Country Commercial Program; provide overseas marketing information and counseling services to the U.S. business community and to other U.S. Government agencies; identify key economic, trade, financial, and marketing problems in overseas country or country groupings; provide to the U.S. business community a regular review of the prospects for increased U.S. exports in significant overseas markets; provide for development in detail of the annual country commercial programs; plan and direct trade promotional activities within the country, including Trade Centers and commercial fairs; within the framework of Bureau-approved country programs, provide guidance and direction to overseas personnel engaged in commercial activities; i.e., the Commercial Foreign Service, Trade Center staffs, commercial fair staffs, and other trade promotion personnel; maintain contact with foreign government representatives in the United States on matters concerning the marketing programs developed for their countries.

In addition to the functions set forth in paragraph .05, the Office of the Assistant Director for Emergent Markets shall administer the Department's responsibilities pursuant to the China Trade Act of 1922, as amended.

.06 The *Assistant Director for Resources* shall plan, develop and manage the fiscal and physical resources supporting and complementing the various programs of the Office: specifically it shall provide logistical support for overseas promotional activities; shall provide for exhibition design; prepare specifications and provide technical administration of contracts with private design firms; provide for the leasing, construction, operation, and promotional support of overseas exhibitions and seminars; provide for leasing, design, and construction of U.S. Trade Center facilities; and coordinate the shipment of exhibition products and support material. It shall also provide for program allocation of resources; coordinate the development of operational budgets and fiscal plans; shall plan and develop promotional techniques and activities as required by the Emergent Markets and Developed Markets areas to meet special export marketing needs of U.S. industry such as catalogue fairs, trade missions, in-store consumer products promotions, and seminars.

4. The attached Organization Chart supersedes the chart dated August, 1974. A copy of the chart is on file with the original of this document in the Office of the Federal Register.

CHARLES W. HOSTLER,
Deputy Assistant Secretary for International Commerce.

Approved:

DONALD E. JOHNSON,
Deputy Assistant Secretary for Domestic and International Business.

[FR Doc.75-23531 Filed 9-4-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

UPJOHN CO.

Repromix; Notice of Withdrawal of Approval of New Animal Drug Application

Under 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: The Commissioner is withdrawing the new animal drug application (NADA) No. 13-578V held by The Upjohn Co., Kalamazoo, MI 49001, which provides for Repromix (medroxyprogesterone acetate premix containing 15 grams of the drug per pound), and which is intended for use for the synchronization of estrus and ovulation in breeding cattle and ewes.

The applicant has requested that approval of the application be withdrawn on the basis that the drug is not being manufactured and none has been sold since 1972.

Therefore, in accordance with paragraph (d) of § 514.115 withdrawal of approval of applications (21 CFR 514.115 (d)), notice is given that the approval of NADA No. 13-578V and all supplements and amendments thereto is hereby withdrawn, effective September 5, 1975.

A regulation published elsewhere in this issue of the FEDERAL REGISTER revokes the corresponding new animal regulations that provide for the use of the drug.

Dated: August 28, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-23613 Filed 9-4-75;8:45 am]

Office of the Secretary

OFFICE OF THE REGIONAL DIRECTOR, REGION IV

Statement of Organization, Functions, and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare, Office of the Secretary, (40 FR 1543–48 1/8/75) is amended to add under Section 1E84.20 Functions, the functions of the Office of the Assistant Regional Director for Planning and Evaluation and the Office of the Assistant Regional Director for Intergovernmental Affairs. The amended statement reads as follows:

Section 1E84.20H Assistant Regional Director for Planning and Evaluation.

1. Serves as a principal advisor to the Regional Director in identifying and directing activities to meet the needs and requirements for the planning and evaluation of HEW and related Federal, State, local, and private human resources programs within the Region.

2. Identifies needs, opportunities, and mechanisms for Regional Office interagency coordination in planning and evaluation activities, in order to better accomplish Regional Office goals and objectives.

3. Establishes and maintains an intergovernmental issues identification and a resolution process, in coordination with the Assistant Regional Director, Intergovernmental Affairs (ARD/IGA), *and* with this process:

a. coordinates identification and analysis of HEW-related issues needing policy clarification, and facilitates resolution of such issues; and

b. identifies on a geographic basis needs and problems in the Region with a special emphasis on target and special concern groups, and descriptions of available resources.

4. Establishes with the ARD/IGA an intergovernmental review and comment process in order to:

a. disseminate proposed National policies, legislation, and regulations within the Region.

b. analyze these proposals for Regional implications, especially in light of regional observations of needs; and

c. participate in Master Planning Calendar activities, including the forward planning process, development of preliminary budgets and model State legislation.

5. Coordinates an evaluation planning and management process which:

a. provides an interface with central office evaluation planning process;

b. identifies programs directly operated by the RD, information needed to describe programs progress and then develops instrument and techniques for measuring progress in reaching program goals; and

c. ensures for all DHEW programs dissemination of evaluation results within the Region.

6. Coordinates and monitors a Regional policy implementation planning process.

7. Develops and monitors implementation of a Regional capacity-building plan, in coordination with ARD/IGA and POCs. Identifies and assesses the constraints which impede current and/or potential participants from preparing effective program designs. Develops strategies for eliminating constraints and improving capacities. In coordination with Assistant Regional Director for Administration and Management, plans for and monitors the provisions of technical or financial assistance to general purpose governments in the development of integrated services and management systems.

8. Establishes in coordination with the Assistant Regional Director, Administration and Management and ARD/IGA, procedural and substantive criteria for the management review of those project grants covered by the RDRS system, all developmental assistance programs, and all programs serving cross-agency target groups.

9. Assists the ARD/IGA in the accomplishment of Regional manpower responsibilities by the Regional Manpower Coordination Units.

10. OPS functions are included in the model statement under K Office of the Assistant Regional Director for Administration and Management, item 2.

11. Administers the Regional OPS program including the CO tracked objectives plus prioritized regional objectives (primarily composed of broad cross cutting issues).

Section 1E8 4.20I Assistant Regional Director for Intergovernmental Affairs.

1. Serves as a principal representative to the Regional Director and supervises a staff unit to help accomplish the Department's Intergovernmental technical assistance and program coordination mission in the Region.

2. Serves as the Regional Director's representative in establishing and maintaining systematic contacts with the office of governors, Congressmen, State legislators, county executives and mayors. Recommends alternative methods for achieving goals and objectives, exercising priorities and implementing policies pertaining to relationships with State and local general purpose governments.

3. As a result of establishing a system for intergovernmental contacts, establishes and maintains a process for the identification of intergovernmental issues; refers these issues to the Regional Director, Assistant Regional Director, Planning and Evaluation (ARD/P&E), and the Regional POCs for proper analysis and resolution; and coordinates the dissemination of information on problems that have been resolved to State and local governments and representatives of private interest groups.

4. In cooperation with the ARD/P&E and POCs, coordinates and monitors procedures for securing timely State and local GPG review and comment on appropriate policies, legislation and regulations, keeps Regional Office and Headquarters Staff informed about major current developments concerning significant new human resource legislation and policies at the State and local levels.

5. Identifies, and brings to the attention of the ARD/P&E problems and issues in the States that may be amenable to DHEW evaluation efforts; facilitates, in coordination with the ARD/P&E, the dissemination of significant human resource evaluation, and monitoring findings to and from State and local governments.

6. Ensures that the Regional Office role in the implementation of DHEW policies, through such systems as OPS, is clearly spelled out to State and local general purpose governments. In cooperation with the ARD/P&E develops a process for disseminating information on operational objectives to State and local governments and special concerns groups. In cooperation with the ARD/P&E and the POCs, attempts to ensure that State and local governments institute adequate mechanisms for implementing major common operational objectives. Provides for an exchange of information and interface with other Departments where interdepartmental efforts are required to implement policies.

7. Coordinates the planning and delivery of technical assistance to assist States and local general purpose government in the accomplishment of common program objectives.

8. Maintains liaison with ARD/P&E and POCs regarding implementation of a capacity building plan. Participates in the identification and assessment of the constraints which impede current and/or potential participants from developing effective delivery systems.

9. Participates from time to time in interagency or interdepartmental studies with responsibility for fact-finding, analysis, and making recommendations to top level policy making officials about National and intergovernmental program planning.

10. Provides guidance and staff support to the Federal Regional Council, in connection with operations and activities that require coordination with Federal; State and local governments. This includes responsibility for maximizing the Federal Regional Council's potential for improving the quality and effectiveness of intergovernmental operations. Coordinates Regional participation on the Federal Executive Board, its committees and task forces.

11. Has leadership responsibility for carrying out the Regional Office responsibilities for the CETA program. Administers and assures that the Regional Office manpower work plan is being accomplished. Participates actively in the implementation of Departmental policy for CETA through the Regional Office Manpower Coordinator and Regional Agency program-related staff. Assures and identifies the inter-relationships of DHEW CETA activities with related Departmental initiatives such as capacity building and services integration.

12. Assures that DHEW resources are provided to special concerns groups, including Indian Reservations. Develops and maintains systematic contact with

Indian reservation tribal leaders, and the principal representatives of special concerns groups.

Dated: August 25, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-23620 Filed 9-4-75;8:45 am]

OFFICE OF THE REGIONAL DIRECTOR, REGION X

Statement of Organization, Functions, and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare, Office of the Secretary is amended to delete Sections 1E (35 FR 13546), 8/25/70, and 1E8109 (39 FR 20713) 6/13/74. Section 1E80, Assistant Regional Director for Human Development (38 FR 17262) 6/29/73, is retained and redesignated 1R95. New Sections are added for the several regions. Section 1E91 reflects the official organization of the Office of the Regional Director, Region X, whose headquarters is Seattle, Washington. The new Chapter reads as follows.

Section 1E91.00 Mission. The Regional Director represents the Secretary in his Region. Under his direction, the Office of the Regional Director provides leadership and coordination in various Department programs and activities within the Region and represents the Department in direct official dealings with State and other governmental units, representatives of the Congress, and the general public.

Section 1E91.10 Organization. The Office of the Regional Director, Region X, is under the direction and control of the Regional Director, who reports directly to the Secretary and Under Secretary, and consists of the following:

Regional Director (1E9101)
Deputy Regional Director (1E9102)
Staff Assistant to the Regional Director (1E 9103)
Office of the Regional Attorney (1S91)
Regional Office of Audit (1W1391)
Regional Office for Civil Rights (1D91)
Regional Office of Long Term Care Standards Enforcement (1E9171)
Assistant Regional Director, Administration and Management (1E9111)/Director of OEEO (1E9104):
  Division of Personnel (1E9112)
  Division of Regional Operations for Facilities Engineering and Construction (1E 9113)
  Division of Material Management (1E9114)
  Division of Management Planning and Review (1E9116)
Assistant Regional Director, Financial Management (1E9121):
  Division of Accounting and Reporting (1E 9122)
  Division of Budget (1E9123)
  Division of Grantee Liaison and Assistance (1E9124)
Assistant Regional Director, Human Development (1E9131):
  Administration on Aging (1E9132)
  Division of Child Development (1E9133)
  Division of Youth Development (1E9134)
  Division of Native American Programs (1E 9135)
  Rehabilitation Services Administration (1E 9136)
Assistant Regional Director, Intergovernmental Affairs (1E9141)
Assistant Regional Director, Planning and Evaluation (1E9151)
Assistant Regional Director, Public Affairs (1E9161)
Office of Federal Property Assistance (1E 9105)

Section 1E91.20 Functions. A. Regional Director (1E9101). The Regional Director:

1. Serves as the Secretary's representative in direct official dealings with State and other governmental units, and evaluates Regional, State, and local activities related to the Department's programs.

2. Develops regional priorities which emphasize the Department goals and highlight areas of particular needs or opportunities in the region so that efforts and resources may be brought to bear on them. Formulates regional plans for each priority and assures that regional agency heads achieve all their objectives in accordance with their plans. Conducts formalized planning conferences with regional representatives to assure a complete exchange of significant management information.

3. Exercises general coordination and supervision of personnel and activities in the region to ensure proper execution of policies, regulations, and instructions applicable to the Department as a whole. Recognizes interprogram disparities, exercises leadership to keep these disparities within constructive limits to assure effective, efficient, and responsive actions in the interest of total service to the public.

4. Assures that staff offices provide full support to agency operating programs.

5. Provides coordination of the activities of the principal representatives of the principal operating components who are stationed in or detailed to the region, including determination of regional program priorities and official communications with representatives of State or other Federal agencies.

6. Through coordination and supervision, exercises leadership in bringing about necessary awareness of the status of other programs of the Regional Office, and fosters cooperative relationships among program and staff representatives in seeing that plans are effectively made, operations are smoothly carried out, and performance is adequately evaluated.

7. Promotes general public understanding of the programs, policies, and objectives of the Department, and participates in the development and carrying out of a Regionwide information and public information program.

8. Establishes and maintains working relationships with Governors and key State and local officials; furnishes advice and assistance and strives to develop a mutually beneficial Federal-State-local partnership. Provides guidance to regional staff members on the priorities, emphases, and merits of various requirements based on expressions of need and analyses by governors, mayors, and other key officials.

9. Maintains working relationships with private agencies and institutions; develops ways in which their plans and programs and those of the Department can actively complement each other.

10. Develops continuing cooperative relationships with officials of the Federal agencies in the Region; through the medium of Regional Councils seeks ways in which interdepartmental delivery of program services can be made more effective.

11. In accordance with regulations and guidelines established at headquarters, administers the child development programs in the region, including the Head Start program. Makes certain Head Start grants and takes other grants actions as required.

12. Through liaison, periodic conferences, and other means, takes action to coordinate and integrate activities which are not directly associated with the regional office with regional office activities.

13. Develops plans for emergency preparedness and directs all Department activities necessary to ensure continuity of essential functions within the Region in case of an emergency due to enemy action; maintains a written plan for regional emergency operations; maintains liaison with all Federal authorities engaged in mobilization planning; acts in cooperation with them in an emergency situation; directs on behalf of the Secretary all Department activities in the Region if communications with national headquarters are cut off.

14. Directs regional activities for assistance and alleviation of distress within the region resulting from natural disasters, including major disasters under Public Law 93-288;

15. Administers, through the Office of Long Term Care Standards Enforcement, activities as herein described relating to the approval and termination of agreements with skilled nursing facilities for the purpose of participation in either the Medicare (Title XVIII) or in both the Medicare and Medicaid (Title XIX) programs.

B. Deputy Regional Director (1E9102). Serves as Acting Regional Director in the absence or disability of the Regional Director or in the event of a vacancy in the Office of Regional Director. The Deputy Regional Director performs other duties and functions at the request of the Regional Director.

C. Staff Assistant to the Regional Director (1E9103). Serves as a Staff Assistant to the Regional Director to provide direct assistance in relation to the Regional Director's personal responsibilities for program coordination in the Region and to provide staff support for the Regional Executive Council.

D. Office of the Regional Attorney (1S91). The functions of the Office of the Regional Attorney are as follows:

1. Advises and counsels the Regional Director and operating program personnel on legal issues relating to their responsibilities within the region; on all matters within the competence of the legal profession, the Regional Attorney is subject to the supervision of the Gen-

eral Counsel; on all other matters he is subject to the supervision of the Regional Director.

2. As requested by the Regional Director, assists in legal aspects of program development and of policy problem solution;

3. Provides professional legal services, such as preparation of legal instruments, memoranda, reports, and interpretive analyses;

4. Represents or counsels the Regional Director in negotiations to resolve actual and potential problems of a legal nature;

5. Provides appropriate legal assistance to state agencies and officials in connection with DHEW programs, as requested by the Regional Director;

6. As requested by the General Counsel, prepares for and conducts administrative hearings, aids the U.S. attorney in preparation for and conduct of litigation, and performs such other duties as may be requested by the General Counsel;

7. Seeks to so order his time and workload priorities as to meet the needs of the Regional Office as determined by the Regional Director;

8. Subject to final approval by the Regional Director, selects, promotes, and takes all personnel actions with respect to his professional and clerical staff, in accordance with the personnel policies of the Office of the General Counsel.

E. Regional Office of Audit (1W1391). The functional statement for the Regional Office of Audit is to be found with the statement of its parent organization.

F. Regional Office for Civil Rights (1091). The functional statement for the Regional Office for Civil Rights is to be found with the statement of its parent organization.

G. Office of Long Term Care Standards Enforcement (1E9171). Performs these functions as follows:

1. Provides recommendations to the Regional Director on administrative actions necessary to carry out those portions of Titles XVIII and XIX of the Social Security Act related to the certification by State agencies of skilled nursing facilities (SNFs) for participation in the Medicare and Medicaid programs. Those activities, within the region, which pertain to Title XVIII and the Title XIX certification include: the Issuance of Title XVIII time limited agreements; for homes participating under Title XVIII or under both Titles XVIII and XIX, the approval of corrective plans of action for deficiencies in SNFs which participate either as components of larger institutions or as free standing units; granting waivers of provisions of the Life Safety Code of the National Fire Protection Association (21st edition, 1967) or provisions of Standard No. A117.1 of the American National Standards Institute, and waivers of certain other provisions of physical environment standards as they pertain to SNFs; public disclosure of State agency reports of deficiencies in SNF compliance with standards in accordance with section 1864(a) of the Social Security Act; approval of State fire codes in lieu of the Life Safety Code; and granting waivers, under specified circumstances, of the requirement that an SNF have on duty more than one registered nurse more than 40 hours per week.

2. Establishes and maintains close working relationships with administrators of State health, welfare, and other departments involved under established agreements in the certification of an assistance to SNFs and ICFs. Performs evaluations of: State agency performance with respect to enforcing health and safety standards for SNFs and ICFs; and the state agencies' recommendations for waivers of provisions of the 1967 Life Safety Code with respect to SNFs and ICFs. Monitors States' Implementation of the ICF regulations.

3. Participates in the negotiations of budgets with State survey agencies for their services and reviews those portions of the State agency budget relative to SNF/ICF certification and the provision of state consultative services to SNFs and ICFs and recommends to the Social Security Administration (SSA) Regional Commissioner and to the Social and Rehabilitation Service (SRS) Regional Commissioner amounts that should be approved for SNF and ICF certification and certification-related activities.

4. Participates with other appropriate Federal programs in evaluations of State agency certification operations which are designed to assess State survey agency performance in program management, in applying established health, safety, and Life Safety Code standards and in evaluating quality of care (e.g., praticipates in SSA's comprehensive program reviews of State survey agency performance and in SRS's program reviews of the Title XIX single state agency.)

5. Develops and implements procedures to assure the timely and effective conduct of the following: (a) State surveys of individual SNFs and ICFs, (b) Federal review and processing of State agency certifications and documentation pertaining to SNF compliance, (c) Federal decisions approving agreements, terminations or the granting of waivers to SNFs and (d) Federal direct validation surveys of selected SNF and ICF facilities.

6. Provides technical assistance for the professional training of State agency personnel on their duties in survey/certification and evaluation of the functional performance of SNFs and ICFs with respect to the quality of health care delivered.

7. Assists State agencies to develop their capabilities for the provision of specialized technical assistance to SNFs and ICFs of highly complex aspects of the survey requirements and on the development of acceptable plans of corrective action for overcoming deficiencies.

8. Assists States, provider organizations, and educational institutions in the stimulation, development, and implementation of training opportunities for SNF and ICF personnel in order to correct deficiencies and upgrade the quality of care offered, including mental health aspects of long term care.

9. Reviews complaints received by the Regional Directors concerning State agency and SNF/ICF activities and initiate appropriate action for investigation and resolution.

10. With SSA, SRS and the Public Health Service (PHS), as appropriate, provides information and interpretations concerning standards for the delivery of SNF and ICF services to media, consumer and provider groups, professional health associations, and other health and welfare groups.

11. Based on regional conditions and trends related to SNFs and ICFs, makes recommendations to the Office of Nursing Home Affairs (ONHA) or through ONHA, to the headquarters components of SSA, PHS and SRS, as appropriate, on revisions to present program policies criteria, standards or procedures.

12. Provides data and reports to ONHA on SNF/ICF survey/certification activities on SNF and ICF health service utilization and on the impact of certification and assessment procedures on the delivery of SNF and ICF health service utilization and on the impact of certification and assessment procedures on the delivery of SNF and ICF health services. Provides reports to SSA, SRS, and PHS on the status of SNF and ICF facility compliance in the region.

13. Works with and provides information as requested to, the Social Security Administration, on the following SNF related activities:

a. Utilization review processes of SNFs;

b. Change to provider status in the Medicare program (e.g., change of ownership, termination because of failure to provide proper financial information or because of requests for payment substantially in excess of costs or for improper or unnecessary services; or withdrawal from program);

c. Certification of SNF's as a "distinct part" of another facility; and

d. Requests for hearings on terminated SNFs participating in Medicare.

14. Works with and provides information as requested to, the Social and Rehabilitation Service, on the following SNF and ICF related activities:

a. Utilization and periodic medical review procedures for SNFs;

b. Utilization and independent professional review procedures for ICFs;

c. Level of care determinations;

d. Recipient eligibility issues; and

e. Cost-sharing requirements.

15. Works with, and provides information as requested to, the Public Health Service on the following SNF and ICF related activities:

a. Health care standards development efforts of the Bureau of Quality Assurance;

b. Utilization review determinations under Professional Standards Review Organizations;

c. Provider improvement program initiatives of the Health Resources Administration;

d. Comprehensive health planning determinations under section 1122 of the Social Security Act; and

e. Other relevant SNF and ICF program activities conducted by the Health

Resources Administration, Health Services Administration, Alcohol, Drug Abuse, and Mental Health Administration, National Institutes of Health, Center for Disease Control, and the Food and Drug Administration.

16. Coordinates with the Office of Human Development in the areas of their delegated responsibilities for, and concern with, the mentally retarded and aging.

17. Coordinates under the Office for Civil Rights in monitoring the implementation of Title VI of the Civil Rights Act of 1964 with respect to SNFs and ICFs.

18. Coordinates under the direction of the Regional Director, with regional personnel of the Office of Facilities Engineering and Property Management on matters relating to the interpretation and enforcement of provisions of the Life Safety Code.

19. Coordinates with the Department of Housing and Urban Development in implementation of Public Law 93-204.

H. Office of the Assistant Regional Director for Administration and Management (1E9111).

1. Acts as the Director, Office of Equal Employment Opportunity. Serves as the Regional Director's staff for the establishment and maintenance of a positive program of non-discrimination in Departmental employment in the Region. Has responsibility for the Regional HEW Federal Women's Program and the Regional Spanish-Surnamed Program. Monitors the Regional Equal Employment Opportunity Complaint System and issues proposed dispositions on all Office of the Secretary formal complaints. Prepares the Regional Annual Affirmative Action Plan.

2. Serves as the principal adviser to the Regional Director on, and directs or participates actively in, all aspects of administrative management, including organization, procedures, management systems, delegations of authority, management surveys and studies, and paperwork management.

3. Overseas the negotiation, procurement and administration of Regional Office contracts of a continuing nature which involve substantial expenditures.

4. Directs and coordinates the regional activities related to the operation of the Operational Planning System. Assumes the effective inter-phasing of the OPS with related program and budgetary operations.

5. Serves as the principal advisor to the Regional Director on all aspects of personnel management. Administers the regional program, including the classification of positions, the processing of appointments, and selected on-the-job training activities.

6. Provides the leadership in the establishment, maintenance, and effective use of management information and the system related thereto.

7. Establishes a system of effective property management, including the maintenance of item and financial property accounts.

8. Conducts periodic inspections of regional space and facilities to assure the application of optimum standards and practices related to physical and personnel safety and security.

9. Insures the provision of office services to all activities in and near the regional headquarters location, including mail pick-up and delivery; procurement, stocking, and distribution of common supplies; maintenance of the official regional files; printing and reproduction services, moving and storage services.

10. Assures the delivery of the total architectural/engineering services in support of HEW grant and loan and direct Federal construction programs and of HEW owned and utilized facilities.

11. Reviews grants and contract proposals for general adherence to program goals and management soundness and exercises Regional sign-off authority as appropriate.

I. Office of the Assistant Regional Director for Financial Management (1E9121).

1. Provides financial management support to the Regional Director and Regional Agency Heads for decentralized programs and activities. Under policies and procedures established by the Office of the Assistant Secretary, Comptroller, supervises the performance of the following financial management functions: accounting and financial reporting, budget formulation and execution, and works with State and local government and HEW grantees to include indirect cost negotiation, single letter of credit implementation, technical assistance, and audit follow-up.

2. On behalf of the Regional Director, provides coordination and liaison with the HEW Audit Agency, the Treasury Department, the General Services Administration, and the General Accounting Office on financial management matters.

3. Is responsible for the financial administration and management of allotments or allowances which are issued to the Regional Director.

4. Performs Regional accounting and reporting activities: accounting comptrolling, fiscal services, and reporting for all HEW activities for which the Regional Director is delegated the authority to provide such services.

5. Performs budget activities as follows: Prepares the Regional budget for activities for which the Regional Director has delegated authority and assists other Regional staffs in developing their budgets; prepares consolidated Regional budget estimates and justifications and assists the Regional Director and Regional Agency Heads in advocating program budget priorities for centralizing and decentralizing programs based on Regional needs and characteristics; supervises budget execution in the Region including the recording and distribution of budget resources based on allocations, allotments and allowances for Regional activities; prepares recommended allowances and manpower allocations for activities delegated directly to the Regional Director; oversees the development of financial operating plans for other Regional activities, reviews these plans, and provides comments to the Regional Director and other Regional personnel; develops and implements a budget data system capable of monitoring financial operating plans and maintaining current information of fund availability for Regional programs; and receives Regional personnel ceiling allowances and monitors recruitment and employment against these allowances.

6. Carries on cost allocation and payment systems activities as follows: Pursuant to delegations of authority from the Regional Director is responsible for indirect cost rate negotiations (including State and local cost allocation plans) based on cost policies and procedures established by the Division of Financial Management Standards and Procedures; provides financial management technical assistance to State and local governments and to other HEW grantees and contractors; assists the Office of the Assistant Secretary, Comptroller, to develop the single letter of credit system within the Region; and assists the Regional Director and Regional Agency Heads in assuring effective follow-up of audit findings of major managerial significance as disclosed by reviews of grantees' management systems.

J. The Assistant Regional Director for Human Development (1E9131).

1. Serves under the direct line of authority of the Regional Director.

2. Serves as the representative of the Assistant Secretary for Human Development and the Regional Director in direct official dealings with other Federal agencies, State and local activities related to Human Development Programs, and reports progress and status to the Regional Director and the Assistant Secretary for Human Development.

3. Recommends program priorities and policy or procedural changes to the Assistant Secretary for Human Development through the Regional Director.

4. Works with other elements of the Regional Office to ensure that all areas of OHD program operations in the Region receive necessary assistance, including programmatic and administrative management assistance to perform their mission effectively and efficiently.

5. Maintains working relationships with other Federal agencies, State and local governments and institutions, and develops ways in which their plans and programs and those of the Department can actively complement each other.

6. Directs, implements and administers the human development programs delegated to the Regional Office.

7. Ensures intra-departmental coordination between the Office of Human Development, other elements of the Office of the Regional Director, and the operating agencies of the Department on Human Development matters; serves as the advocate for those interests represented in the Office of Human Development with the other elements of the Department.

K. Office of the Assistant Regional Director for Intergovernmental Affairs (1E9141).

1. Serves as chief advisor to the Regional Director in all matters concerning Regional relations with State and local

governments, Congressional and Legislative offices, and other Federal departments, and to design Regional plans and strategies for improving communications and the delivery of resources among the various levels of government.

2. Serves as the Regional Director's representative in establishing and maintaining working relationships with the offices of governors, county executives, mayors, State agency officials, and consumers of HEW services. Represents the Regional Director on the Federal Regional Council staff and insures that the HEW perspective is adequately represented in FRC decisions.

3. Independently initiates beneficial relationships with principal members of government, as well as other Federal department officials. Provides the Regional Director with advice and communication to and from the legislatures of the four States of the Region, as their activity affects or is affected by HEW programs or policies. Manages Regional Office relations with members of Congress, which includes periodic briefings to Congressional delegations and staff on Regional operations, and the monitoring and approval of Congressional correspondence prior to RD sign-off.

4. Provides innovative leadership and guidance to Regional managers and program officials in developing and improving ways of assisting States to improve their capacity to respond to the needs of their localities. Conveys to Regional agency heads and program managers information concerning the political, economic and social conditions and postures of the States on current program issues. Provides technical assistance in its broadest sense to States and localities to enable them to plan for the accomplishment of common program objectives, considering changes and trends foreseen by the Department. In consultations with other ORD units, identifies recipients of and recommends appropriate expenditures for the RD's discretionary funds. Performs research, demonstration, and evaluation project management responsibilities as delegated by the RD.

5. Assists the agencies in getting the RD's backing and active support in their initiatives and problem-solving work, including his intercession with OS where needed.

6. Approves in advance all HEW Regional contacts initiated with the Governors' Offices, Congressional offices, and HEW Regional contacts with State legislators or their staffs.

7. Acts as a general HEW contact point for other elected officials, public interest groups and Federal, State, or local agencies which lack counterpart agencies in HEW. This responsibility includes relationships with minority and other special concerns groups and organizations. Coordinates such Regional activities with the OS Special Assistant for External Affairs.

8. Insures regional office compliance with the National Environmental Policy Act, National Historic Preservation Act, National Archeological Preservation Act, relates laws, executive orders, regulations and guidelines. Recommends regional office policy and develops procedures to insure a coordinated and interdisciplinary approach to assist programs in the conduct of environmental analysis and preparation of documents for activities subject to the above-mentioned requirements in accordance with Departmental procedures. Identifies and advises the Regional Director as to a recommended course of action with respect to emerging environmental issues of concern to the Department and coordinates environmental reviews by regional program staff in response to other Federal agency requests for input. Apprises general purpose government, Federal Regional Councils, Clearinghouses and other concerned organizations with respect to HEW NEPA requirements and proposed actions impacting on the community. Serves as the principal regional contact point with the Department's Chief Environmental Officer and notifies him of key issues and emerging problems on which the Secretary should be advised. Participates in and coordinates regional input to environmentally related interagency studies and task forces.

L. Office of the Assistant Regional Director for Planning and Evaluation (1E9151).

1. Provides the Regional Director advice and staff services on policy development, planning and evaluation, including analysis of issues of national and/or Regional significance, long range planning, and advice and information on significant agency developments.

2. Coordinates Regional participation in the Department's long range planning process, including preparation of the Regional Memorandum and analysis of Departmental issuances, such as the Planning Guidance Memorandum, Forward Plans, and Program Memoranda. Promotes the use of these planning documents in budget formulation by the Assistant Regional Director for Financial Management. Among principal activities involved in maintaining a Regional intergovernmental planning process are these:

a. Facilitating the identification of issues needing policy clarification.

b. Exploring the implications of implementing policies in the Region to determine needed Regional deviations from a national norm.

c. Identifying Regional needs by means of a bottom-up planning process.

3. Develops and maintains a system to monitor and coordinate various Regional Office activities, such as:

a. Preparation and implementation of an annual Regional Office Evaluation Plan, including design and management of evaluation projects.

b. Coordination of Regional Office input to Departmental Central Office evaluation systems.

c. Coordination of Regional evaluation system with Regional OPS and Forward Planning systems.

d. Provision of technical assistance to further develop the evaluation capability of the Regional Office and to maintain a liaison function between the various Regional agencies.

e. Develop standard procedures for disseminating final report distribution and follow-up action on project recommendations. Investigate possible dissemination functions of Central and Regional Office evaluation studies as a technical assistance function.

4. Engages in the provision of technical assistance to human resources planning units for the purposes of developing planning and managerial capacity. Under the requirements of CETA, provides technical assistance to prime sponsors and coordinates HEW cooperation with the Department of Labor with respect to HEW developmental manpower programs. In conjunction with the Office of the Assistant Regional Director for Intergovernmental Affairs, maintains expertise in management and program areas which require the cooperation of the Federal establishment with other units of government and/or the public; for example, the integration of services and consumer participation.

5. Maintains Department liaison sufficiently to identify policy issues of interest to the Regional Director and to provide substantive comments to the Regional Director on agency activities reviewable under RDRS, CERC, and other review mechanisms. In this capacity, also provides guidance on procedural and substantive criteria to be used in RDRS. Furthermore, identifies measures or indices to be used in judging program success for programs either under the Regional Director's jurisdiction or subject to his review.

6. Develops socio - economic - demographic indicators for the Regional Office. Promotes the use of this data as a quantitative aid for Regional Office decision making as it relates to reports allocation, awarding grants, external affirmative action, etc.

7. Coordinates the development of Regional comments on proposed Departmental legislation within the context of long range planning.

M. Office of the Assistant Regional Director for Public Affairs (1E9161).

1. Serves as a principal advisor to the Regional Director in the formulation of policies, approaches, and procedures in the field of public information and in the formulation of approaches to major policy issues and has a broad range of responsibility in developing overall strategies and techniques for long range Public Affairs activities, in line with the Secretary's policy and the trend toward inter-agency coordination and Departmental control.

2. Provides briefing material and other intelligence for visits to the Region by the President, Vice President, the Secretary, the Under Secretary, and other top officials, including members of Congress.

3. Maintains close liaison with groups outside the Federal government—national media, publication houses, constituent agencies in State and local government, major health/education/welfare organizations, Governor's offices, and Mayors of various cities.

4. Advises key officials of the Regional Office, including the Regional Director

and agency representatives on public information, public reporting, and related aspects of program matters.

5. Serves as a central point of communication with the press, radio, and TV news media, issuing all news materials originating within the Regional Office and amplifying, clarifying or explaining the impact and effect within the Region of national news issued by Departmental headquarters.

6. Is responsible for overall program supervision of the Regional Office's toal public information program. Coordinates and exercises functional supervision over information services and all other activities of the Regional Office related to publications, public reports, and other informational and public affairs matters. Is responsible for the clearance of all information for public distribution before its release and certification as to the necessity for all illustrations and related materials.

7. Prescribes procedures for planning, production, clearance, release, and distribution of all material prepared with tht Region for release through Government channels.

8. Issues policies, standards, and procedures as may be necessary to carry out the public affairs functions and responsibilities of the Regional Office.

9. Serves as the initial denial authority for all regional documents requested under the Freedom of Information Act.

N. Office of Federal Property Assistance (1E9105).

1. Serves as principal advisor in the Region on all matters relating to Federal surplus property, real and personal.

2. Allocates Federal surplus personal property to State agencies for distribution to eligible institutions and organizations.

3. Transfers Federal surplus real property to eligible education and health organizations.

4. Exercises compliance responsibility of the donee for both personal and real property transfers.

5. Provides technical assistance and direction to State agencies under the Federal Property Assistance Program, including the approval of State plans of operation.

Section 1E91.30 Relationship to Agency Regional Staffs and Regional Audit and Regional Civil Rights Staff. POC regional staffs and Regional Civil Rights and Regional Audit staffs are under the line direction and control of their parent headquarters organizations. The regional staffs are subject to the general leadership and coordination of the Regional Director and receive administrative, financial, and other support services from the latter's staff. The functional statements for these offices are to be found with the statements of their parent organizations.

Section 1E91.40 Order of Succession. In the absence or disability of the Regional Director, the Deputy Regional Director serves as acting Regional Director. In the event of the absence or disability of both the Regional Director and Deputy Regional Director and where there is a vacancy in both positions, the Secretary or Under Secretary will designate the acting Regional Director.

Section 1E91.50 Delegation of Authority. The delegations of authority to the Regional Director to operate programs are:

A. *Long Term Care Standards Enforcement.*

1. Regional Directors have been delegated the following authorities under Title XVIII of the Social Security Act, as amended, which pertain to skilled nursing facility standards enforcement and which may be redelegated only to the Director, Office of Long Term Care Standards Enforcement:

a. To approve or disapprove certifications made by State agencies under the provisions of Section 1864(a), that a health care institution is or is not a skilled nursing facility as defined in Section 1861(j);

b. To enter into agreements with skilled nursing facilities as provided in Section 1866(a), including authority to determine the term of such agreements;

c. To terminate agreements, under the provisions of Section 1866(b)(2)(B), with skilled nursing facilities where such facilities no longer substantially meet the requirements of Section 1861(j);

d. To waive, for such periods as are deemed appropriate, specific provisions of the Life Safety Code of the National Fire Association (21st edition, 1967) as provided in Section 1861(j)(13);

e. To determine, in accordance with Section 1861(j)(13), that the Life Safety Code of the National Fire Protection Association (21st edition, 1967) is not applicable in a State because a fire and safety code, imposed by State law, adequately protects patients in skilled nursing facilities;

f. To waive the requirement that a skilled nursing facility engage the services of a registered professional nurse for more than 40 hours a week as provided in Section 1861(j)(15);

g. To waive in accordance with 20 CFR 405.1134(c), for such periods as are deemed appropriate, specific provisions of American National Standards Institute Standard No. A117.1, American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped;

h. To waive, based on regulations, 20 CFR 405.1134(e), requirements relating to the number of beds per room and the minimum size for rooms in skilled nursing facilities; and

i. To determine, under the provisions of Section 1864(a), that State agency survey reports (including reports of follow-up reviews), and statements of deficiencies based upon official survey reports, relating to the certification of skilled nursing facilities for compliance with the applicable provisions of Section 1861 are final and official. This includes the authority to: (1) Assure that references to internal tolerance rules and practices are excluded from such reports or deficiency statements; (2) determine that such reports and deficiency statements have not identified individual patients, physicians, other practitioners, or individuals; (3) determine that involved skilled nursing facilities have been afforded a reasonable opportunity to offer comments; and (4) make final and official reports and deficiency statements available to the public in readily accessible form and place, along with any pertinent written statements submitted by skilled nursing facilities.

2. Regional Directors have been delegated the following authorities under Title XIX of the Social Security Act, as amended, which pertain to nursing facility standards enforcement and which may be redelegated only to the Director, Office of Long Term Care Standards Enforcement:

a. Authority under the provisions of Section 1910(b) to notify the State agency administering the Title XIX State plan of the approval or disapproval of any institution which has applied for certification under Title XVIII, and the term of such approval.

b. Authority to waive, for Title XIX skilled nursing facilities for such periods as are deemed appropriate, specific provisions of the Life Safety Code of the National Fire Protection Association (21st edition, 1967) as provided in Section 1861(j)(13) of the Social Security Act.

c. Authority to waive for Title XIX skilled nursing facilities the requirement that a skilled nursing facility engage the services of a registered professional nurse for more than 40 hours a week as provided in Section 1861(j)(15) of the Social Security Act.

d. Authority vested in the Secretary under Section 1905(c) of the Social Security Act to certify intermediate care facilities located on Indian reservations.

e. Authority vested in the Secretary under Section 1905(h) of the Social Security Act to certify skilled nursing facilities located on Indian reservations.

B. *Office of Federal Property Assistance.* 1. Regional Directors have been delegated certain authority which may not be redelegated as follows:

a. Real property. This delegation relates to the conveyance and utilization of surplus real property and related personal property for educational and public health purposes, pursuant to section 203(k) of the Federal Property and Administrative Services Act of 1949, as amended. Each Regional Director, consistent with policies and procedures set forth in applicable regulations of the Department, is authorized:

(1) To execute deeds, contracts of sale, and all instruments incident or corollary to the transfer of land and improvements thereon, or in modification of previous transfers with respect to land and improvement cost of property where less than $1 million;

(2) To execute all instruments of conveyance or in modification of previous transfers with respect to land and improvements thereon where the acquisition and improvement cost was $1 million or more and the Office of Federal Property Assistance specifically authorizes closing the transaction by the Regional Office; and

(3) To execute all instruments of conveyance relating to the transfer of

improvements located outside his jurisdiction and intended for removal to and use within his jurisdiction.

b. Personal property. To act or designate a member of his staff (other than the Director, Office of Federal Property Assistance) to act as reviewing officer to approve or disapprove determinations by the Director, Office of Federal Property Assistance authorizing State Agencies to abandon or destroy surplus personal property having a line item acquisition cost of $1,000 or more.

2. Regional Directors have been delegated certain authority related to real property which they may redelegate in writing to the Director, Office of Federal Property Assistance as follows:

a. Consistent with policies and procedures set forth in applicable regulations of the Department, to perform or take the actions stated below, with respect to disposal and utilization of surplus real and related personal property.

(1) To request and accept assignments from Federal agencies of:

(a) Improvements for removal and use away from the site;

(b) Improvements for removal to and use in another regional jurisdiction; and

(c) Land and improvements thereon where the acquisition and improvement cost of the property was less than $1 million.

(2) To make determinations incident to the disposal of assigned property described in a(1)(a) and a(1)(c) above;

(3) To issue and execute licenses and interim permits affecting assigned property described in a(1)(a) and a(1)(c) above;

(4) To execute instruments of transfer relative to property described in a(1)(a) above; except in those cases provided for in A 1a(3).

(5) Except for execution of instruments of conveyance or in modification of previous transfers, to take all action with respect to land and improvements thereon where the acquisition and improvement cost was $1 million or more and the Office of Federal Property Assistance specifically authorizes closing of the transaction by the Regional Director; and

(6) Incident to the exercise of the authority hereinbefore provided to receive remittances and performance guarantee deposits and bonds, to request forfeiture or release of performance bonds.

b. Consistent with the policies and procedures set forth in applicable regulations of the Department, with respect to the disposal of educational and public health purposes of surplus real property improvements and related personal property located outside his jurisdiction, but intended for removal to and use within his jurisdiction, to take actions set forth in a(2), a(3), and a(6) above.

c. Consistent with the policies and procedures set forth in applicable regulations of the Department, with respect to property within his jurisdiction previously conveyed for educational and public health purposes:

(1) To make determinations concerning the utilization and the enforcement of compliance with the terms and conditions of disposal of:

(a) Improvements for removal and use away from the site; and

(b) Land and any improvements thereon regardless of the acquisition and improvement cost;

(2) To accept voluntary reconveyances and to effect reverter of title to land and improvements located thereon, without regard to acquisition cost;

(3) To report to the General Services Administration revested properties excess to program requirements in accordance with applicable regulations;

(4) To execute instruments necessary to carry out, or incident to the exercise of, the authority delegated in this paragraph; and

(5) Incident to the exercise of the authority delegated in this paragraph, to receive remittances and performance guarantee deposits and bonds, to request refunds or payments, and to request forfeiture or release of performance bonds.

d. With respect to the States within the jurisdiction of his region, consistent with the policies and procedures of the Department, to enter into cooperative agreements, under section 203(n) of the Act, with State Agencies for Surplus Property.

3. Regional Directors may redelegate in writing the following authority related to personal property to the Director, Office of Federal Property Assistance: the latter may likewise redelegate in writing the authority to the Deputy Director, OFPA. The Director, OFPA, may also redelegate in writing to his allocator(s) the authority stipulated in a(1)(a), a(1)(b), and a(1)(e), insofar as a(1)(e) pertains to a(1)(a) and a(1)(b):

a. Consistent with policies set forth in applicable regulations and procedures of the Department.

(1) To perform or take the actions stated below with respect to the allocation for donation of surplus personal property located within his jurisdiction for educational, health, or civil defense purposes.

(a) To make determinations concerning the usability of and need for surplus personal property by educational or health institutions and civil defense organizations;

(b) To allocate surplus personal property and to take all actions necessary to accomplish donation, or transfer of property so allocated;

(c) To make determinations of eligibility of educational and public health donees to acquire donable property;

(d) To designate individuals recommended by State agencies as State representatives for the purpose of inspecting and screening surplus personal property; and

(e) To execute all instruments, documents, and forms necessary to carry out, or incident to the exercise of, the foregoing authority.

(2) To allocate property within his jurisdiction to any other regional jurisdiction and to take the actions set forth in (1)(b) above in connection with such out-of-region allocation.

(3) To take the actions set forth in (1)(b), (c), and (e) above in connection with any property that is available for transfer to his jurisdiction from another region.

(4) With respect to personal property located within his jurisdiction and in possession of State agencies for subsequent donation for educational, public health, and civil defense purposes:

(a) To effect redistribution of usable and needed property to other State agencies;

(b) To authorize and execute instruments necessary to carry out cannibalization, secondary utilization, and revision of acquisition cost of property;

(c) To recommend to GSA for disposal, property excess to the needs of State agencies; and

(5) With respect to personal property located within his jurisdiction previously donated for educational and public health purposes:

(a) To make determinations and take actions appropriate thereto concerning the utilization of such property, including retransfer and the enforcement of compliance with terms and conditions which may have been imposed on and which are currently applicable to such property;

(b) To execute instruments necessary to carry out, or incident to the exercise of, the authority delegated in (a) above;

(c) To recommend to GSA for disposal, property excess to the needs of donees, except boats over 50 feet in length and aircraft;

(d) Incident to the exercise of the authority delegated in this paragraph, to request refunds or payments; and

(e) To authorize and execute instruments necessary to carry out sales, abrogations, revision of the period of restriction, secondary utilization or cannibalization, revision of acquisition cost, trade-in of an item on a similar replacement, and destruction or abandonment of property in the custody of donees.

(6) With respect to the States within the jurisdiction of his region, to approve State plans of operation and amendments thereto submitted by State agencies for surplus property: Provided, however, That disapproval of a State plan in whole or in part is concurred in by the Director, Office of Federal Property Assistance.

(7) With respect to the States within the jurisdiction of his region, to enter into cooperative agreements, under section 203(n) of the Act, with State agencies for surplus property of such States, either individually or collectively.

4. The Director, Office of Federal Property Assistance has been delegated certain authority related to personal property directly by the Director of the Office of Federal Property Assistance, DHEW. The authority may be redelegated in writing to the Deputy Director, OFPA.

a. Consistent with policies set forth in applicable regulations and procedures of the Department.

(1) To authorize destruction or abandonment by a determination in writing that the property has no commercial

value, subject, however, to approval of such determination in the case of property having a line item acquisition cost of $1,000 or more, by a reviewing officer before authorization to destroy or abandon is given to the State agency.

C. *Office of Human Development.* 1. Regional Directors have been delegated the certain authorities by the Assistant Secretary for Human Development as follows:

a. Under the general policies and in such form as prescribed by the Director, Office of Child Development (and approved by the Assistant Secretary for Human Development) and in conformity to the allocations and financial guidelines of the Director, Office of Child Development to make grants under section 511 of the Community Services Act of 1974 (Project Head Start), except insofar as such grants are for programs which primarily serve migrants or Indians living on Federal reservations. This authority may be redelegated.

b. Under the general policies and in such form as prescribed by the Assistant Secretary for Human Development and in conformance with the allocations and financial guidelines issued by him, Regional Directors are authorized to make grants or contracts under the authority of Title I of the Juvenile Delinquency Prevention Act. The Regional Director is authorized to redelegate this authority only to the Assistant Regional Director for Human Development without the concurrence of the Assistant Secretary for Human Development.

c. To make grants and contracts for Urban Indian Projects under the authority of section 803 of the Community Services Act of 1974.

d. To make, amend, suspend, and cancel the grants and contracts authorized in "a", "b" and "c" above and to issued audit disallowances as well as to receive appeals on and make final decisions on such disallowances.

Dated: August 25, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-23617 Filed 9-4-75;8:45 am]

Office of the Assistant Secretary

INCIDENCE AND NATURE OF RUNAWAY BEHAVIOR

Notice of Program Results

Pursuant to Section 606 of the Community Services Act of 1974, (Pub. L. 93-644) 42 USC 2946, this agency announces the results, findings, data and recommendations reported as a result of activities associated with HEW project entitled, "The Incidence and Nature of Runaway Behavior."

This final report presents a feasibility study in estimating the incidence of runaway youth, through a survey technique. The estimate was derived from incidence observed in a selected subset of households in the Denver and North East Colorado area, representing both a urban and rural setting. The sample included data from 2500 households with known runaways.

The report discusses issues of feasibility and recommends that a national probability sample be used in estimating the incidence of runaway youths. The episodic, social-psychological and human service information collected by the survey are the basis for discussions of the incidence and explanation of runaways.

General findings report satisfaction by a majority of users with agencies providing services to runaways and their families. The most frequently utilized sources of assistance are social service agencies, friends and relatives, police, and schools. Many users also expressed satisfaction with advertised runaway shelters.

Finally, seven types of runaways are characterized by the analysis. In addition, five generalized models or typical episodes are described in the report.

A copy of the report will be filed and available as soon as possible from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Dated: September 2, 1975.

WILLIAM A. MORRILL,
Assistant Secretary for Planning and Evaluation.

[FR Doc.75-23618 Filed 9-4-75;8:45 am]

EXCLUSIVE PATENT LICENSE

Notice of Proposed Issuance

Pursuant to § 6.3, 45 CFR, Part 6, notice is hereby given of intent to issue a limited-term, revocable, exclusive patent license in and to an invention of Theodor Kolobow entitled "Method of Making Thin Defect-Free Silicone Rubber Films and Membranes."

Any objection thereto together with request for opportunity to be heard, if desired, should be directed to the Assistant Secretary for Health, Department of Health, Education, and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201, on or before October 7, 1975. Interested parties may obtain a copy of the patent directed to this invention upon request in writing to the party hereinabove named.

45 CFR 6.3

Dated: August 27, 1975.

RUPERT MOURE,
Acting Assistant Secretary for Health.

[FR Doc.75-23619 Filed 9-4-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 75-169]

COAST GUARD ACADEMY ADVISORY COMMITTEE

Notice of Open Meeting

In accordance with § 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the Coast Guard Academy Advisory Committee will conduct an open meeting on October 9 and 10, 1975, at the United States Coast Guard Academy, New London, Connecticut. The meeting will begin at 1:00 p.m. on October 9, and adjourn at 9:30 p.m. On October 10 the meeting will begin at 8:00 a.m. and adjourn at 3:15 p.m.

Members of the committee and their positions are:

RADM William A. Brockett, USN (Ret).

Dean Lindsey Cowen—Chairman, The Franklin Thomas Backus School of Law, Case Western Reserve University.

Mr. James J. Henry, President, J. J. Henry Company, Inc.

Dr. Melvin R. Lohmann, Dean, College of Engineering, Oklahoma State University.

Dr. Luna I. Mishoe, President, Delaware State College.

Dr. James D. Palmer, President, Metropolitan State College.

RADM W. A. Jenkins, USCG—Executive Director, Superintendent, U.S. Coast Guard Academy.

Items to be discussed include:

a. Review of Spring 1975 Advisory Committee recommendations.

b. Academic program.

c. New England Association of Schools and Colleges accreditation and conditions.

d. Review of Engineers' Council for Professional Development accreditation and conditions.

e. Faculty (balance; quality; professional growth).

f. Rehabilitation and growth of McAllister Hall.

g. Communications.

h. General discussion with the Academic Council.

i. Programs, personnel and physical plant.

The Coast Guard Academy Advisory Committee was authorized by Congress on April 16, 1937. Its mission and objective is to advise the Commandant, United States Coast Guard, on the status of the curriculum and faculty of the United States Coast Guard Academy and to make recommendations for maintenance and improvement of their high quality. By notice published in the January 6, 1975, FEDERAL REGISTER (40 FR 1115), the Coast Guard Academy Advisory Committee was renewed by the Secretary of Transportation for a two year period beginning on January 16, 1975, and terminating on January 16, 1977.

Public members of the committee serve voluntarily and without compensation, except for reimbursement of actual travel and lodging expenses, plus a subsistence allowance.

Interested persons may seek additional information by writing to Commandant (G-PTE), U.S. Coast Guard, Washington, D.C. 20590 or by calling 202-426-1381.

Dated: August 15, 1975.

R. W. DURFEY,
Rear Admiral, U.S. Coast Guard, Chief, Office of Personnel.

[FR Doc.75-23376 Filed 9-4-75;8:45 am]

Federal Aviation Administration

AIRPORT NOISE POLICY

Public Hearings

The Federal Aviation Administration will hold a series of public hearings on its airport noise policy. These hearings will afford interested persons the opportunity to present views, data, and arguments regarding the subjects and issues stated in a general notice published in the FEDERAL REGISTER on July 9, 1975 (40 FR 28844). Additional hearings at other locations will be announced at later dates.

The first of the series of hearings will be conducted at the following times and locations:

Sept. 16–17, 1975—Los Angeles, California: Convening at 9:00 a.m. in the Golden State Room, Los Angeles Hilton Hotel, 930 Wilshire Boulevard, Los Angeles, California.

Sept. 17, 1975—San Diego, California: Convening at 1:00 p.m. in the Copper Room, San Diego Convention and Performing Arts Center, 202 "C" Street, San Diego, California.

Sept. 18-19, 1975—San Francisco, California: Convening at 1:00 p.m. on Sept. 18, and 9:00 a.m. on Sept. 19, 1975 in the Fine Arts Room, Hall of Flowers Auditorium, San Mateo County Fairgrounds, 2495 South Delaware Street, San Mateo, California.

Sept. 22—Missoula, Montana: Convening at 1:00 p.m. at the Village Motor Inn. 100 Madison, Missoula, Montana.

The hearings will be informal in nature and will be conducted by a designated representative of the Administrator.

Since the hearings will not be evidenciary or judicial in nature, there will be no cross-examination or other adjudicatory procedure applied to the presentations. However, interested persons wishing to make rebuttal statements will be given the opportunity to do so at the conclusion of the presentations in the same order in which initial statements are made.

Interested persons are invited to attend the hearings and to participate by making oral or written statements concerning the respective topics, their substance and issues. Written statements should be submitted in duplicate and will be made a part of the record of proceedings. Persons wishing to make oral statements at the hearings must notify the FAA that they desire to be heard, and indicate the amount of time requested for their initial statements. Presentations will be scheduled on a first-come-first-served basis, as time may permit. Requests to be heard or to receive additional information should be made as follows:

For the hearings at Los Angeles, San Diego, and San Francisco, California—write or call:

Public Affairs Officer, Western Region (AWE-5), Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90260; or Telephone: (213) 536-6431.

For the hearings at Missoula, Montana—write or call:

Public Affairs Officer, Rocky Mountain Region (ARM-5), Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010; or Telephone: (303) 837-4992.

In addition to materials presented at the hearing, persons not participating in the hearings are invited to submit written comments on the airport noise policy in accordance with the notice published in the FEDERAL REGISTER on July 9, 1975. Such communications should be addressed to:

Federal Aviation Administration: Associate Administrator for Policy Development and Review, 800 Independence Avenue, S.W., Washington, D.C. 20591, Attention: Airport Noise Policy Proceedings.

The closing date for submitting written comments is January 1, 1976. All comments will be available for examination both before and after the closing date for comments.

The general notice (40 FR 28844, July 9, 1975) regarding the FAA's airport noise policy identifies a number of possible airport use-restriction options which may be considered for inclusion in an airport noise relief program. In addition, the FAA identified four potential policy options and their implications. Those policy options are as follows:

1. Airport proprietor actions unconstrained by the FAA.
2. Airport proprietor completely constrained by the FAA with a correlated development of a Federal airport noise abatement plan.
3. Airport proprietor to establish a noise abatement plan.
4. Continue the present policy.

The notice presents analysis of the respective options and contains the material that is the subject of these public hearings. While all comments are of interest, the FAA specifically invites statements or comments regarding the policy options in terms of the specific questions stated in the notice.

Before taking final action regarding its airport noise policy, the FAA will consider the statements presented at the hearings and all written comments submitted.

Transcripts of each hearing will be made and anyone may purchase copies from the reporter. A transcript of each hearing will be available for examination in the office of the Associate Administrator for Policy Development and Review, Room 1000W, 800 Independence Avenue, S.W., Washington D.C.

Since the hearings contained in this notice have been previously announced in their respective localities in which they will be held, it is determined that publication of the notice of public hearing in the FEDERAL REGISTER less than 15 days before the first hearing is reasonable under 44 U.S.C. 1508.

Issued in Washington D.C. on September 3, 1975.

FREDERICK A. MEISTER,
Associate Administrator for Policy Development and Review (Acting).

[FR Doc.75-23734 Filed 9-4-75;8:45 am]

TERMINAL INSTRUMENT PROCEDURES (TERPS) ADVISORY COMMITTEE; HELICOPTER WORKING GROUP

Meeting

Notice is hereby given, pursuant to the Federal Advisory Committee Act of 1972 (86 Stat. 770), that the Helicopter Working Group of the U.S. Terminal Instrument Procedures (TERPs) Advisory Committee will hold a meeting September 17 and 18 convening at 9 a.m. in Room 5A, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. This meeting of the Helicopter Working Group is conducted with approval and under the auspices of the TERPs Advisory Committee.

The agenda item for this meeting is a discussion and review of the obstacle clearance requirements applicable to helicopter instrument approach procedures presently specified in Chapter 11 of the TERPs Handbook.

This meeting is open to the public. Persons interested in attending the meeting should contact Juan K. Croft, Chairman, TERPs Helicopter Working Group, Federal Aviation Administration, AFS-824, 800 Independence Avenue, S.W., Washington, D.C. 20591, telephone 202 426-8194.

Issued in Washington, D.C., on September 2, 1975.

JAMES A. FORGAS,
Chairman, U.S. Terminal Instrument Procedures (TERPs) Advisory Committee.

[FR Doc.75-23735 Filed 9-4-75;8:45 am]

National Highway Traffic Safety Administration

[Docket No. EX75-8; Notice 3]

KOEHRING CO.

Petition for Exemption From Federal Motor Vehicle Safety Standard

Koehring Company has petitioned the National Highway Traffic Safety Administration for an extension until December 1, 1976, of its exemption from Federal Motor Vehicle Safety Standard No. 121, Air Brake Systems, on the basis that compliance would cause it substantial economic hardship.

Notice of Koehring's original petition was published on February 13, 1975 (40 FR 6702), and an opportunity afforded for comment. The notice that the petition was granted was published on April 22, 1975 (40 FR 17775).

Koehring requests an extension based upon the reasons set forth in both its original and current petitions. The vehicles concerned are trucks, primarily hydraulic excavators and crane carriers manufactured by its Bantam Division. They are six-wheel units with front driving steerable axles. The smaller models are the T-644 excavator and T-350 crane using steering driving axles rated at 11,000 pounds GAWR. The larger models are the T-744 excavator and the T-588 crane using steering driving axles rated at 18,000 pounds GAWR. Koehring states that it has been unable to find a supplier

other than Rockwell Standard to build front driving axles for its lighter vehicles, but "Because of previous order commitments Rockwell Standard will not be able to deliver complying axles to Koehring [until approximately July 1976]." Although Oshkosh Truck Corporation had commented that it could supply Koehring with axles for its heavier vehicles, Koehring, after investigation, believes that Oshkosh is not a realistic source of supply. The axle ratings differ, and, in Koehring's words, "The Oshkosh Truck axles use air over hydraulic brakes whereas Bantam Division uses full air brakes; the gear ratios available from Oshkosh Truck would require redesign of the gears currently in use by Bantam Division whereas the Rockwell Standard axles would not; the price quoted by Oshkosh Truck is approximately $4,300 to $4,500 per axle as compared to Rockwell Standard's quote of $2,700 per axle." Koehring also argues that to turn to Oshkosh "would require Bantam to * * * start afresh with new designs * * * which might further delay * * * the date on which Bantam Division would comply with FMVSS-121 * * *."

This notice of receipt of a petition for a temporary exemption is published in accordance with the NHTSA regulations on the subject (49 CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit comments on the petition of Koehring Company described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent possible. Notice of action upon the petition will be published in the FEDERAL REGISTER.

Comment closing date: October 6, 1975.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on August 29, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.75-23680 Filed 9-4-75;8:45 am]

[Docket No. 75-19; Notice 3]

ILLINOIS

Postponement of Sanctions Hearing

The purpose of this notice is to announce the postponement of the Illinois Highway Safety Act Sanctions Hearing, scheduled to be held September 9, 1975, in order to give the State of Illinois additional time to prepare its presentation.

The hearing now will be held at 10 a.m., September 30, 1975, in the Department of Transportation Headquarters Building, Room 4234, 400 Seventh Street, SW., Washington, D.C. 20590.

Issued on September 3, 1975.

HERBERT H. KAISER, Jr.,
Presiding Officer,
Sanctions Hearing Board.

CENTRAL INTELLIGENCE AGENCY

PRIVACY ACT OF 1974

Notice of Systems of Records

Correction

In FR Doc. 75-22626, appearing at page 39778 in the issue of Thursday, August 28, 1975, in the first column on page 39778, the second line under "Record System" which reads "Agency Training Record- CIA-2", should read "Agency Training Record- CIA-8". In addition, in the first column on page 39801, the first two lines under "CIA-57." which read "Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Security Records.", should read "System name: Security Records.".

CIVIL AERONAUTICS BOARD

[Docket 27568; Order 75-8-76]

METROPOLITAN AIRPORT AUTHORITY

Order Dismissing Petition

Correction

In FR Doc. 75-21822, appearing at page 36174, in the issue for Tuesday, August 19, 1975, in the first column, the last paragraph, the second line should read: "and all the relevant facts, we have de-".

[Docket No. 28085]

LUFTTRANSPORT-UNTERNEHMEN GMBH & CO. KG. (LTU)

Notice of Hearing

Notice is hereby given that the hearing in this proceeding is set for September 29, 1975, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before the undersigned Administrative Law Judge.

In order to facilitate the conduct of the hearing, the Bureau of Operating Rights will circulate[1] (1) its statement of proposed issues and (2) proposed requests for evidence on or before September 10, 1975, and all other parties on or before September 17, 1975. The applicant shall make all its evidence responses available to the parties and the Judge at time of the prehearing conference, which has been set for September 24, 1975, as previously noticed.

Dated at Washington, D.C., August 29, 1975.

[SEAL] FRANK M. WHITING,
Administrative Law Judge.

[FR Doc.75-23630 Filed 9-4-75;8:45 am]

[1] Circulate, in this case, shall mean *delivered* to counsel for the parties and to the Judge.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Notice of Application

SEPTEMBER 2, 1975.

Notice is hereby given that the Civil Aeronautics Board on September 2, 1975, received an application, Docket 28255, from Hughes Air Corp. d/b/a Hughes Airwest for amendment of its certificate of public convenience and necessity for route 76 to provide Burbank-Phoenix nonstop service.

The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-23631 Filed 9-4-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

SELF-PRESSURIZED HOUSEHOLD SUBSTANCES CONTAINING VINYL CHLORIDE

Notice of Environmental Assessment and Reconsideration

On August 21, 1974 the Commission published in the FEDERAL REGISTER, 39 FR 30112-30114 a regulation promulgated pursuant to section 2(q)(1)(B) of the Federal Hazardous Substances Act (FHSA), 15 U.S.C. 1261(q)(1)(B), declaring any self-pressurized products intended or suitable for household use that contain vinyl chloride monomer as an ingredient or in the propellant to be "banned hazardous substances". In the same notice the Commission declined to exercise any discretion which it might have had under the FHSA, to make its banning order prospective only, thus requirding repurchase under the provisions of section 15, FHSA, 15 U.S.C. 1274, and regulations promulgated thereunder, 16 CFR 1500.202. The banning order as well as the repurchase requirements became effective on October 7, 1974.

On October 8, 1974 a petition for review of the Commission's order insofar as it affected goods introduced into interstate commerce prior to the effective date of the order was filed in the United States Court of Appeals for the Ninth Circuit. Pactra Industries, Inc. v. Consumer Product Safety Commission, No. 74-2902. Petitioner filed a motion for partial summary reversal with the Court alleging that the Commission erred in failing to comply with the requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 et seq. On December 13, 1974 the Court stayed that portion of the Commission order requiring repurchase and disposal of all house-

hold products containing vinyl chloride monomer pending compliance by the Commission with the requirements of NEPA.

Thereafter, the Commission's Bureau of Economic Analysis was instructed to take any necessary steps to comply with the requirements of NEPA. Numerous draft environmental assessments were prepared. Comments were received from members of the Commission's staff and from counsel for Pactra Industries, Inc. with respect to one draft assessment. Under the Commission's "openness policy" draft assessments and comments were available to the public as the work progressed.

On June 30, 1975, the staffs' final assessment on the environmental effects of the repurchase requirement was submitted to the Commission for its review. The assessment concluded that the repurchase requirement would produce no significant adverse effects on the human environment. On the basis of the assessment, the Commission in accordance with the guidelines of the Council on Environmental Quality (CEQ), 40 CFR 1500.11(f), on July 11, 1975, preliminarily decided that no formal environmental impact statement was necessary and reaffirmed its decision regarding repurchase. Thereafter, the Commission's General Counsel forwarded the assessment to CEQ for its evaluation as to whether the assessment and the procedures utilized in preparing the assessment was in compliance with NEPA and the policies and guidelines of CEQ. On August 4, 1975, CEQ responded advising that "the assessment procedures . . . followed are consistent with those recommended in the Council on Environmental Quality Guidelines . . . and that the assessment is sufficient and considers the relevant environmental effects of the repurchase requirement." CEQ further advised that "the assessment provides the Commission with sufficient information on which to base its negative declaration as required by [NEPA] and the CEQ Guidelines."

Based on the information provided in the assessment, the opinion of CEQ, and other information available, the Commission concludes that the repurchase requirement is necessary for the safety of the public and will not have any significant adverse environmental effect. It therefore reaffirms its decision requiring repurchase as set forth in its regulation published August 21, 1974, 39 FR 30112–30114.

At the time of its initial consideration of the ban of vinyl chloride monomer, the Commission through notice and comment was advised that the substance was no longer utilized in the manufacture of products subject to the Commission's jurisdiction. Discontinuation of manufacture occurred in early 1974. The Commission was advised, however, that stocks of products containing the substance were in the channels of commerce and in the hands of consumers. The Commission decided that repurchase was the only feasible manner to eliminate any danger to the public caused by exposure to the substance. The environmental assessment together with all of the other information before the Commission demonstrates that repurchase will not produce any significant adverse effects on the human environment and further convinces the Commission that its initial decision regarding repurchase was necessary and proper.

At the time of its initial decision, the Commission was faced with only two options: to reverse the flow of vinyl chloride away from the consumer, or to allow the products to remain in use until available stocks were exhausted. The Commission opted for immediate reversal of the flow rather than allowing the supply of the products to be exhaused. The Commission was of the belief that the potential cancer producing effects were so dangerous that this was the only manner in which to insure the protection of the public. The evidence before the Commission demonstrated that the substance had caused numerous deaths and in at least two cases where the victims had only been exposed to relatively small doses. Moreover, the record was devoid of any mention of a known safe level of exposure to vinyl chloride monomer. Finally, the record demonstrated that the latency period between exposure and symptoms to be so long that present testing could not conclusively demonstrate a safe exposure level. On the basis of this evidence, the Commission, in fulfilling its mandate under the FHSA concluded that the risk of injury to the public was so great that a ban and repurchase of products containing the substance was required. Without the repurchase requirement there would be little or no incentive for consumers to get the products out of the household or for the retailers and others in the distribution chain to remove the products from the shelves and out of the channels of commerce. Although the danger posed by vinyl chloride monomer has been publicized, the consumer in many instances is usable to determine which products contain the substance and which do not. Prior to the Commission's action herein, vinyl chloride was not considered to be a hazardous substance and thus no labeling requirement was in existence and in fact many of the products involved do not designate ingredients. Apart from labeling is the fact that many consumers may still be unaware of the dangers of vinyl chloride, even if the ingredients of the products are labeled. On balance, the dangers posed by use of the substance far outweigh the financial burden of repurchase.

Adding the current environmental assessment into the equation, the balance tips decidedly in favor of the Commission's earlier determination. The assessment demonstrates that absent any repurchase requirement, the products already in commerce containing vinyl chloride monomer will be sold and used thus exposing the user to the dangers of the substance. Disposal of the containers would be accomplished in a conventional manner by normal incineration or by dumping in common landfills. This presents the possibility that cans will explode or otherwise release the vinyl chloride gas during the disposal process and poses an additional danger to persons exposed to the substance during disposal.

The only potential environmental hazard posed by the repurchase requirement appears to be the disposal of large concentrations of cans containing the substance. The Environmental Protection Agency (EPA) Office of Solid Waste Management has issued guidelines for the safe disposal of aerosol cans containing vinyl chloride. EPA recommends incineration in special facilities equipped with "scrubbing" devices as the preferred method of disposing of aerosols containing vinyl chloride. Use of this method eliminates both the vinyl chloride gas and any dangerous metallic residues remaining from the active ingredient in the products. EPA has also advised that burial of the aerosols in certain designated landfills set aside for hazardous industrial wastes is acceptable if suggested procedures are followed. Both of these methods of disposal are available and no additional facilities or other resources such as land are necessary.

The number of aerosol cans in existence which are affected by the repurchase requirement is small in comparison to the total number of aerosols generally. The assessment estimates that approximately 3.3 million cans of vinyl chloride aerosols are in existence. Of these, approximately 1 million are in the hands of manufacturers, wholesalers and retailers. The remaining 2.3 million cans are in the possession of the consumer public. The estimates were determined through a survey of manufacturers and the use of recognized market survey techniques, and appear to provide an accurate evaluation. At the present time, approximately four large concentrations (35,000–500,000 cans) of products containing vinyl chloride monomer exist but adequate techniques exist for their disposal. The repurchase requirement is not expected to produce any other large concentrations.

Given the health hazards posed and the fact that disposal of concentrations of vinyl chloride aerosols can be accomplished without any significant environmental danger by following the EPA guidelines, the Commission believes that the repurchase requirement will not have a significant adverse effect on the human environment. The Commission is aware of the possibility that disposal of all of the products may not be accomplished in accordance with EPA guidelines. This most likely could occur in the case of small lots of the products. The Commission does not believe that this poses any greater environmental problem than that which would occur through use and conventional disposal of the containers. To the extent that this rasies any problem, the Commission believes that the environmental effects of improper disposal will be de minimis and certainly will not outweigh the safety hazard of continued use.

The Commission requests appropriate industry officials to conduct their repurchase and disposal guidelines suggested by EPA. The Commission expects that industry will act responsibly in arranging safe and orderly repurchase and disposal in the fashion recommended. The Commission notes that many states and municipalities have adopted codes for the disposal of hazardous wastes. In many instances these regulations are in conformity with EPA guidelines and will insure the proper disposal of the products involved. To date the Commission has not initiated any seizure actions against the products in question. However, if at any time it deems it necessary to initiate such action, the Commission, in the event it is successful in such actions will recommend to the Courts disposal methods consistent with the EPA guidelines.

Dated: August 29, 1975.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.75-23623 Filed 9-4-75;8:45 am]

SPACE HEATERS

Partial Denial of Petition

Section 10 of the Consumer Product Safety Act (15 U.S.C. 2059) provides that any interested person may petition the Consumer Product Safety Commission to commence a proceeding for the issuance of a consumer product safety rule. Section 10 also provides that if the Commission denies such a petition, it shall publish its reasons for denial.

On January 10, 1974, the Missouri Public Interest Group (MoPIRG) petitioned the Commission to develop mandatory standards and labeling requirements addressed to safety problems associated with space heaters. Section 7 of the Consumer Product Safety Act (15 U.S.C. 2056) provides that a proceeding for development of a consumer product safety standard is begun by publishing a Notice in the FEDERAL REGISTER. This Notice of Proceeding invites any person or group to either submit an existing standard or offer to develop a new standard which could eliminate or reduce unreasonable risks of injury associated with a consumer product.

On October 31, 1974, the Commission concluded that the MoPIRG petition should be granted "in substance" and requested that the staff present it with information from which the Commission could preliminarily determine whether an unreasonable risk of injury existed with regard to space heaters. Upon review of further information from the staff, the Commission concluded, on January 9, 1975, that the notice to commence proceedings, (Notice of Proceeding) for issuance of a consumer product safety standard, should apply only to gas space heaters. Therefore, the Commission decision denied the petition as to other types of space heaters.

The Commission's decision to proceed with development of a mandatory standard addressed only to gas space heaters was made after study and evaluation of data available at this time on all space heaters which indicated that only gas space heaters presented an unreasonable risk of injury to consumers.

Specifically, gas space heaters are associated with serious hazards that are not present in electric space heaters, such as carbon monoxide poisoning, anoxia and explosion. Death and injury information available to the Commission indicates a high rate of injurious or fatal incidents involving gas.

The Commission expects to publish, in the near future, a Notice of Proceeding to commence development of a consumer product safety rule which will apply only to gas space heaters. The Commission believes that the decision to develop a standard for gas space heaters is needed to reduce the unreasonable risk of injury associated with gas space heaters.

Accordingly, this notice confirms that MoPIRG's petition to develop a standard for space heaters has been granted as to gas space heaters and denied at this time as to space heaters fueled by other energy sources.

Dated: August 29, 1975.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.75-23624 Filed 9-4-75;8:45 am]

COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING

HEARINGS

Pursuant to the Provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat., 770), notice is hereby given that the Commission on the Review of the National Policy Toward Gambling, established under authority of Section Pub. L. 91-452, Part D, Sec. 804-808 of the Organized Crime Control Act of 1970, will hold hearings on September 23-25, 1975, in the Everett Dirksen Conference Room, U.S. Federal Building and Court House, 219 South Dearborn Street, Chicago, Illinois.

The purpose of the above-described hearings is to elicit testimony from Federal, State, and local Government officials, law enforcement representatives and such others who might have knowledge as to the existence and character of gambling and gambling-related activities in Chicago and other areas, both legal and illegal, and as to the effectiveness of gambling enforcement toward the element of organized crime in the United States.

The hearings of the Commission will be open to the public, and interested persons are invited to attend. The Rules of Procedure for person or persons presenting matters to the Commission are subject to the following conditions:

(a) Any such interested person or persons must receive authorization to present such matters from the Chairman of the Commission. Not later than seven (7) days preceding such Executive or Public Hearings, a request for such authorization must be received in writing at the offices of the Commission. Such a request shall be accompanied by a concise description of the material which such person or persons desire to present to the Commission or Subcommittee.

(b) The Chairman of the Commission shall, within three (3) days from the receipt of such a request make a determination that the subject matter presented by such interested person or persons is timely and appropriate for such Executive or Public Hearings of the Commission or Subcommittee thereof, and shall notify such interested person or persons by Certified Mail of the decision.

(c) In the event such interested person or persons is allowed to present matters to the Commission or Subcommittee thereof in Executive or Public Hearings, then a prepared written statement of expected presentation shall be filed in the office of the Commission, not later than 48 hours in advance of the Hearings at which the statement is to be presented.

(d) After the receipt of the statement of expected presentation, the Chairman shall then make a determination of the extent that time is available for such interested person or persons to present oral statements in addition thereto. In the event that the Chairman determines that time is not available for such oral statements, the interested person or persons' statement shall be recorded and made a part of the subject proceedings.

(e) Provided further that any such interested person or persons who feels aggrieved by or takes exception to any of the determinations made by the Chairman of the Commission shall have the opportunity to present in writing to each member of the Commission the basis for such grievance or exception taken to such ruling by the Chairman and thereafter the decision of the Chairman shall be reconsidered by each member of the Commission at its next regular meeting or hearing. Notice by Certified Mail to such interested person or persons shall include the final decision of the full Commission on its reconsideration and shall constitute notification of the action taken by the Commission.

(f) Any deviation from the preceding requirements, shall constitute on the part of such interested person or persons, a withdrawal of any request previously made.

JAMES E. RITCHIE,
Executive Director.

SEPTEMBER 2, 1975.

[FR Doc.75-23529 Filed 9-4-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from August 25 through August 29, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and

comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (October 20, 1975) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250; (202) 447-3965.

FOREST SERVICE

Draft

Horse Creek Administrative-Research, Nezperce National Forest, Idaho County, Idaho, August 25: The proposed Horse Creek Administrative Research Project, Nezperce National Forest will attempt to assess the impact of land management activities on the soil and water resources in the Western Rocky Mountain physiographic province. Procedures, involve utilization of an instrument network to monitor hydrometeorological parameters before, during, and after a controlled sequence of timber harvest and road construction activities. Adverse impacts include the disturbance of the roadless portions of the Meadow Creek drainage, the effects of the yearly installation and removal of sediment catch basins, and 2 timber sales. (ELR Order No. 51286.)

Conroe Unit, Sam Houston National Forest, Montgomery and Walker Counties, Tex., August 25: The statement concerns the proposed 10-year management plan for the Conroe Unit of the Sam Houston National Forest. Management goals for the 75,574-acre unit will be directed toward meeting the local and regional needs of the public while respecting the production and carrying capacities of the forest resources. Environmental impacts will be on water quality, soils, vegetation, wildlife and forest aesthetics due to timber harvesting, road and trail construction, and developed recreation facilities. Air quality will be affected by burning of forest floor fuels. (ELR Order No. 51274.)

Monticello Land Use Plan, Manti-LaSal National Forest, San Juan County, Utah, August 25: The statement concerns a land use plan for the 368,000 acre Monticello Unit of Manti-LaSal National Forest. The plan allocates sections of the unit to activities such as timber harvest, revegetation treatments, mining, road construction, livestock grazing and recreation use. The plan also provides for the protection and preservation of natural, scenic, archeologic, and wildlife values within the planning unit. (ELR Order No. 51268.)

Dixie National Forest Timber Management Plan, several counties in Utah, August 25: The statement concerns a timber management plan for the 609,557 acres of productive forest land in Dixie National Forest. The management direction provides for a programmed harvest of 19.4 million board feet of sawtimber per year. Temporary adverse effects will be on air, natural beauty, outdoor recreation, range wildlife, fire control, insect and disease control, and soil and water conditions because of the dust and noise from harvesting operations, slash created by harvesting, and increased activity in the forest. (ELR Order No. 51282.)

Final

Timber Management, Gunnison National Forest, Colorado, August 25: The statement refers to the 10 year (1975-1984) timber management plan for the Gunnison National Forest. Under management activities would be applied on from 5,300 to 8,270 acres annually. There will be impacts to air, water cunits of wood products, including 170 million board feet of sawtimber. Also included is the construction of 209 miles of roads and the reforestation of 4,000 acres of "understocked" forest lands. The Gunnison National Forest contains 128,465 acres of unroaded land which will undergo road construction and timber harvest. Comments made by: DOI, USDA, EPA, State and local agencies, and concerned citizens. (ELR Order No. 51270.)

Shafer Butte Planning Unit, Boise National Forest, Ada and Boise Counties, Idaho, August 27: The statement refers to the land use plan for the 98,500-acre Shafer Butte Planning Unit of Boise National Forest. Balanced resource use is given emphasis in the plan. Watershed, visual quality, and recreation as noncommodity items or nonconsumptive resource activities are complemented. Wildlife habitat improvement or maintenance is stressed. Consumptive demands are mixed to the extent the land base can meet and support. Comments made by: DOI, EPA, DOC, HEW, AHP, USDA, FEA, COE, State and local agencies, and concerned citizens. (ELR Order No. 51296.)

South Fork Salmon River Planning Unit, Boise, Payette National Forest, Valley County, Idaho, August 28: The statement concerns a planning unit containing 348,328 acres, approximately 246,000 of which are within Payette National Forest, 102,328 of which are within Boise National Forest, and 855 acres are in private ownership. The plan sets forth the allocation of lands to resource uses and activities. Minor adverse effects such as temporary air pollution due to burning of residual material after timber harvests are expected. Comments made by: EPA, DOI, DOC, COE, AHP, USDA, DOT, FEA, HEW, HUD, State and local agencies, and concerned citizens. (ELR Order No. 51303.)

North Evangeline Unit, Kisatchie National Forest, Rapides County, La., August 25: The statement concerns the 10-year management plan for the 34,837-acre Evangeline Unit, Kisatchie National Forest. The plan includes wildlife improvements, concentration of recreationists around Valentine and Kincaid Lakes, intensive range management and timber management. Timber harvests will result in degradation of scenery and road construction. Comments made by: USDA, DOD, DOI, EPA, and State and local agencies. (ELR Order No. 51288.)

Multiple Use, Camp-Tolan Unit, Bitterroot National Forest, Ravalli County, Mont., August 25: Proposed is the implementation of a revised multiple use plan for the Camp-Tolan Planning Unit, Sula Ranger District, Bitterroot National Forest. The 39,848 acre unit has been divided into seven management units, for such values as big game winter range, timber production, recreation and scenic values, and wildlife cover. There are 13,100 acres of inventoried roadless area lying within the planning unit, of which 8,428 will remain roadless under the plan (110 pages). Comments made by: EPA, DOI, USDA, State and local agencies, and concerned citizens. (ELR Order No. 51284.)

SOIL CONSERVATION SERVICE

Final

Browning Watershed Project, Glacier County, Mont., August 25: The statement refers to the city of Browning's watershed protection and flood prevention in Glacier County, Montana. Adverse impacts include the loss of agricultural production on 20 acres of land, prevention of interchange of fish populations along upper Willow Creek, temporary inundation of land, and increased air and water pollution during construction. Comments made by: COE, HEW, DOI, DOT, EPA, AHP, State agencies, and concerned citizens. (ELR Order No. 51281.)

Mission Hill Watershed, Yankton County, S. Dak., August 27: The statement refers to the proposed construction of the Mission Hill Watershed in Yankton County. The project is for watershed protection and flood prevention in agricultural lands and to homes in the town of Mission Hill. The planned project measures to be installed include conservation land treatment, one floodwater retarding structure, one grade stabilization structure, and 3.8 miles of channel work. There will be a periodic inundation by floodwater of up to 34 acres of cropland and 59 acres of pasture. There will also be a temporary loss of 124 acres of pasture, cropland, herbaceous habitat, and woody habitat during construction, and increased levels of noise and dust (39 pages). Comments made by: COE, HEW, DOI, EPA, AHP, and State agencies. (ELR Order No. 51297.)

Nibbs Creek Watershed, Amelia County, Va., August 25: The statement refers to the proposed Nibbs Creek Watershed protection, flood prevention, and municipal and industrial water storage project in Amelia County, Virginia. Adverse impacts are the inundation of land, and increased turbidity during construction. Comments made by: COE, DOI, DOT, EPA, AHP, and State agencies. (ELR Order No. 51285.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, (202) 693-6861.

Draft

Fisherman's Wharf, San Francisco Harbor, San Francisco County, Calif., August 25: Proposed is the construction of a 700-foot concrete pile baffle breakwater extending from the solid portion of the Hyde Street Pier, a 1,200 foot concrete sheet pile breakwater extending from the baffled breakwater, with a 10-foot wide concrete walkway and a 370-foot concrete pile and baffle breakwater extending along the bayward end of Pier 45. Adverse impacts include the commitment of 5,400 square feet of natural benthos, relocation of two vessels in State Historic Maritime Park during construction, and displacement of fishing vessels from other nearby harbors. (San Francisco District.) (ELR Order No. 51280.)

Little Calumet River Basin (2), Indiana, August 25: The recommended plan will provide protection from flooding along the Little Calumet River, Indiana and provide recreation for the area. The flood protection will be provided through main stem channel alterations (widening and deepening) and levees. Limited destruction of wetlands will occur in the path of the widened river and corridor. (ELR Order No. 51275.)

St. Clair River, Maintenance Dredging, Mich., August 25: Proposed is the maintenance dredging of the Federal Navigation channels in the St. Clair River to remove 130,000 cubic yards annually consisting primarily of sand and silt. The material removed will be disposed of in deep water or placed ashore on upland sites. The action will temporarily adversely affect water quality and disrupt benthic habitat and fish populations. (ELR Order No. 51270.)

Grand Haven Harbor, Grand River Dredging, Ottawa County, Mich., August 25: Proposed is the periodic maintenance dredging of the navigation channels in Grand Haven Harbor and the Grand River, Michigan. Unpolluted materials removed from the 14.5 mile long upstream channel will be placed primarily on shoreline reaches, particularly those that have been subject to erosion. Polluted materials dredged from the harbor proper will be contained in a confined disposal site. Disruption of benthic habitat will occur due to construction. (Detroit District.) (ELR Order No. 51271.)

Saginaw River and Saginaw Bay, Mich., August 25: The proposed project is to perform maintenance dredging of the Saginaw River and Saginaw Bay Federal Navigation channels. Approximately 140,000 cubic yards of polluted material dredged from the river are placed on the confined disposal area on Middle Ground Island. The polluted channel section from the D&M R.R. bridge to the river mouth and the section throughout the inner bay will not be dredged until a confined disposal site is constructed to contain the material. Adverse environmental impacts will result from the resuspension of polluted sediments. (Detroit District.) (ELR Order No. 51283.)

St. Mary's River and Straits of Mackinac, Mich., August 27: Proposed is the maintenance dredging of those portions of the St. Mary's River and the Straits of Mackinac which require the removal of shoals and obstructions. Some materials dredged by derrickboat will be disposed of on land in designated disposal areas. All other dredgings will be deposited in deep water outside and adjacent to the channels from which it was removed, or in other designated open water disposal areas. Construction disruption will result. (Detroit District.) (ELR Order No. 51294.)

Colleton R., Dredging & Pier Construction (Supplement), Beaufort County, S.C., August 25: The purpose of the supplement is to document the environmental impacts of two changes in plans of Chicago Bridge and Iron Company for proposed use of land at Victoria Bluff. The changes are a less restrictive definition of the products to be manufactured so as to include manufacture of LNG containers, and a deletion of 308 acres from the buffer area indicated in the original permit application. (Charleston District.) (ELR Order No. 51267.)

Final

So. Dade Conveyance Canals, East Coast Backpumping, Florida, August 28: The proposals consist of deepening, modifying, and realigning existing canal stretches, construction of new canals, and provisions of new inlet and water control structures and pumping stations in the West Palm Beach and South Dade County areas. The construction and modifications will provide flood control in the backpumped areas and will provide water for secondary water supply, salinity intrusions control, and Everglades N.P. Adverse impacts include: temporarily increased turbidity; possible displacement of people and businesses; possible disruption of archaeological sites; loss of wildlife habitat; and increased noise and dust during construction. (Jacksonville District.) Comments made by: USDA, DOC, EPA, DOI, and State agencies. (ELR Order No. 51292.)

Neuse River, Craven County, N.C., August 28: The statement considers the dredging of a commercial navigation channel 12' deep and 120' wide for 9 miles on the Neuse River. Aquatic life will be disturbed by dredging and 34 acres of wildlife habitat will be lost to spoil deposit (19 pages). Comments made by: AEC, DOC, EPA, OEO, DOI, and State agencies. (ELR Order No. 51305.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630, Waterside Mall, Washington, D.C. 20460, (202) 755-0940.

Draft

Central Kitsap Co. Wastewater Facilities, Kitsap County, Wash., August 25: The statement concerns the awarding of grant funds to Kitsap County for the construction of interceptor sewer lines, wastewater treatment facility, and wastewater disposal facility to service drainage sub-basin 9 and 10 and the Trident Support Site. Construction of a wastewater treatment facility would have significant adverse aesthetic impacts for half of the alternatives, due to high visibility on a desirable shoreline or the residential character of the neighborhood. Significant increases in property taxes will result from the construction and operation of the system. (ELR Order No. 51291.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410, (202) 755-6308.

Draft

Second Waterfront Urban Renewal, Gloucester, Mass., August 28: The statement concerns an urban renewal project for 43 acres of land located at the head of the North Channel of the City of Gloucester, Massachusetts. The project includes demolition of some existing structures and the construction of new wharves and piers, commercial buildings, a fish processing plant, a cold storage area, retail stores, and some office space. The program will also result in the filling in the area at the terminus of Inner Harbor at the North Channel, the disposal of dredge, relocation and disruption of businesses, and the demolition of existing buildings. (ELR Order No. 51304.)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD).

SECTION 104(h)

Draft

Arcadia Industrial Park, Newark, Wayne County, N.Y., August 28: The statement concerns the allocation of Community Development Block Grant funds for the construction of a road access and sewer and water lines up to the property line of the proposed Arcadia Industrial Park. The park is located north of the Brage Canal in the western sector of the Village of Newark. Construction of Edgett Street will require the placement of fill north of the Barge Canal. Increased noise levels, truck traffic, and commuter traffic will be inevitable. (ELR Order No. 51307.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

Draft

Rio Grande-Velarde to Caballo Dam, several counties in New Mexico, August 27: The statement concerns a program for operations and maintenance of a 300 mile stretch of the Rio Grande from Velarde, New Mexico to Caballo Dam. The project includes continuation of O&M activities, which the statement indicates will have little or no environmental effect, and the construction of new facilities which will result in a decrease in wetland habitat, an annual conservation of 6,600 acre-feet of water, a replacement of 125 acres of vegetation by new facilities, and an increase of 600 to 1,000 acres of desirable woody vegetation. (ELR Order No. 51302.)

NATIONAL PARK SERVICE

Final

Proposed Buffalo National River Master Plan, several counties in Arkansas, August 25: The statement refers to the proposed master plan for the Buffalo National River. The plan includes the acquisition of 95,730 acres of land. The action will result in increased visitation to the river; approximately 350 area residents will be displaced due to the acquisition. Comments made by: DOI, USDA, COE, HUD, FPC, AHP, EPA, State and local agencies, and concerned citizens. (ELR Order No. 51279.)

Proposed Master Plan, Rocky Mountain National Park, Colo., August 25: The statement refers to a proposed master plan for the management and use of the Rocky Mountain National Park. The plan is intended to increase public enjoyment of park experiences with reduced impact on park resources. Large sections of the park are proposed for wilderness. Effects of the plan will include the reduction or elimination of concession operations; high cost pollution abatement; and restriction of visitor use (110 pages). Comments made by: USDA, DOI, DOC, EPA, DOT, FPC, AHP, and State agencies. (ELR Order No. 51278.)

Pecos National Monument, Proposed Master Plan, San Miguel County, N. Mex., August 25: The statement concerns the proposed master plan and development concept plan for Pecos National Monument. The plan includes introduction of a major visitor facility structure, employee housing, archeological workshop housing, materials and equipment yard, water and sewerage systems and attendant roads and parking. Legislation is proposed to authorize addition of two adjoining parcels of land to be donated, totaling 23.5 acres and to increase the ceiling of development (94 pages). Comments made by: AHP, DOI, USDA, EPA, and State and regional agencies. (ELR Order No. 51269.)

INTERNATIONAL BOUNDARY AND WATER COMM.

Contact: Mr. T. R. Martin, ARA/Mex., State Department, Room 3906A, Washington, D.C. 20520, (202) 632-1317.

Final

Rio Grande Canal Project Improvements, Texas and New Mexico, August 27: Proposed Phase I improvements will provide flood protection to developed portions of Canutillo, Texas and Anapra, New Mexico, to 13,200 acres of farms and to transportation and irrigation facilities. Phase II entails the completion of SCS dams to provide protection for 135,000 acres of urban and highly developed agricultural lands against the highest possible flood. Adverse impacts include the modification of 24 acres of grassland (which will change the habitat of small wildlife) with negligible effect and temporary construction noise and interference with transportation at three crossings. Comments made by: USDA, COE, EPA, DOI, AHP, and State and local agencies. (ELR Order No. 51293.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, (202) 426-4357.

FEDERAL AVIATION ADMINISTRATION

Draft

Air Route Surveillance Radar, Eugene, Lane County, Oreg., August 25: The project consists of the construction of an Air Route Surveillance Radar Facility as part of a 21-facility system that would control flight traffic between airport terminals. The proposed site is one acre of land on Table Top Mountain, located in the southwest portion of the Willamette Valley, 17 miles northwest of Eugene, Oregon. There will be possible minor adverse environmental effects with respect to surface and subsurface waters, ecology, fossil fuel emissions, and electromagnetic radiation. (ELR Order No. 51272.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

Florence Avenue, Bloomfield Ave. to Telegraph Rd., Los Angeles County, Calif., August 25: Proposed is the construction of a 1.30 mile segment of Florence Avenue from Bloomfield Avenue to Telegraph Road on new alignment. The project will include full width construction to major highway standards including a raised median with turning lanes, sidewalks, and drainage facilities. Approximately 8.7 acres will be acquired for the project displacing eight residential structures and five residential garages. Thirty-five trees will be removed and there will be an increase in vehicular noise experienced by occupants nearby. (ELR Order No. 51289.)

Poplar Level Road (Ky. 864), Louisville, Jefferson County, Ky., August 29: The statement concerns a 0.5 mile segment of the Poplar Level Road project beginning at Watterson Expressway (I-264) and ending 1275' east of the Southern Railway. An at-grade crossing of Poplar Level Road by the Southern Railway will be eliminated by bridging. The project will require the acquisition of approximately 5.10 acres of land and displacement of 2 residents and 13 businesses for right-of-way. Fifteen businesses would lose direct access to Poplar Level Road due to the construction of the grade separation structure. (ELR Order No. 51306.)

S.H. 641, U.S. 61 to I-10, St. James Parish, St. James County, La., August 25: The proposed action involves the construction of a 3.06 mile extension of State Highway 641 from U.S. 61 (Airline Highway) approximately one mile east of the town of Gramercy, northward on new location to I-10. The action includes the construction of a diamond interchange with I-10 with access only to the south. The project will irreversibly replace 95 acres of cypress-tupelo swamp, and temporarily change 130 acres of swamp to drier forest. There will be some temporary increase in air, water, and noise pollution. (ELR Order No. 51277.)

L.R. 1061, Blair County, Pa., August 27: The proposed highway improvement consists of a 14.5 mile portion of L.R. 1060 (T.R. 220), located in Logan and Antis Townships, Pennsylvania as part of the Appalachian Development Highway System. The project will displace a number of people and will result in increased noise and erosion. A 4(f) statement is included concerning a public park. (ELR Order No. 51295.)

Oneida St. Bridge and Approaches, Appleton, Outgamie County, Wis., August 25: The proposed project involves the construction of a new bridge across the Fox River and a Government Lock Canal and its approaches in the City of Appleton. The bridge, located 600' west of the present Oneida Street crossing, would be four lanes wide and .67 mile long. The construction of the north approach roadways will require the acquisition of a portion of Jones Park (a 4(f) statement is included) and the south approach will sever the practice area of Riverview Country Club's golf course. Five to eight residences will have to be relocated and one business will have to be acquired. (ELR Order No. 51290.)

U.S. 14, Evansville to Madison, Dane County, Wis., August 27: The proposed project consists of reconstructing Highway 14, from Highway 92 near the south Dane County line, northerly to the intersection with County Highway "MM" located 0.64 mile north of the village of Oregon. The recommended project provides for an ultimate expressway facility south of Oregon and a freeway facility bypassing the village to connect with the freeway section of relocated Highway 14 between Oregon and Madison. The project will require 280 acres of land currently used for agricultural purposes and 46 acres of untillable wildlife habitat. Two families were affected by the project; acquisition of the land has already been partially accomplished. (ELR Order No. 51301.)

Final

U.S.-54, Pratt and Kingman Counties, Kans., August 27: The project involves the improvement of 48 miles of U.S. 54 from Cullison in Pratt County to a point northeast of Kingman in Kingman County. The project includes grading, surfacing, bridge construction, and right-of-way acquisition. Adverse impacts are loss of some cropland, severance of some properties, and increased air, noise, and surface water pollution due to construction. A 4(f) determination may be necessary on the Kingman County Game Reserve depending on what alternative is selected. Comments made by: USDA, HEW, EPA, HUD, DOI, COE, and State and local agencies. (ELR Order No. 51299.)

Rogue River, Rockford, Kent County, Mich., August 27: The project involves the construction or reconstruction of a bridge and approaches spanning the Rogue River in the city of Rockford, Kent County. The facility will have four twelve foot lanes. Adverse impacts include, increased air, noise, and dust pollution during construction, possible erosion, sedimentation and pollution in and near the Rogue River, displacement of wildlife, and the displacement of families and businesses (100 pages). Comments made by: DOT, HUD, DOI, COE, USDA, EPA, State, regional, and local agencies. (ELR Order No. 51298.)

State Highway 37, Garrison, McLean County, N. Dak., August 27: Proposed is the improvement of State Highway 37 from Garrison to U.S. 83, a distance of 6 miles. The project consists of acquiring additional agricultural land for right of way and constructing a two lane hard surfaced roadway along the alignment of existing State Highway 37. One business and one residence will be displaced (61 pages). Comments made by: DOI, HUD, EPA, DOT, USDA, and State and local agencies. (ELR Order No. 51300.)

I-275, Hamilton County, Ohio, August 25: The project involves the improvement of I-275 in Hamilton County, Ohio. Improvement will consist of constructing 1.55 miles of a six-lane facility. Included in the project will be 3 bridge structures, a full interchange with Kellog Avenue, landscaping and installation of fencing in the vicinity of the California Golf Course and improvement of the drainage system. Adverse impacts are loss of open space and wooded areas, some localized increase in water, air, and noise pollution, some erosion and sedimentation during construction, and demolition of 63 dwellings and 3 businesses. A 4(f) determination is necessary concerning the California Golf Course (100 pages). Comments made by: DOI, EPA, HUD, USDA, COE, and State agencies. (ELR Order No. 51273.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-23569 Filed 9-4-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 426-6]

PESTICIDE ENFORCEMENT POLICY STATEMENT NO. 2

Use of Registered Pesticides For the Control of Unnamed Target Pests In Structural Pest Control

I. *General Background.*

On May 5, 1975, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER a document entitled "Institution of Enforcement Policy Statements" (40 FR 19526). It was the Agency's purpose in instituting this series of Pesticide Enforcement Policy Statements (PEPS) to inform the general public and persons engaged in the formulation, distribution, sale, application, or other use of pesticides, of the policies adopted by the Agency in the enforcement of the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended [Pub. L. 92-516; 86 Stat 973; 7 U.S.C. 136 et seq.; hereinafter referred to as FIFRA]. PEPS are prepared and published by EPA's Office of Enforcement. A detailed explanation of the purpose and scope of PEPS was set forth in the May 5, 1975, FEDERAL REGISTER notice.

Federal regulation of the use of pesticides was established for the first time with the enactment of the 1972 amendments, specifically through the provisions of FIFRA section 12(a) (2) (G). Any person who uses a registered pesticide in a manner inconsistent with its labeling is in violation of the Act and may be subject to civil or criminal sanctions. However, as set forth in the legislative history, Congress intended that EPA enforce the prohibition of section 12(a) (2) (G) in a "common sense manner" and not prohibit the use of registered pesticides which are in no way harmful and which have demonstrated beneficial effects. [House Committee on Agriculture, H.R. REP. No. 92-511, 92d Cong., 1st Sess. 16 (1971), and Senate Committee on Agriculture and Forestry, S. Rep. No. 92-838, 92d Cong., 2d Sess. 16 (1972)].

As the Senate Committee on Agriculture and Forestry stated:

> * * * it is the belief of the Committee that the use of the word "inconsistent" should be read and administered in a way so as to visit penalties only upon those individuals who have disregarded instructions on a label that would indicate to a man of ordinary intelligence that use not in accordance with such instructions might endanger the safety of others or the environment. Senate Report, *Id.*

In view of the legislative history concerning the use of registered pesticides for the control of unnamed target pests, this PEPS touches upon matters which may appear to be jurisdictional in nature. It does not, however, presume to define the Agency's regulatory jurisdiction. If the Administrator subsequently promulgates regulations, which interpret the scope of the Agency's regulatory jurisdiction, the Office of Enforcement will revoke or amend this PEPS to conform with such regulations.

This policy statement concerns the use of a registered pesticide in structural pest control for the control of pests which are not named on the product's label. It neither addresses nor in any way affects the requirement of compliance with affirmative provisions of an approved label.

EPA has long been aware of the fact that there exist a host of structural pests which are limited in number and sporadic in their occurrence. These pests are not sufficiently important to justify or in some cases even to permit the collection of sufficient data to meet EPA standards for revision of registration and labeling to include them. Another class of pest problems involves pests which are unpredictable or unprecedented in their occurrence. In the past, pest control operators have commonly used registered pesticides successfully to control pests which, for the reasons described above, were not specifically listed on the pesticide's approved labeling. These pesticide applications against unnamed target pests are conducted with application rates and intervals, and at use sites which conform to those appearing on the approved labeling. However, such a use constitutes a technical violation of section 12(a)(2)(G), in that the target pest differs from that listed on the approved label.

Recently, many interested people have sought permission from EPA to use registered pesticides to control minor or infrequently encountered pests which appear in, on, or adjacent to any structure when such pests are not named on the approved label of the pesticide. Consistent with the legislative history of section 12(a)(2)(G), EPA has determined that under the specified conditions and limitations set forth below, use of a registered pesticide against unnamed pests does not warrant prosecution for a violation of section 12(a)(2)(G).

II. *Use of a Registered Pesticide for the Control of Unnamed Target Pests in Structural Pest Control.*

The Agency has determined that the use of a registered pesticide at use sites approved on the label for the control of unnamed target pests in, on, or adjacent to any structure is permitted, provided that:

(A) The pesticide selected is registered for use at the type of site which is to be treated;

(B) Either (1) the user is a knowledgeable expert in structural pest control who has himself recommended the use of a registered pesticide against the unnamed target pest; or (2) the use is recommended in writing by a knowledgeable expert in structural pest control;

(C) No pesticide registered for use against the target pest in, on, or adjacent to any structure is reasonably available in the geographic area in which the pesticide is to be used;

(D) The user complies with all other instructions, warnings, precautions, and prohibitions which appear on the label and labeling of the product which is used; and

(E) The use is efficacious, in that it has beneficial effects, and is not harmful to man or the environment.

All of the limiting and defining provisions contained in the paragraphs which follow are an integral part of this PEPS. Whether the user has reasonably met the criteria set forth in this PEPS will be determined by the Agency on a case-by-case basis. The burden of showing that the criteria set forth herein has been met rests with the person applying or otherwise using a registered pesticide for the control of unnamed target pests in structural pest control.

III. *Applicability of the Pesticide Enforcement Policy Statement Regarding Use of Registered Pesticides for the Control of Unnamed Target Pests.*

A. *Use at the Specific Type of Site Which is to be Treated.*

The policy set forth in this statement allows the use of a registered pesticide against unnamed target pests only when the application is made at the specific type of use site for which the product is registered. This policy applies to the use of registered pesticides in, on, or adjacent to enclosed man-made structures such as human dwellings, institutions (including schools and hospitals), industrial establishments. non-commercial greenhouses and other structures used for the protection of stored, processed, or manufactured products. This PEPS does not, for example, allow any person to use a pesticide which is registered for use in, on, or adjacent to structures to perform any agricultural or other outdoor application or use which is not related to structural pest control. No pesticide registered solely for agricultural use may be used for the control of unnamed target pests in, on, or adjacent to any structure.

B. *Recommendation by a Knowledgeable Expert in Structural Pest Control.*

1. *Definition of the Term "Knowledgeable Expert In Structural Pest Control."*

The term "knowledgeable expert in structural pest control" refers to any person who (1) holds a college or higher level degree in entomology or other science related to pest control; or (2) has five (5) or more years of practical experience in professional pest control; or (3) is the supervisory official of the firm, organization or Agency making the application who is responsible for making technical judgments regarding pest control practice; or (4) is certified by a State pursuant to FIFRA Section 4 to use restricted use pesticides in industrial, institutional, structural or health-related pest control (40 CFR 171.3(b)(7)).

Knowledgeable experts in the field of structural pest control may also include qualified persons employed by organizations such as State Cooperative Extension Services, Federal, State, or local departments or agencies, or public health services.

2. *Use by a Knowledgeable Expert in Structural Pest Control.*

A registered pesticide may be applied or otherwise used for the control of unnamed target pests by a "knowledgeable expert in structural pest control" if that expert himself makes the judgment that such use is efficacious against the unnamed target pest, and that such use is not or will not be harmful to man or the environment.

3. *Recommendation of Knowledgeable Expert in Structural Pest Control.*

A registered pesticide may be applied or otherwise used for the control of unnamed target pests by a person who is not himself a knowledgeable expert in structural pest control only if the application or use has been recommended in writing by a knowledgeable expert.

These recommendations will be made part of the records of pest control activities. Sufficient records must be kept to describe accurately the circumstances of the pest infestation, the pesticide recommended for control of the problem, the results of the treatment, and the name and address of the knowledgeable expert. These records shall be maintained by the person who applies or otherwise uses the pesticide for a period of six (6) months from the date of application or use. Recommendations of a knowledgeable expert in structural pest control may be in the form of articles published in current scientific journals, manuals, or other technical bulletins or specific instructions. The applicator or user must have obtained the written recommendation prior to the time of the application. He must make such recommendations available to an official representative of the Agency upon request.

4. *Enforcement Liability.*

The responsibility for the safe and efficacious use of the pesticide and for full compliance with the terms of this PEPS may rest with either the applicator or the knowledgeable expert in structural pest control or both, as the equities and the circumstances may require.

A knowledgeable expert in structural pest control who personally uses or supervises the use of a registered pesticide against unnamed target pests is responsible for the proper use of the pesticide and for the efficacy of the product against the unnamed target pest. The expert in this position is therefore also subject to enforcement liability for any misuse of the pesticide. In all applications performed by persons other than a knowledgeable expert, the primary responsibility for compliance rests with the person who performs the actual application. Enforcement action will be considered on a case-by-case basis for violations involving significant harm to man or the environment or deviations from the provisions of section II (A) through (E) above.

C. *Reasonable Availability of a Pesticide Registered for Use Against the Target Pest.*

Any registered pesticide currently in the channels of commerce in the geographic area where the user resides or does business is presumed, for purposes of enforcement, to be reasonably available for the control of pests. In determining whether a registered pesticide is reasonbaly available in the geographic area in which the pesticide is to be used the Agency will consider whether (a) the user had made a reasonable effort to ascertain whether any pesticide had been registered for the control of the target

pest, (b) the user had attempted to procure any such pesticide registered for the target pest from his normal sources of distribution, and (c) it was reasonable to conclude that no pesticide registered for the control of the target pest could be obtained within a reasonable period of time from any other structural pest control operator in the geographic area in which the pesticide was to be used.

No claim of unavailability may be made on the basis of excessive cost or nonprofitability. Furthermore, a business policy of exclusively using one's own product will not support a claim of unavailability if a pesticide registered for the control of the target pest is available from another registrant or distributor in the geographic area in which the pesticide is to be used.

D. *Directions for Use and Other Precautionary Labeling.*

The use of a registered pesticide for the control of an unnamed target pest neither modifies other label provisions or directions for use, nor authorizes the use of the pesticide in a manner inconsistent with any other label provision, including directions for use, precautionary labeling and warning statements. Label provisions which must be complied with at all times regardless of the target pest include, but are not limited to, statements regarding product mixing, loading and preparation, application methods, label dosage rate (except as provided in PEPS No. 1, 40 FR 19529), structure reentry times, protective clothing or equipment, product and container transportation, and storage and disposal. Although it is not common practice, where a registrant desires expressly to prohibit use of a pesticide against named or unnamed pests and the label so provides, it shall be a violation of FIFRA section 12(a)(2)(G) to use such pesticide for the control of such named or unnamed pest.

E. *Product Efficacy, and Beneficial/Harmful Effects.*

Pesticide use for the control of unnamed target pests must be efficacious and must not be harmful to man or the environment. An application or use will be considered to be efficacious if it has beneficial effects and controls unnamed target pests in a manner which is normally associated with the use of the pesticide in the specific environmental situation.

V. *Public Comment.*

The Administrative Procedure Act [5 U.S.C. § 553(b)] provides that the solicitation of comments is not required of Federal agencies for "interpretative rules, general statements of policy, rules of agency organization, procedure, or practice." The PEPS relate directly to internal Agency procedures and practice and constitute "interpretive rules" or "general statements of policy." As such, this policy statement falls within the scope of this exemption. However, interested persons may submit written comments regarding the policy set forth in this PEPS to the Pesticides Enforcement Division (EG-342), Office of Enforcement, U.S. Environmental Protection Agency, 401 M St. SW., Room 3624, Washington, D.C. 20460. Three copies of these comments should be submitted to facilitate the work of the EPA and others interested in inspecting such documents.

Dated: August 29, 1975.

STANLEY W. LEGRO,
Assistant Administrator for Enforcement.

[FR Doc.75-23677 Filed 9-4-75;8:45 am]

[PF16; FRL 426-8]

PESTICIDE PETITIONS

Notice of Filing

Petitions proposing the establishment of pesticide tolerances in or on certain raw agricultural commodities have been filed with the Environmental Protection Agency (EPA). Notice is given pursuant to the provisions of section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act. The petitions and proposals are:

PP6F1657. American Cyanamid Co., Agricultural Div., PO Box 400, Princeton NJ 08540. Proposes that 40 CFR 180.352 be amended to establish a tolerance for the combined residues of the insecticide terbufos (S-[[(1,1 - dimethylethyl)thio]methyl] 0,0-diethyl phosphorothioate) and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodities corn forage and fodder (field corn, popcorn, and sweet corn) at 0.5 part per million (ppm); and corn grain (popcorn) and sweet corn (kernels plus cob with husks removed) at 0.05 ppm. The proposed analytical method for determining residues is a gas chromatographic procedure using a phosphorus-sensitive alkali flame ionization detector. PM16

PP6F1655. Chemagro Agricultural Div., Mobay Chemical Corp., PO Box 4913, Kansas City MO 64120. Proposes that 40 CFR 180.234 be amended to establish a tolerance for residues of the insecticide *0,0*-diethyl *0*-[4-(methylsulfinyl) phenyl] phosphorothioate in or on the raw agricultural commodities sorghum grain at 0.06 ppm and sorghum forage and fodder at 1.0 ppm. The proposed analytical method for determining residues is by the termionic emission gas chromatographic procedure. PM15

Interested persons are invited to submit written comments on any petitions referred to in this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M St. SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments should be submitted as soon as possible and should bear a notation indicating the number of the petition to which the comments pertain. Comments may be made at any time while a petition is pending before the Agency. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: August 27, 1975.

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

[FR Doc.75-23678 Filed 9-4-75;8:45 am]

[OPP-33000/312; FRL 425-1]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW, Washington, D.C. 20460.

On or before November 4, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under Section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received on or before November 4, 1975.

Dated: August 27, 1975.

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

APPLICATIONS RECEIVED (OPP-33000/312)

EPA File Symbol 9143-LL. Chemscope Corp., 1909 Hi-Line Dr., PO Box 10752, Dallas TX 75207. LEMON-KLEAN CLEAR DISINFECTANT. Active Ingredients: Methyldodecylxylyene bis(trimethyl ammonium chloride) [20%], Methyldodecylbenzyl trimethyl ammonium chloride [80%] 5.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 8730-T. Herculite Protective Fabrics Corp., 1107 Broadway, New York NY 10010. HERCON "INSECTAPE" CONTAINS DIAZINON. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-primidinyl) phosphorothioate 10.0%. Method of Support: Application proceeds under 2(a) of interim policy. PM15

EPA File Symbol 11617-U. IWM Corp., 1495 Davis Rd., Elgin IL 60120. A 10 ALGAECIDE. Active Ingredients: Sodium Pentachlorophenate 15.8%; Sodium Salts of Other Chlorophenols 2.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA Reg. No. 6962-19. Madison-Bionics, 11250 W. Addison St., Franklin Park IL 60131. DIE-SECT SPRAY POWDER. Active Ingredients: Orthoboric Acid 6.83%; Sodium Tetraborate Decahydrate 0.07%. Method of Support: Application proceeds under 2(a) of interim policy. PM15

EPA Reg. No. 3125-213. Chemagro Agricultural Div., Mobay Chemical Corp., PO Box 4913, Kansas City MO 64120. DASANIT 15% GRANULAR INSECTICIDE-NEMATICIDE. Active Ingredients: 0,0-Diethyl 0-[4-(methylsulfinyl) phenyl] phosphorothioate 15%. Method of Support: Application proceeds under 2(a) of interim policy. PM15

EPA File Symbol 1020-EE. Oakite Products, Inc., 50 Valley Rd., Berkeley Heights NJ 07922. OAKITE 80. Active Ingredients: Hexahydro-1,3,5-tris (2-hydroxyethyl)-s-triazine 78.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

EPA Reg. No. 602-37. Ralston Purina Co., General Offices: 835 S. 8th St., Checkerboard Square, St. Louis MO 63188. PURINA LIQUID STOCK SPRAY. Active Ingredients: Toxaphene 45.0%; Gamma Isomer of Benzene Hexachloride, (from Lindane) 2.7%; Aromatic Petroleum Derivative Solvents 20.0%; Petroleum Hydrocarbons 19.3%; Xylene 5.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA Reg. No. 201-157. Shell Chemical Co., 1025 Conn. Ave., NW, Washington DC 20036. AZODRIN 5 INSECTICIDE. Active Ingredients: Dimethyl phosphate of 3-hydroxy-N-methyl-ciscrotonate 55%. Method of Support changed from 2(c) to 2(b) of interim policy. PM16

EPA Reg. No. 201-278. Shell Chemical Co., 1025 Conn. Ave., NW, Washington DC 20036. AZODRIN 3.2 INSECTICIDE. Active Ingredients; Dimethyl phosphate of 3-hydroxy-N-methyl ciscrotonamide 39.1%. Method of Support changed from 2(c) to 2(b) of interim policy. PM16

EPA File Symbol 8727-A. Wright, Inc., 5703 Crawford Ln., Ft. Worth TX 76119. STERICLEAN. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM33

[FR Doc.75-23352 Filed 9-4-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 769]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

SEPTEMBER 2, 1975.

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,
VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

20332-CD-P-76 Empire Paging Corporation (KEA256) C.P. for additional facilities to operate on 454.025 MHz (Base) at new Loc. #6: 5 Horizon Road, Fort Lee, New Jersey.

20233-CD-TC-(3)-76 Minnesota Communications Corp. Consent to Transfer of Control from John P. Bonner, TRANSFEROR to Jean A. Poole, TRANSFEREE. Minneapolis; Minnesota—KDN408, KSV993, KUC949.

20334-CD-TC-(4)-76 McCord Communication Service, Inc. Consent to Transfer of Control from Clyde McCord, TRANSFEROR, to Frances R. McCord, Executrix of the Estate of Clyde McCord, TRANSFEREE. Gadsden, Alabama—KIG303, KUS 390; Anniston, Alabama—KIY532, KUD225.

20335-CD-P-76 The Mountain States Telephone and Telegraph Company (KAF634) C.P. for additional facilities to operate on 152.60 MHz (Base) at 7.2 miles SW of Pueblo, Colorado; also to change antenna system and replace transmitter operating on 152.75 MHz at same location.

20336-CD-P-76 Mobilfone Service, Inc. (KUS266) C.P. to change antenna system and relocate facilities operating on 152.15 MHz located ¾ mile N. of Ponca City limits on Hwy. #77, Oklahoma.

20337-CD-R-76 Michigan Bell Telephone Company (KQM40) Renewal of Developmental Radio Station License. Temp.-Fixed Location. TERM: 9/28/75 thru 9/28/76.

20338-CD-P-(3)-76 Mobile Telephone Service of Southern Utah, Inc. (NEW) C.P. for a new 2-way station to operate on 152.03 MHz, 152.09 MHz and 454.125 MHz (Base) at Red Hills, St. George, Utah.

20339-CD-P-(3)-76 Mobile Telephone Service of Southern Utah, Inc. (NEW) C.P. for a new 2-way station to operate on 454.225, 152.12 and 152.15 MHz (Base) located at SW Corner of City boundary of Cedar City, Utah.

20340-CD-P-(3)-76 The Ohio Bell Telephone Company (KUC971) C.P. for additional facilities to operate on 152.84 MHz at Loc. #9: 7786 Maple St., Kirtland, Ohio, and Loc. #10: 34 S. St. Clair, Painesville, Ohio, and Loc. 11: 26 E. Orange St., Chagrin Falls, Ohio.

20341-CD-P-(4)-76 The Ohio Bell Telephone Company (KQD314) C.P. to change frequency at Loc. #1, 2, and 3 from 35.50 MHz (Base) to 152.84 MHz (Base) and relocate same to the following: Loc. #1: Coltsville, Struther-Liberty Rd., Youngstown, Ohio; Loc. #2: N. Jackson C.O., Salem-Warren Rd., North Jackson, Ohio; Loc. #3: N. Riverside C.O., 1127 Girard-Hubbard Road, E. of Sampson Rd., Youngstown, Ohio; also for add'l. facilities to operate on 35.50 at New Loc. #4: Sweetbriar C.O., 7 North Osborn Avenue, Youngstown, Ohio.

20342-CD-P-76 RCC of Virginia, Inc (KTS 243) C.P. to relocate facilities operating on and replace transmitter operating on 152.09 MHz (Base) located on top of Mill Mtn., Roanoke, Virginia.

20343-CD-P-76 Farmers Mutual Cooperative Telephone Company (NEW) C.P. for a new 2-way station to operate on 152.60 MHz (Base) located at NW Edge of Harlan, Iowa.

20344-CD-MP-76 RAM Broadcasting of Texas, Inc. (KKG412) C.P. to change antenna system and replace transmitter operating on 454.100 MHz, 454.200 MHz at Loc. #3: ½ mile S. of Corsicana on U.S. Hwy. 75, Corsicana, Texas; and to change antenna system and replace transmitter operating on 454.050 MHz and 454.325 MHz at Loc. #4: 3820 Moulton Street, Greenville, Texas.

20345-CD-P-76 Monon Telephone Company, Inc. (NEW) C.P. for a new 2-way station to operate on 152.69 MHz located at 315 North Market Street, Monon, Indiana.

20346-CD-P-76 Robert Carl Klass (NEW) C.P. for a new 1-way station to operate on 158.70 MHz located 6 miles NW of Marinette, nr. Hwy. 180, Wisconsin.

20347-CD-P-76 Tribune Publishing Company d/b/a Radio Page of Tacoma (KOP 258) C.P. to change antenna system, replace transmitter, and relocate facilities operating on 43.22 MHz to be located at 3700 53rd NE Tacoma, Washington.

Correction

20236-CD-P-76 Airsignal International, Inc. (KAF245) Correct frequency to read 72.96 MHz. All other particulars to remain the same as reported on Public Notice #768, dated August 25, 1975.

Major amendments

21339-C2-P-(2)-74 RCC of Virginia, Inc. Winchester, Virginia (KRS634) Amend base frequencies 152.09 and 152.15 MHz to read 152.03 and 152.12 MHz. All other particulars are to remain the same as reported on Public Notice #700, dated May 13, 1974.

[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).

8409–C2–P–72 Albert W. Dale, Jr. (KLF509) Amend base frequency to 152.06 MHz also the location to: 8 miles W. of Garden City, Texas. Also add repeater facilities to operate on 459.325 MHz to above location, and Control facilities to operate on 454.325 MHz at 2632 E. Pearl St., Odessa, Texas.

RURAL RADIO SERVICE

60047–CR–P–76 Arvig Telephone Company (WSN61) C.P. to change antenna system operating on 454.650 MHz (Central Office-Fixed) located 1.8 mile N. of Ash River Falls, Minnesota.

60048–CR–P/L–76 The Mountain States Telephone and Telegraph Company (NEW) C.P. and License for a new Rural Subscriber-Fixed station to operate on 157.77 MHz located 9.6 miles ESE of Bitter Creek, Wyoming.

60049–CR–P–76 Continental Telephone Company of Utah (NEW) C.P. for a new Rural Subscriber-Fixed station to operate on 157.77 MHz located at Fry Canyon, Utah.

POINT TO POINT MICROWAVE RADIO SERVICE

236–CF–P–76 Island Telepage Systems (New) Lummi Mountain, 8 Miles Southwest of Bellingham, Washington. Lat. 48 39 22 N.—Long. 122 37 42 W. C.P. for a new station on 2166.4H towards Oak Harbor, Washington on azimuth 184 degrees 0 minutes.

237–CF–P–76 Same Same (New) 4086 400 West Oak Harbor, Washington. Lat. 48 17 31 N.—Long. 122 38 47 W. C.P. for a new station on 2112.4V towards Blyn Mountain, Washington on azimuth 218 degrees 12 minutes.

238–CF–P–76 Same (New) Blyn Mountain, 1.9 Mile Southeast of Blyn, Washington. Lat. 48 00 25 N.—Long. 122 58 16 W. C.P. for a new station on 2162.4V towards Oak Harbor on azimuth 38 degrees 12 minutes.

239–CF–P–76 Same (New) Corner of Crosby & Heller Roads, Oak Harbor, Washington. Lat. 48 17 50 N.—Long. 122 40 30 W. C.P. for a new station on 2116.4H towards Lummi Mountain, Washington on azimuth 4 degrees 0 minutes.

463–CF–MP–76 Southern Pacific Communications Co. (WLJ66) (DEVELOPMENTAL) Southern Pacific Radio Building: Lat. 32 56 42 N.—Long. 115 47 57 W. Mod. C.P. to test equipment on 6175.0V towards Holtville, California on azimuth 111 degrees 46 minutes.

464–CF–P–76 Same (WQ035) DEVELOPMENTAL. Southern Pacific Station. Lat. 32 47 36 N.—Long. 115 33 03 W. C.P. to test equipment on 6424.5V towards Holtville, California on azimuth 96 degrees 21 minutes.

465–CF–P–76 Same (WQ024) Southern Pacific Microwave Building. Lat. 32 42 36 N.—Long. 115 07 33 W. C.P. to test equipment on 5925.5V towards Holtville, California on azimuth 294 degrees 51 minutes.

473–CF–ML–76 Southwestern Bell Telephone Company (KTQ98) 5.4 Miles NE of Slaton, Texas. Lat. 33 29 46 N.—Long. 101 34 13 W. Mod. of License to change polarity from Vertical to Horizontal on frequency 4170 MHz toward Lubbock, Texas on azimuth 290°50'.

1005–CF–MP–76 Southern Bell Telephone and Telegraph Company (KJG67) 115 N.E. Third Avenue, Ft. Lauderdale, Florida. Lat. 26 07 25 N.—Long. 80 08 28 W. Mod. of C.P. to change power and polarity from Horizontal to Vertical on frequencies 5974.8 6093.5 MHz toward Margate, Florida on azimuth 337°31'.

1006–CF–P–76 Same (KJW98) Margate, 0.5 Mile NE of Hammondville, Florida. Lat. 26-14 56 N.—Long. 80 11 55 W. Mod. of C.P. to change power and polarity from Horizontal to Vertical on frequencies 6226.9 6345.5 MHz toward Ft. Lauderdale, Florida on azimuth 157°29'.

[FR Doc.75-23608 Filed 9-4-75;8:45 am]

FCC PBX TECHNICAL STANDARDS SUBCOMMITTEE

Notice of Meeting

SEPTEMBER 2, 1975.

In accordance with Public Law 92-463, announcement is made of a public meeting of the FCC PBX Technical Standards Subcommittee to be held October 1–2, 1975 in Washington, D.C. The meeting will commence at 10 a.m. on October 1 for the Interface Criteria Task Group, and 9 a.m. on October 2 for the On Site Test Standards Task Group. Both meetings will be held in Room 752, 1919 M Street NW.

1. *Purpose:* The purpose of this Subcommittee is to prepare recommended standards and procedures to permit the interconnection of customer-provided and maintained PBX equipment to the switched telecommunications network without the need for carrier-provided connecting arrangements.

2. *Activities:* As at prior meetings, the Subcommittee members and observers present their suggestions and recommendations regarding the various technical criteria and standards that should be considered with respect to the interconnection of PBX equipment to the public network.

3. *Agenda:* The agenda for the October 1st meeting is as follows:

(1) Review and revise draft chapters of Interface Criteria covering message registration and automatic identification for outward dialing.

(2) Initiate work on new Interface Criteria drafts covering Key Telephone Systems and customer-provided connecting arrangements.

The agenda for the October 2nd meeting is to revise the latest draft of the On Site Test Standards to assure compatibility with the Revision B of the Interface Criteria Document, T97.

4. *Public Participation:* The public is invited to attend this meeting. Any member of the public wishing to file a written statement with the Subcommittee may do so before or after the meeting.

For more information, contact the Common Carrier Bureau on (202) 632-6917.

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

[FR Doc.75-23609 Filed 9-4-75;8:45 am]

[Docket Nos. 20277, File No. BP-19564, etc.]

NORMAN BROADCASTING CO. (WGNU), ET AL.

Applications for Construction Permits and Renewal of License; Commission Consent to Assignment

In re applications of Norman Broadcasting Co. (WGNU), Granite City, Illinois, Docket No. 20277, File No. BP-19564; Curtis L. Mann, trustee in bankruptcy (KWK), St. Louis, Missouri, Docket No. 20278, File No. BP-19643; for construction permits. Curtis L. Mann, trustee in bankruptcy (KWK), St. Louis, Missouri, Docket No. 20279, File No. BR-4884; for renewal of license. Curtis L. Mann, trustee in bankruptcy (assignor) and Doubleday Broadcasting Company, Inc. (Assignee), Docket No. 20280, File No. BAL-8127; for Commission consent to assignment of license for Radio Station KWK, St. Louis, Missouri.

1. This proceeding involves the application of Norman Broadcasting Company (WGNU) for a construction permit to make changes in its facilities at Granite City, Illinois; the applications of Curtis L. Mann, Trustee in Bankruptcy (KWK), for modification of the facilities of Station KWK at St. Louis, Missouri,[1] and for renewal of the license of Station KWK; and an application for assignment of license to Doubleday Broadcasting Company, Inc. (Doubleday). By Memorandum Opinion and Order, 50 FCC 2d 529, 32 RR 2d 213 (1974), the Commission designated these applications for consolidated hearings on various issues.[2] Now before the Review Board are a petition to enlarge issues, filed January 6, 1975, by WGNU, requesting the addition of Rules 73.37 and 73.188 issues against KWK; a motion to strike, filed February 26, 1975, by Doubleday; and a petition to enlarge issues, filed March 4, 1975, by Doubleday, requesting Rule 73.37 and sham pleading issues

[1] Vic-Way Broadcasting, Inc., licensee of Station KWK, ceased operations on September 21, 1973. On October 10, 1973, Curtis L. Mann was appointed Receiver to take over the assets of Vic-Way, including the facilities of Station KWK. For a further history of this proceeding, see the designation Order, *Bronco Broadcasting Co., Inc.*, 50 FCC 2d 529, 32 RR 2d 213 (1974).

[2] The Commission stated that the comparison in this proceeding will be "between the WGNU proposal and the application for renewal taken in conjunction with the applications for assignment and modification of KWK" and that "[t]he applications for renewal, modification, and assignment must stand or fall together." Doubleday was made a party to the proceeding. The operation proposed by Mann and by Doubleday will hereinafter be referred to as KWK.

against WGNU.[3] Because the requests before us are interrelated, the Board has chosen to treat them in a single opinion.

WGNU'S PETITION TO ENLARGE AND DOUBLEDAY'S MOTION TO STRIKE

2. In support of its request to enlarge issues, WGNU alleges that Doubleday erred in using FCC Figure M–3 conductivities in determining the extent of its proposed nighttime contours,[4] and that "far more accurate" data are on file with the Commission in the form of measurement data taken on existing stations. Specifically, in urging the addition of Rules 73.37 and 73.188 issues,[5] WGNU submits an affidavit of its consulting engineer asserting that Doubleday's proposed nighttime 2 mV/m contour will overlap the nighttime 25 mV/m contour of Station KJCF, Festus, Missouri,[6] and that the proposed 5 mV/m city-grade contour will not cover all of the city of St. Louis, Missouri. WGNU's allegation of a 2 and 25 mV/m overlap is based on its contention that measurements made on Station WIL at 204 degrees indicate a conductivity between the proposed KWK nighttime site and Station KJCF higher than that indicated by FCC Figure M–3.[7] WGNU's allegation of incomplete city coverage is grounded on its contentions that measurements made in the St. Louis area, particularly those on file with the Commission for Stations KATZ and WIL, show the conductivity in the area to be "extremely low,"[8] and that the proposed KWK 5 mV/m contour is based on the standard radiation pattern, which may not be achieved in practice.

3. In opposition to the request for a Rule 73.37 issue, Doubleday asserts that measurements along the WIL 160 and 244 degree radials show that the conductivity in the area is not uniform, that the WIL 204 degree radial relied upon by WGNU passes two miles from the proposed Doubleday site, and hence that Doubleday was required to use the conductivity of 15 shown on Figure M–3 to determine its 2 mV/m contour. Doubleday further asserts that, earlier in this proceeding, measurements were taken by WGNU's engineer on a radial passing within $\frac{4}{10}$ of a mile of the proposed KWK site indicating a conductivity of 6, in contrast to the value of 30 determined from the WIL measurements.[9] With respect to the city coverage issue (Rule 73.188), Doubleday submits that even if WGNU's allegation of incomplete coverage were true, only 3.3 percent of the city would be excluded and that this would constitute "substantial compliance" with Rule 73.188. However, Doubleday contends, the measurements relied upon by WGNU are too far from the proposed site to be valid, and thus the Figure M–3 value of 15 must be used.[10] The Broadcast Bureau opposes addition of the requested overlap issue, contending that the WIL 204 degree radial cannot be relied upon because the radial runs close to railroad tracks, because it "misses the proposed site by 2½ miles at its closest point," and because it lies along "radically different" terrain from the path in question. Similarly, the Bureau asserts that WGNU's allegation of incomplete city coverage is based on measurements of stations too far removed from the proposed site and on measurements along radials which do not run in pertinent directions. In reply, WGNU submits new measurements taken on a test transmitter located at the proposed KWK nighttime site.[11] These measurements WGNU argues, show definite overlap of the proposed 2 mV/m contour with the 25 mV/m contour of Station KJCF at night and establish the lack of coverage of the entire city of St. Louis with a 5 mV/m signal. Also, WGNU disputes Doubleday's argument that measurements made on Station WGNU itself should apply in the direction of Station KJCF, contending that WGNU is located 16.2 miles north of the KWK proposed site and several cities are located along portions of the path traversed by the measured radial.

4. Doubleday's motion to strike is directed against the WGNU reply and the supplement thereto, which Doubleday alleges, rely entirely on new measurement data, and therefore violate Rule 1.45.[12] Moreover, in Doubleday's view, good cause has not been shown by WGNU for delaying the taking of these measurements until nine months after the filing of Doubleday's application to change nighttime facilities. In opposition to the motion to strike, WGNU contends that the new data must be considered, regardless of the time they were presented to the Commission, since a grant to Doubleday would effectively modify the license of Station KJCF without affording it a hearing. The Broadcast Bureau, in its comments on the motion to strike, submits that WGNU's reply and supplement are not authorized, but that the public interest requires consideration of the information contained therein. The Bureau indicates in its comments that it now supports addition of a Rule 73.37 overlap issue against Doubleday, based on the new measurements taken by WGNU's engineer along the 196 degree radial at the proposed KWK nighttime site, from which he determined the conductivity to be 40 mmhos/m.

5. In its response to WGNU's reply and supplement,[13] Doubleday argues that WGNU's test transmitter measurements should be rejected because of alleged inadequacies in the manner of transmitter installation and nonconformity with the requirements of Rule 73.186.[14] Doubleday also asserts that WGNU's timing of the disclosure of the commencement of test

[3] The Board also has before it the following related pleadings: (a) opposition to WGNU petition to enlarge, filed January 30, 1975, by Doubleday; (b) comments on WGNU petition to enlarge, filed January 30, 1975, by the Broadcast Bureau; (c) reply to (a) and (b), filed February 18, 1975, by WGNU; (d) petition for leave to file supplement, filed February 19, 1975, by WGNU; (e) supplement to (c), filed February 19, 1975, by WGNU; (f) opposition to motion to strike, filed March 14, 1975, by WGNU; (g) comments on motion to strike, filed March 14, 1975, by the Broadcast Bureau; (h) opposition to Doubleday petition to enlarge, filed March 17, 1975, by WGNU; (i) opposition to Doubleday petition to enlarge, filed March 19, 1975, by the Broadcast Bureau; (j) reply to (h) and (i), filed April 4, 1975, by Doubleday; (k) request to file an additional pleading, filed April 11, 1975, by Doubleday; (l) supplement to (j), filed April 11, 1975, by Doubleday; (m) response to (c) and (e), filed June 9, 1975, by Doubleday; (n) petition for leave to file responsive pleading, filed June 20, 1975, by WGNU; (o) comments on (m), filed June 20, 1975, by WGNU; and (p) opposition to (n), filed June 27, 1975, by Doubleday.

[4] No change is proposed in daytime operation from that previously authorized for Station KWK. The proposed KWK nighttime operation, according to WGNU, would be located at East Carondelet, Illinois, at a site 16 miles from the KWK daytime site.

[5] The pertinent parts of the Rules are the following: Rule 73.37(a) prohibits, *inter alia*, acceptance of an application for a change in facilities of an existing station involving an overlap of the proposed 2 mV/m contour with the 25 mV/m contour of any existing station on a second adjacent frequency, where there is not already such overlap between the stations involved. Rule 73.188(b)(2) requires a minimum field intensity of 5 to 10 mV/m over the most distant residential section of the city of license.

[6] Station KJCF operates on 1400 kHz, 20 kHz removed from the proposed operation.

[7] According to WGNU, the conductivity is 30 mmhos/m, not 15 as shown on Figure M–3, and the WIL site is 2.7 miles east of the KWK site.

[8] According to WGNU, the measurements along the KATZ 240 and 270 degree radials show a conductivity of 4 mmhos/m over the city of St. Louis, and the measurements along the WIL 305 and 340 degree radials "indicate that the soil conductivity can drop as low as 4."

[9] These measurements, according to Doubleday, were made in order to establish that no 2 and 25 mV/m overlap would occur between WGNU's proposal and Station KJCF.

[10] Doubleday indicates that the transmitter sites of Stations WIL and KATZ, whose data are relied upon by WGNU, are 3 and 10 miles distant, respectively, from the proposed KWK site, and that the measured radials are too far removed from the paths in question to be of significance. Nevertheless, Doubleday alleges that consideration of all pertinent WIL measurements, properly analyzed, indicates values of 6 and 15 mmhos/m rather than 4, and that either of these values supports its contention that its 5 mV/m contour will encompass the entire city.

[11] Measurements were taken along three radials: 196 degrees for 21.1 miles, 0 degrees for 15.8 miles, and 315 degrees for 18 miles.

[12] Rule 1.45 provides, in pertinent part, that a reply "shall be limited to matters raised in the oppositions. . . ."

[13] Doubleday's motion to strike contained, *inter alia*, a request for additional time to respond to the allegedly new allegations in WGNU's reply and supplement. The Board, by Order, FCC 75R–210, released May 28, 1975, afforded Doubleday an opportunity to file comments. It was not our intention to provoke, thereby, an endless stream of pleadings. WGNU has had ample opportunity to state its position on the matters considered herein, and its petition for leave to file responsive pleading, filed June 20, 1975, will be denied and its comments, filed the same day, will be dismissed.

[14] Rule 73.186 sets forth requirements governing the taking and submission of data on field intensity.

operations was intended to foreclose observation by Doubleday of the taking of the measurements. Moreover, according to Doubleday, even if the measurements were accepted, there would be no violation of Rule 73.37 because the alleged overlap "would occur in areas already under overlap from KWK's existing operation. . . ." Finally, Doubleday submits that any possibility of prohibited overlap can be eliminated by adjustment of the proposed radiation pattern.

6. The Review Board agrees with the position of the Broadcast Bureau expressed in its comments on Doubleday's motion to strike, and will add a prohibited overlap (Rule 73.37) issue, but not a city coverage (Rule 73.188) issue against Doubleday. Although we do not condone the submission of new data in a reply pleading, in view of the substantial public interest question raised by WGNU's test transmitter measurements and the fact that Doubleday has had an opportunity to respond, we shall accept these data for consideration and deny Doubleday's motion to strike.[15] *Cf. Columbia Broadcasting System, Inc.*, 46 FCC 2d 903, 30 RR 2d 133 (1974). Although, as Doubleday alleges, WGNU's measurements do not conform precisely to the requirements of Rule 73.186(a)(1), we nevertheless are satisfied, because of the apparent inaccessibility of certain parts of the terrain, that they come within the range of flexibility afforded by Rule 73.181(d), and, in our view, raise a substantial question of prohibited 2 mV/m and 25 mV/m overlap with Station KJCF. *Cf. Radio Eden*, 21 FCC 2d 464, 18 RR 2d 354 (1970); *St. Lucie Broadcasting Co.*, 7 FCC 2d 71, 9 RR 2d 671 (1967). Since Doubleday was not entitled, as a matter of legal right, to advance notice of the test or the opportunity to observe or participate in it, Doubleday's objection to the timing of the disclosure of the test operations is rejected. Moreover, in our view, Doubleday could have conducted its own tests, had it chosen to do so. See *Voice of Middlebury*, 3 FCC 2d 512, 7 RR 2d 347, *recon denied*, FCC 66-666, *aff'd sub nom. TI Broadcasting, Inc.* v. *FCC*, 126 U.S. App. D.C. 54, 374 F. 2d 268 (1966).[16] We are not persuaded, however, that a city coverage issue against Doubleday is warranted. As noted by the Broadcast Bureau, petitioner has not shown the boundary of the "most distant residential section" of St. Louis, and absent such a showing, WGNU has not raised a substantial question of whether Doubleday's proposed nighttime contour complies with the requirements of Rule 73.188(b)(2). *Cf. Broadcasting, Inc.*, 20 FCC 2d 713, 17 RR 2d 1117 (1969).

DOUBLEDAY'S PETITION TO ENLARGE

7. In support of its request for a Rule 73.37 issue, Doubleday alleges that WGNU has submitted to the Commission "two sets of measurements indicating widely varying conductivities over that portion of the path between WGNU and KJCF beginning at the proposed KWK site."[17] Doubleday contends that the two sets of measurements "must be either accepted and averaged, or rejected and figure M-3 used." According to Doubleday, both alternatives result in a conductivity of 15 mmhos/m for the portion of the path in question, and a consequent 2 and 25 mV/m overlap between WGNU and Station KJCF. Doubleday also alleges that the petition to enlarge issues filed by WGNU on January 6, 1975, considered *supra*, is a sham pleading, and was filed in order to have the Commission consider "measurements which, because of an extreme lack of diligence, could not have been considered otherwise." In opposition, WGNU asserts that the Commission disposed of Doubleday's allegations of 2 and 25 mV/m overlap in its designation Order herein, and that the method of averaging proposed by Doubleday is not good engineering practice. The Broadcast Bureau also opposes Doubleday's petition.

8. The Review Board will deny Doubleday's petition to enlarge.[18] First, with respect to the request for a Rule 73.37 issue, we point out that in the designation Order herein, the Commission held that "WGNU has met those parts of Section 73.37 which . . . it was required to meet. . . ." The Commission further stated therein that, except for a difference in site of approximately 2.4 miles, WGNU's requested facilities are virtually identical to the KWK facilities proposed in the application for renewal, and that there is no requirement that a timely filed application specifying the same facilities as those proposed by an existing licensee make any of the showings required by Rule 73.37. In light of the Commission's reasoned analysis of this matter, we may not hold otherwise in the absence of additional information unknown to the Commission at the time of designation. See *Atlantic Broadcasting Co. (WUST)*, 5 FCC 2d 717, 8 RR 2d 991 (1966). Although new information, in the form of the test transmitter measurements taken by WGNU's engineer in January and February 1975 at the proposed KWK site, is now before us, we believe petitioner's allegations are speculative since there is no showing of similarity between the terrain surrounding the proposed KWK site and the WGNU site 17 miles away. Moreover, in the circumstances of this case, the method of averaging proposed by Doubleday is not appropriate. Next, Doubleday's allegations of sham on WGNU's part are unsupported by affidavits of persons having personal knowledge, as required by Rule 1.229(c). Furthermore, they appear to be merely conjecture and surmise, and therefore do not warrant addition of an issue.

9. Accordingly, it is ordered, That the petition for leave to file supplement, filed February 19, 1975, by Norman Broadcasting Company (WGNU), and the request to file an additional pleading, filed April 11, 1975, by Doubleday Broadcasting Company, Inc., are granted; and the supplements, filed February 19, 1975 and April 11, 1975, by Norman Broadcasting Company (WGNU), and Doubleday Broadcasting Company, Inc., respectively, are accepted; and

10. It is further ordered, That the motion to strike, filed February 26, 1975, by Doubleday Broadcasting Company, Inc.; and the petition for leave to file responsive pleading, filed June 20, 1975, by Norman Broadcasting Company (WGNU), are denied; and the comments, filed June 20, 1975, by Norman Broadcasting Company (WGNU), are dismissed; and

11. It is further ordered, That the petition to enlarge issues, filed January 6, 1975, by Norman Broadcasting Company (WGNU), is granted to the extent indicated herein, and is denied in all other respects, and that the issues are enlarged to include the following:

To determine whether the proposal contained in the applications of Curtis L. Mann, Trustee in Bankruptcy (KWK), for renewal, modification, and assignment to Doubleday Broadcasting Company, Inc., will involve 2mV/m and 25 mV/m overlap with Station KJCF, Festus, Missouri, in contravention of Section 73.37(a) of the Commission's Rules and, if so, whether the applications should be dismissed.

12. And, it is further ordered, That the burden of proceeding with the introduction of evidence on the above issue and the burden of proof thereon shall be on Curtis L. Mann, Trustee in Bankruptcy (KWK); and

13. It is further ordered, That the petition to enlarge issues, filed March 4, 1975, by Doubleday Broadcasting Company, Inc., is denied.

Adopted: August 19, 1975.

Released: August 22, 1975.

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

[FR Doc.75-23697 Filed 9-4-75;8:45 am]

[15] WGNU's petition for leave to file supplement, filed February 19, 1975, will be granted and the supplement, filed the same day, will be accepted in view of the fact that the reply pleading indicated that the engineer's affidavit which constitutes the supplement would be filed upon receipt and because of the lapse of only one day in filing. *Cf. United Broadcast Industries, Inc.*, 49 FCC 2d 313, 31 RR 2d 958 (1974).

[16] With respect to Doubleday's argument that any alleged overlap "would occur in areas already under overlap from KWK's existing operation," we believe the evidence before us is not sufficient to make this determination. This is a matter to be determined in the evidentiary hearing.

[17] Doubleday refers to the measurements taken in January and February 1975 and submitted by WGNU with its reply (see paragraph 3, *supra*), and an earlier set of measurements taken in February 1974 and allegedly submitted by WGNU to establish that no 2 and 25 mV/m overlap would occur between WGNU's proposal and Station KJCF (see note 9, *supra*).

[18] We have accepted Doubleday's petition, even though late-filed, because petitioner has made a showing of good cause. Similarly, we will grant Doubleday's request to file an additional pleading and accept the supplement which contains an apparently unintentionally omitted engineering statement.

RCC-TELEPHONE CO.

Notice of Meetings

AUGUST 25, 1975.

The Commission's Common Carrier Bureau has revised the previously announced schedule of meetings concerning interconnection between the wireline telephone companies and the Radio Common Carriers (RCCs), which furnish two-way radiotelephone and one-way signaling service to the public. The schedule changes were made in response to requests from both the Bell System and the National Association of Radiotelephone Systems, to which many of the RCCs belong.

The previously scheduled meetings for August 25–26 and September 2–3 have been cancelled. The schedule of meetings now is as follows:

Thursday, September 18
Friday, September 19
Tuesday, September 30
Wednesday, October 1
Monday, October 6
Tuesday, October 7
Wednesday, October 8

The meetings will be held in Room 3210, 2025 M Street, N.W., Washington, D.C. The September 18 meeting will begin at 9:30 a.m. The starting time for each of the other meetings will be determined at the close of the preceding meeting.

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

[FR Doc.75-23610 Filed 9-4-75;8:45 am]

[FCC 75-980]

TELEVISION RENEWAL APPLICATIONS

Use of Terrain Roughness Correction Procedures Temporarily Suspended for FM Applicants

On July 22, 1975 the Commission released a Public Notice (52986) announcing that the date for submission of revised predicted (service) contours utilizing the new television field intensity charts and the terrain roughness correction procedure had been extended insofar as those applications for renewal of television licenses due August 1, 1975 were concerned. The announcement provided that television renewal applications due on August 1, 1975 would be accepted and reviewed without regard to the outstanding requirement for submission of new predicted service contours.

Since August 1, 1975 was not only the effective date of the amended rules but also a date on which many applications for renewal of television licenses were due it has been suggested that television renewal applicants filing on August 1, 1975 may actually have until August 1, 1978 to submit revised predicted service contours. This was not the intention of the Commission. Accordingly, August 1, 1975 television renewal applicants should submit this data prior to December 1, 1975. The October 1, 1975 television renewal applicants have been advised to provide the revised service contours with their applications. However, in view of the relief given the August 1, 1975 applicants it seems appropriate to provide similar relief to the October 1, 1975 applicants. Accordingly, they need not submit revised service contours until December 1, 1975.[1]

With regard to service contours for FM stations or applicants, either commercial or non-commercial educational, many questions have arisen with respect to the use of the terrain roughness corrections. These questions are valid and deserve clarification. Therefore, to permit full consideration of such questions by the Commission, it seems appropriate that FM applicants should be temporarily relieved of meeting the requirements for terrain roughness computations. Accordingly, FM applicants (commercial and non-commercial educational) for new facilities or for changes in existing facilities which alter service contours need not include terrain roughness correction factors until further notice. The new curves, however, must be used. (FM stations were not required by the Report and Order in Docket 16004/18052 to file revised service contours at the time of renewal.)

At a later date the Commission will issue a clarification statement on these matters and establish a date beyond which such terrain roughness information must be included with FM applications involving new stations or major changes in existing stations.

Action by the Commission August 28, 1975.[2]

Adopted: August 28, 1975.

Released: August 28, 1975.

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

[FR Doc.75-23612 Filed 9-4-75;8:45 am]

TV TRANSLATOR APPLICATIONS

Ready and Available for Processing

Notice is hereby given, pursuant to section 1.572(c) of the Commission's rules, that on October 23, 1975, the TV translator applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to section 1.227(b)(1) and section 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on October 22, 1975, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and submitted for filing at the offices of the Commission in Washington, D.C., by the close of business on October 22, 1975.

The attention of any party in interest desiring to file pleadings concerning any pending TV translator applications, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to section 1.580(i) of the Commission's rules for provisions concerning the time for filing and other requirements relating to such pleadings.

Adopted: August 27, 1975.

Released: September 3, 1975.

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

VHF TV TRANSLATOR APPLICATIONS

BPTTV-5304	New, Silver City, N. Mex. Hubbard Broadcasting, Inc. Req: Channel 10, 100 watts. Primary: KOB-TV, Albuquerque, N. Mex.
BPTTV-5307	New, Central Point, White City, and Eagle Point, Oreg. Oregon Broadcasting Co. Req: Channel 3, 5 watts. Primary: KOBI(TV), Medford, Oreg.
BPTTV-5309	K04EO, Ashland, Talent, Phoenix and Jacksonville, Oreg. Radio Medford, Inc. Req: 10 watts. Delete Jacksonville as a principal community.
BPTTV-5310	New, Jacksonville, Oreg. Radio Medford, Inc. Req: Channel 3, one watt. Primary: KMED-TV, Medford, Oreg.
BPTTV-5311	New, Hoxie and Immediate Area, Kans. City of Hoxie, Kans. Req: Channel 11, 5 watts. Primary: KLNE-TV, Lexington, Nebr.
BPTTV-5313	K04FA, Lakeview, West Side, and New Idaho, Oreg. Lalish TV, Inc. Req: Channel 7, 10 watts. Change transmitter location.
BPTTV-5319	New, Selden, Kans. City of Selden, Kans. Req: Channel 13, 5 watts. Primary: KWNB-TV, Hayes Center, Nebr.
BPTTV-5325	K07KO, Homer and Seldovia, Alaska. State of Alaska. Req: Change frequency to channel 11.
BPTTV-5326	New, Naco, Ariz. Oliver W. Swan t/a Swan Antenna Co. Req: Channel 2, one watt. Primary: KZAZ(TV), Nogales, Ariz.
BPTTV-5327	New, Hereford, Ariz. Oliver W. Swan t/a Swan Antenna Co. Req: Channel 7, one watt. Primary: KPHO-TV, Phoenix, Ariz.
BPTTV-5328	New, Willow Beach, Ariz. Willow Beach Resort. Req: Channel 6, one watt. Primary: KLAS-TV, Las Vegas, Nev.
BPTTV-5329	New, Willow Beach, Ariz. Willow Beach Resort. Req: Channel 7, one watt. Primary: KORK-TV, Las Vegas, Nev.
BPTTV-5330	New, Willow Beach, Ariz. Willow Beach Resort. Req: Channel 11, one watt. Primary: KSHO-TV, Las Vegas, Nev.

[1] Those licensees filing December 1, 1975 and after will be expected to submit the new terrain corrected service contours with their renewal applications.

[2] Commissioners Wiley (Chairman), Lee and Robinson acting as a Board.

BPTTV-5332 New, Homer and Seldovia, Alaska.
State of Alaska.
Req: Channel 2, 10 watts.
Primary: KENI-TV, Anchorage, Alaska.

BPTTV-5333 New, Kongiganak and Cape Newenham, Alaska.
Bethel Broadcasting, Inc.
Req: Channel 10, 10 watts.
Primary: KYUK-TV, Bethel, Alaska.

BPTTV-5334 New, Stony River and Georgetown, Alaska.
Bethel Broadcasting, Inc.
Req: Channel 10, 10 watts.
Primary: KYUK-TV, Bethel, Alaska.

BPTTV-5335 New, Chevak and Hooper Bay, Alaska.
Bethel Broadcasting, Inc.
Req: Channel 12, 10 watts.
Primary: KYUK-TV, Bethel, Alaska.

BPTTV-5336 New, Ruth, Nev.
White Pine Television District #1.
Req: Channel 13, one watt.
Primary: KLVX(TV), Las Vegas, Nev.

BPTTV-5337 New, East Glacier, Mont.
East Glacier TV Association.
Req: Channel 8, one watt.
Primary: CJOC-TV, Lethbridge, Alberta, Canada.

BPTTV-5338 K06AA, Broadus, Mont.
Broadus TV Club.
Req: Change of name to Powder River County TV Board. Add Rural Mizpah, Mid Powder River, and Upper Powder River to principal communities. Change transmitter location. Increase power to 10 watts.

BPTTV-5339 K07AI, Broadus, Mont.
Powder River County TV Board.
Req: Add Rural Mizpah, Mid Powder River, and Upper Powder River to principal communities. Increase power to 10 watts.

BPTTV-5340 K10AC, Broadus Rural Area, Mont.
Broadus TV Club.
Req: Change name to Powder River County TV Board. Add Rural area west of Broadus and Stacy to principal communities. Increase power to 10 watts.

BPTTV-5341 K12CQ, Broadus Rural Area, Mont.
Broadus TV Club.
Req: Change name to Powder River County TV Board. Add Rural area west of Broadus and Stacy to principal communities. Increase power to 10 watts.

BPTTV-5345 New, Crooked Creek, Alaska.
Bethel Broadcasting, Inc.
Req: Channel 3, one watt.
Primary: KYUK-TV, Bethel, Alaska.

BPTTV-5346 New, Platinum, Alaska.
Bethel Broadcasting, Inc.
Req: Channel 7, 10 watts.
Primary: KYUK-TV, Bethel, Alaska.

BPTTV-5347 New, Goodnews Bay, Alaska.
Bethel Broadcasting, Inc.
Req: Channel 11, 10 watts.
Primary: KYUK-TV, Bethel, Alaska.

BPTTV-5348 New, Pipeline Pump Station #1, Alaska.
Northern Television, Inc.
Req: Channel 12, 10 watts.
Primary: KTVF-TV, Fairbanks, Alaska, by video tape.

BPTTV-5349 New, Pump's Ranch, Mont.
Henry Pump and David Pump.
Req: Channel 11, one watt.
Primary: KTVQ-TV, Billings, Mont.

BPTTV-5350 New, Pump's Ranch, Mont.
Henry Pump and David Pump.
Req: Channel 13, one watt.
Primary: KULR-TV, Billings, Mont.

BPTTV-5355 New, Pipeline Pump Station #12, Alaska.
Northern Television, Inc.
Req: Channel 12, 10 watts.
Primary: KTVF-TV, Fairbanks, Alaska, via video tape.

BPTTV-5357 K08AS, Henefer, Utah.
Summit County, Utah.
Req: Add Echo, Utah, to principal communities. Change transmitter location.

BPTTV-5358 K10AY, Henefer, Utah.
Summit County, Utah.
Req: Add Echo, Utah, to principal communities. Change transmitter location.

BPTTV-5359 K12AY, Henefer, Utah.
Summit County, Utah.
Req: Add Echo, Utah, to principal communities. Change transmitter location.

BPTTV-5360 New, Pipeline Pump Station #1, Alaska.
Midnight Sun Broadcasters, Inc.
Req: Channel 12, 10 watts.
Primary: KFAR-TV, Fairbanks, Alaska, via video tape.

BPTTV-5363 New, Pipeline Pump Station #12, Alaska.
Midnight Sun Broadcasters, Inc.
Req: Channel 12, 10 watts.
Primary: KFAR-TV, Fairbanks, Alaska, via video tape.

BPTTV-5364 New, Indian Springs, Nev.
Indian Springs Civic Association.
Req: Channel 4, one watt.
Primary: KLAS-TV, Las Vegas, Nev.

BPTTV-5365 New, Scottsburg, Oreg.
Liberty Communications, Inc.
Req: Channel 6, 10 Watts.
Primary: KEZI-TV, Eugene, Oreg.

BPTTV-5366 New, St. George Island, Alaska.
Community Council of St. George Island.
Req: Channel 4, 10 watts.
Primaries: KUAC-TV, Fairbanks, Alaska; KYUK-TV, Bethel, Alaska; and KAKM (TV), Anchorage, Alaska. All via video tape.

BMPTTV-837 K02HV, Newtok, Kwigillingok, and Mecoryuk, Alaska.
Bethel Broadcasting, Inc.
Req: Change frequency to channel 13. Delete Newtok as principal community.

UHF TV Translator Applications

BPTT-2851 New, Twin Falls, Idaho.
Boise Valley Broadcasters, Inc.
Req: Channel 55, 100 watts.
Primary: KBIC-TV, Boise, Idaho.

BPTT-2853 New, Jerome, Idaho.
Boise Valley Broadcasters, Inc.
Req: Channel 55, 100 watts.
Primary: KCBI-TV, Boise, Idaho.

BPTT-2860 New, Anchor Point, Alaska.
State of Alaska Department of Public Works.
Req: Channel 62, 10 watts.
Primary: KTVA(TV), Anchorage, Alaska.

BPTT-2861 New, Sterling Highway from Clam Gulch store to Ninilchik, Alaska.
State of Alaska Department of Public Works.
Req: Channel 56, 10 watts.
Primary: KTVA(TV), Anchorage, Alaska.

BPTT-2862 New, Hagerman, Idaho.
Hagerman Translator District.
Req: Channel 65, 100 watts.
Primary: KAID(TV), Boise,

BPTT-2863 New, Hagerman, Idaho.
Hagerman Translator District.
Req: Channel 67, 100 watts.
Primary: KIVI(TV), Boise, Idaho.

BPTT-2864 New, Hagerman, Idaho.
Hagerman Translator District.
Req: Channel 69, 100 watts.
Primary: KTVB(TV), Boise, Idaho.

BPTT-2869 New, Anchor Point, Alaska.
State of Alaska Department of Public Works.
Req: Channel 59, 10 watts.
Primary: KENI(TV), Anchorage, Alaska.

BPTT-2870 New, Sterling Highway from Clam Gulch store to Ninilchik, Alaska.
State of Alaska Department of Public Works.
Req: Channel 67, 10 watts.
Primary: KENI(TV), Anchorage, Alaska.

BPTT-2878 K80BE, Twentynine Palms and Twentynine Palms Marine Base, Calif.
Morongo Basin TV Club, Inc.
Req: Channel 80, 10 watts.

BPTT-2881 New, Arlington and Vicinity, Va.
Central Virginia Educational Television Corp.
Req: Channel 14, 1000 watts.
Primary: WNVT(TV), Goldvein, Va.

BPTT-2882 New, Black Butte Ranch.
Brooks Resources Corp.
Req: Channel 64, 20 watts.
Primary: KOIN-TV, Portland, Oreg.

BPTT-2883 K76CN, Lihue, Hawaii.
Hawaii Public Broadcasting Authority.
Req: Channel 67, 100 watts.

BPTT-2884 New, Salmon, Idaho.
Lemhi TV Corp.
Req: Channel 59, 100 watts.
Primary: KXLF(TV), Butte, Mont.

BPTT-2885	New, Ely and McGill, Nev. Western Communications, Inc. Req: Channel 58, 100 watts. Primary: KORK-TV, Las Vegas, Nev.
BPTT-2887	K61AE, Daggett, Calif. County of San Bernardino. County Service Area #40. Req: Channel 29, 100 watts.
BPTT-2888	New, Tryon, N.C. University of North Carolina, General Administration. Req: Channel 56, 100 watts. Primary: WUNG-TV, Concord, N.C.
BPTT-2889	New, Princeton, Mo. KTVO, Inc. Req: Channel 55, 100 watts. Primary: KTVO(TV), Ottumwa, Iowa, and Kirksville, Mo.
BPTT-2890	New, Spickardsville, Mo. KTVO, Inc. Req: Channel 60, 100 watts. Primary: KTVO(TV), Ottumwa, Iowa, and Kirksville, Mo.
BPTT-2891	New, Parkersburg, W. Va. West Virginia Educational Broadcasting Authority. Req: Channel 57, 1 watt. Primary: WMUL-TV, Hunting, W. Va.
BPTT-2892	New, Tucumcari Vicinity, New Mexico. UHF T.V. Association. Req: Channel 69, 100 watts. Primary: KVII, Amarillo, Tex.
BPTT-2893	New, Princeville, Hanalei, Hawaii. Princeville at Hanalei Community Association. Req: Channel 56, 100 watts. Primary: KITV(TV), Honolulu, Hawaii.
BPTT-2898	New, Rural Elgin and Grande Ronde Valley, Oreg. Blue Mt. Television Assn. Req: Channel 60, 100 watts. Primary: KREM-TV, Spokane, Wash.
BPTT-2899	New, Rural Elgin and Grande Ronde Valley, Oreg. Blue Mt. Television Assn. Req: Channel 64, 100 watts. Primary: KXLY-TV, Spokane, Wash.

[FR Doc.75-23611 Filed 9-4-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

EVALUATION OF THE MANDATORY OIL IMPORT PROGRAM

Extension of Time for Public Comment

On August 15, 1975, the Federal Energy Administration (FEA) issued a request for public comment in connection with an evaluation of the Mandatory Oil Import Program required pursuant to Proclamation No. 4341 (40 FR 36619, August 21, 1975). In view of the substantial number of requests that the comment period be extended beyond September 3, FEA hereby announces that all comments received by 4:30 p.m., e.d.s.t., September 17, 1975, will be considered in the evaluation. In all other respects, the August 15 notice remains the same.

Issued in Washington, D.C., September 2, 1975.

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

[FR Doc.75-23606 Filed 9-4-75;8:45 am]

FEDERAL MARITIME COMMISSION

CANADIAN-AMERICAN WORKING ARRANGEMENT

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W. Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before September 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 10090-3, among the member conferences of the above-named arrangement, would extend the term of the original agreement pending the disposition of Agreement No. 10090-2 now before the Commission or for a period of six months, whichever occurs first.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23658 Filed 9-4-75;8:45 am]

CONTINENTAL NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before September 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 8210-31 among the member lines of the above-named conference would extend the term of the provisions by which the conference is a participant in the Canadian-American Working Arrangement and by which Canadian conference member lines serving the same European port ranges may become associate members until Agreement No. 10090-2 now before the Commission is disposed of or for a period of six months, whichever occurs first.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23660 Filed 9-4-75;8:45 am]

INDEPENDENT OCEAN FREIGHT FORWARDER LICENSE

Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications

for licenses as independent ocean freight forwarders pursuant to Section 44(a) of the Shipping Act, 1916, (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

West Coast International, Kenneth Barnes, d/b/a, 1505 W. Wardlow Road, Long Beach, California 90810.

Amton Shipping Company, Edwin S. Yee, d/b/a, 235 Canal Street, New York, New York 10013.

Skelton-Kohara & Co., Leslie Parker Skelton, d/b/a, 850 Richards Street, Honolulu, Hawaii 96813.

Transpacific Air Cargo, Inc., 5335 W. 104th Street, Los Angeles, California 90045. Officers: Tsutomu Aoyagi, President; Brian Suzuki, Vice President; Clifford Douglas, Secretary.

Leland Services, Wesley L. Chang, d/b/a, 10695 S.W. 87th Avenue, Miami, Florida 33156.

Cam Freight Forwarding, Inc., 7850 N.W. 55th Street, Miami, Florida 33166. Officers: Charles A. Menezes, President; Raul Saenz, Vice President; Richard Hagood, Secretary/Treasurer.

B.I.L. International Corporation, P.O. Box 4801366, Miami, Florida 33148. Officers: Robert R. Torra, President/Secretary; Leonor C. Brito, Vice President/Treasurer.

TAF Delivery Systems, Inc., Rte. 17 and Williams Avenue, Hasbrouck Heights, New Jersey 07604. Officers: Martha F. Lapp, President; Richard E. Wittmann, Vice President; Albert Schaffhauser, Secretary/Treasurer.

Airpac International, Inc., 5325 West 102nd Street, Los Angeles, California 90045. Officers: Brian Lewallen, President; Robert Hansen, Secretary/Treasurer; William Sauer, Jr., Exec. Vice President; Paul Zavattero, Regional Vice President.

Satin Air Freight Incorporated, 147-05 176th Street, Jamaica, New York 11434. Officers: Lawrence P. Quinlan, President; Joseph Zambuto, Vice President; Stanley Feingold, Secretary.

Franklin Financial Management, Inc., d/b/a Franklin International, 12121 Wilshire Boulevard, Suite 107, Los Angeles, California 90025. Officers: Thomas Lutted Fairbairn, President; Carol Devilbiss Fairbairn, Secretary/Treasurer; Ethel Louise Fairbairn, Vice President.

By the Federal Maritime Commission.

Dated: August 29, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23664 Filed 9-4-75;8:45 am]

MALAYSIA-PACIFIC RATE AGREEMENT

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 29, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

D. D. Day, Jr., Secretary, Malaysia-Pacific Rate Agreement, 635 Sacramento Street, San Francisco, California 94111.

Agreement No. 9836-4, entered into by the member lines of the Malaysia-Pacific Rate Agreement, amends the first paragraph of the WITNESSETH section of the agreement by (1) adding the State of (2) limiting the Canadian portion thereof to its West Coast.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23655 Filed 9-4-75;8:45 am]

NORTH ATLANTIC CONTINENTAL FREIGHT CONFERENCE

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 September 29, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 9214-16, among the member lines of the above-named conference, would extend the term of the provisions by which the conference is a participant in the Canadian-American Working Arrangement and by which Canadian conference member lines serving the same European port ranges may become associate members until Agreement No. 10090-2 now before the Commission is disposed of or for a period of six months, whichever occurs first.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23663 Filed 9-4-75;8:45 am]

NORTH ATLANTIC/FRENCH ATLANTIC FREIGHT CONFERENCE

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 September 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter)

and the statement should indicate that this has been done.

Notice of agreement filed by:

Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 7770–14 among the member lines of the above-named conference, would extend the term of the provisions by which the conference is a participant in the Canadian-American Working Arrangement and by which Canadian conference member lines serving the same European port ranges may become associate members until Agreement No. 10090–2 now before the Commission is disposed of or for a period of six months, whichever occurs first.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23661 Filed 9-4-75;8:45 am]

NORTH ATLANTIC UNITED KINGDOM FREIGHT CONFERENCE

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 September 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accomforth with particularity the acts and circrimination 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:

Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 7100–19 among the member lines of the above-named conference, would extend the term of the provisions by which the conference is a participant in the Canadian-American Working Arrangement and by which Canadian conference member lines serving the same European port ranges may become associate members until Agreement No. 10090–2 now before the Commission is disposed of or for a period of six months, whichever occurs first.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23662 Filed 9-4-75;8:45 am]

NORTH ATLANTIC WESTBOUND FREIGHT ASSOCIATION

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 September 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 5850–29 among the member lines of the above-named conference would extend the term of the provisions by which the conference is a participant in the Canadian-American Working Arrangement and by which Canadian conference member lines serving the same European port ranges may become associate members until Agreement No. 10090–2 now before the Commission is disposed of or for a period of six months, whichever occurs first.

By Order of the Federal Maritime Commission.

Dated: September 2, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23659 Filed 9-4-75;8:45 am]

PORT OF PALM BEACH DISTRICT CANAVERAL PORT AUTHORITY AND PORT EVERGLADES AUTHORITY

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 September 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Dwight Green, Traffic Consultant, Port of Palm Beach, P.O. Box 9035, Riviera Beach, Florida 33404.

Agreement No. T-3149, among the Port of Palm Beach District (Palm Beach), the Canaveral Port Authority (Canaveral) and the Port Everglades Authority (Everglades), provides for the creation of a conference to be known as the Southeast Florida Port Association (SFPA) to govern the parties' operations at their respective ports. The agreement provides for the parties to: (1) assess and collect all terminal rates and/or charges for or in connection with traffic handled by them; (2) establish, maintain, publish and file tariffs; and (3) file with the Commission all tariffs, rates, charges,

classifications, rules, regulations, and changes thereto adopted pursuant to the agreement. Changes in the SFPA tariff will not become effective until after 30 days' notice to the public, unless good cause exists for a change on shorter notice. Admission to the SFPA is open to any responsible port terminal operator at said Southeast Florida Ports upon a majority vote of the members of the SFPA.

By Order of the Federal Maritime Commission.

Dated: August 29, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23657 Filed 9-4-75;8:45 am]

SEATRAIN INTERNATIONAL S.A. AND ITALIA DI NAVIGAZIONE S.P.A.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126, or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 15, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Neal M. Mayer, Coles & Goertner, 1000 Connecticut Avenue, NW., Washington, D.C. 20036.

Agreement No. 10177, between the above named carriers which operate regular services in the trades between United States ports and port of Seatrain in Europe and ports of Italian Line on the Mediterranean and North Africa coasts, provides for the interchange of cargo containers and/or related equipment in accordance with the terms and conditions set forth therein.

By Order of the Federal Maritime Commission.

Dated: August 29, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-23656 Filed 8-4-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CI74-439]

AIKINS AND OWEN (OPERATOR), ET AL.

Notice of Withdrawal

AUGUST 26, 1975.

On August 20, 1975, Aikins and Owen filed a request for withdrawal of its application for abandonment filed on February 14, 1974, in the above-designated matter.

Notice is hereby given that pursuant to Section 1.11(d) of the Commission's Rules and Regulations, the withdrawal of the above application shall become effective on September 19, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23492 Filed 9-4-75;8:45 am]

[Docket Nos. RP74-42, *et al.*]

ALABAMA-TENNESSEE NATURAL GAS CO., ET AL.

Notice of Extension of Time

AUGUST 26, 1975.

On August 15, 1975, Texas Eastern Transmission Corporation filed a motion for an extension of time within which to file the special report required on or before August 28, 1975, by order issued August 8, 1975, in the above-designated matter. On August 20, 1975, Columbia Gas Transmission Corporation and United Gas Pipeline also filed motions for extension of time in the same matter.

Upon consideration, notice is hereby given that the time within which to file the special report required by order issued August 8, 1975, is extended for all parties[1] until September 11, 1975.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23517 Filed 9-4-75;8:45 am]

APPENDIX A

Respondent	*Docket Nos.*
Arkansas-Louisiana Gas Co.	RP71-122.
Cities Service Gas Co.	RP75-62.
Columbia Gas Transmission Corp.	RP72-89.
El Paso Natural Gas Co.	RP72-6.
Panhandle Eastern Pipeline Co.	RP71-119.
Texas Eastern Transmission Corp.	RP71-130 and RP72-58.
Transwestern Pipeline Co.	RP73-101.
Trunkline Gas Co.	RP71-100.
RP71-29 and United Gas Pipeline Co.	RP71-120.
Alabama-Tennessee Natural Gas Co.	RP74-42.
East Tennessee Natural Gas Co.	RP75-28.
Eastern Shore Natural Gas Co.	RP71-121 and RP72-21.
Lawrenceburg Gas Transmission Corp.	RP75-110.

[1] See Appendix A.

[FR Doc.75-23519 Filed 9-4-75;8:45 am]

[Docket No. RP72-110 PGA No. 76-2]

ALGONQUIN GAS TRANSMISSION CO.

Notice of Rate Change Pursuant to Purchased Gas Cost Adjustment Provision

AUGUST 27, 1975.

Take notice that Algonquin Gas Transmission Company (Algonquin Gas), on August 12, 1975, tendered for filing Fifth Substitute Sixth Revised Sheet No. 10 to its FPC Gas Tariff, First Revised Volume No. 1.

This sheet is being filed pursuant to Algonquin Gas' Purchased Gas Cost Adjustment Provision set forth in Section 17 of the General Terms and Conditions of its FPC Gas Tariff, First Revised Volume No. 1. The rate change is being filed to reflect an increase in purchased gas costs to be paid by Algonquin Gas to its supplier, Texas Eastern Transmission Corporation (Texas Eastern), scheduled to be effective October 1, 1975, as a result of a general rate increase filed by Texas Eastern on March 14, 1975, in Docket No. RP75-73.

The proposed effective date of the revised tariff sheet is October 1, 1975, the scheduled effective date of Texas Eastern's rate increase.

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 Sections 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 September 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23493 Filed 9-4-75;8:45 am]

[Docket No. CP76-60]

ARKANSAS LOUISIANA GAS CO., COMPLAINANT V. McCULLOCH OIL CORP. OF TEXAS, DEFENDANT

Notice of Complaint

AUGUST 27, 1975.

Take notice that on August 18, 1975, Arkansas Louisiana Gas Company (Complainant), P.O. Box 1734, Shreveport, Louisiana 71151, filed in Docket No. CP 76-60 a complaint pursuant to Section 1.6 of the Commission's Rules of Practice and Procedure (18 CFR 1.6) against McCulloch Oil Corporation of Texas (Defendant) alleging a violation of the Natural Gas Act, all as more fully set forth in the complaint on file with the Commission and open to public inspection.

Complainant alleges that gas from leases in Hemphill County, Texas, is dedicated to it for resale in interstate commerce pursuant to a gas sales contract between itself and Amarex, Inc. (Amarex), dated June 6, 1970. Complainant further alleges that Defendant is the assignee of certain of the subject leases, subject to the terms and provisions of the aforementioned gas sales contract and that in violation of the contract and the Natural Gas Act Defendant is delivering natural gas from the acreage covered by the contract to Pioneer Natural Gas Company (Pioneer), an intrastate gas company.

It is stated that a gas purchase contract dated June 6, 1970, was entered into by and between Amarex as seller, and Complainant, as buyer, covering a large block of oil, gas and mineral leases owned by Amarex in Texas. The gas purchase contract is said to have been filed with the Commission in support of Complainant's application pursuant to § 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing its Anadarko pipeline in Docket No. CP70-267.[1] Complainant alleges that subsequent to the execution of the gas purchase contract, Amarex assigned certain oil, gas and mineral leases that are stated to be covered by the contract to Defendant and further alleges that Defendant, as assignee of the leases, is subject to the terms and provisions of the gas purchase contract.

Complainant states that on November 24, 1971, that it began taking deliveries of gas into interstate commerce from certain of the oil, gas and mineral leases covered by the gas purchase contract which were retained by Amarex. Complainant alleges that the deliveries to Pioneer are being made in violation of the Natural Gas Act and the Rules and Regulations promulgated thereunder and are also in violation of the gas purchase contract. Complainant states that it has demanded that Defendant deliver to it such gas under the terms of the contract, but that Defendant has failed and refused, and falls and refused to deliver the gas to Complainant.

Complainant requests that the Commission order that Defendant cease and desist from delivering the subject gas to Pioneer, that Defendant commence the delivery of such gas to Complainant and that Defendant repay to Complainant those volumes of natural gas which Defendant is alleged to have wrongfully delivered to Pioneer.

Any person desiring to be heard or to make any protest with reference to said complaint should on or before September 26, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23494 Filed 9-4-75;8:45 am]

[1] Order of the Commission granting certificate of public convenience and necessity issued February 18, 1972 (47 FPC 585).

[Docket No. RI76-19]

WILLIAM C. BLANKS

Notice of Petition for Special Relief

AUGUST 27, 1975.

Take notice that on August 13, 1975, William C. Blanks, Petitioner, 302 Southwest Bldg., Midland, Texas 79701, filed a petition for special relief in Docket No. RI76-19, seeking a rate above the applicable area ceiling under Opinion No. 662. Petitioner seeks the current nationwide rate of 51 cents plus Btu adjustment and taxes for the sale of gas to El Paso Natural Gas Company from the Stites Lease, North Branch Field, Sutton County, Texas. The petition is based upon the installation and operation of a gas compressor for the delivery of the additional gas reserves to the gas purchaser. Petitioner also states that if relief is not granted it will have no other recourse than to file for abandonment since it will be uneconomical to produce at the present rate of 35 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said petition should on or before September 15, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to beticipate as a party in any hearing thereticipate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23495 Filed 9-4-75;8:45 am]

[Docket Nos. RP73-65 PGA76-1]

COLUMBIA GAS TRANSMISSION CORP.

Order Accepting for Filing and Suspending Proposed PGA Rate Change Subject to Conditions.

AUGUST 29, 1975.

On July 17, 1975, Columbia Gas Transmission Corporation (Columbia) tendered for filing a proposed PGA rate adjustment[1] to become effective September 1, 1975, to reflect (1) an increase of 0.9¢ per Mcf or $10.8 million annually in the cost of gas purchased from pipeline and producer suppliers and (2) changes in PGA surcharges to recoup $23.6 million in its deferred purchased gas cost account.[2] Columbia, anticipating a one-day suspension, also submitted alternate rates[3] which are lower than the above rates and eliminate the effect of small producer and Ohio "intrastate" rates in excess of the rate levels established by Opinion 699-H.

The filing was noticed on July 21, 1975, with responses due on or before August 6, 1975. No responses have been received.

We note that this filing contains producer purchases by Columbia in Ohio which are alleged to be intrastate. By order issued February 28, 1975, in Docket Nos. RP73-65 and PGA75-5, we ordered an investigation to determine the propriety of including such purchases in Columbia's PGA rate adjustments. Accordingly, we shall make the determination of that issue in this proceeding subject to the outcome of that issue in Docket Nos. RP73-65 and PGA75-5.

We note further that Columbia's rates are based, in fact, upon small independent producer purchases at rates in excess of the rate levels established in Opinion No. 699-H.[4] In light of this fact, and in light of the inclusion in Columbia's rates of the Ohio purchases referred to above, we find that the proposed rates and charges have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, we shall accept Columbia's proposed PGA change for filing and suspend it for one day until August 2, 1975, to become effective, subject to refund.

With regard to the question of small producer rates, we note that the Supreme Court has remanded the small independent producer rulemaking in order for the Commission to enunciate the standards in determining the justness and reasonableness for small producer purchases.[5] Accordingly, we believe it premature to set this matter for hearing at this time.

Our review of Columbia's proposed tariff sheet indicates that the claimed increased purchased gas costs, other than

[1] Twenty-fourth Revised Sheet No. 16 and Ninth Revised Sheet No. 64A to FPC Gas Tariff, Original Volume No. 1.

[2] Rates for Zones 1, 2, 3, 6, and 7 are reduced; rates for Zones 4 and 5 are increased.

[3] Alternate Twenty-fourth Revised Sheet No. 16 and Alternate Ninth Revised Sheet No. 64A to FPC Gas Tariff, Original Volume No. 1.

[4] Issued June 21, 1974, in Docket No. R-389-B.

[5] *F.P.C. v. Texaco, Inc.*, 417 U.S. 380 (1974).

(1) those costs associated with that portion of small producer purchases in excess of the rate levels prescribed in Opinion 699–H and (2) those costs associated with the Ohio "intrastate" purchases indicates that such costs are fully justified and comply with the standards set forth in Docket No. R–406. Accordingly, we shall permit Columbia to file substitute tariff sheets to become effective September 1, 1975, reflecting increased purchased gas costs, other than (1) those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed by Opinion 699–H and (2) those costs associated with Ohio "intrastate" purchases. In light of this, we shall not accept for filing the tariff sheets containing the lower rates which are listed in footnote 3 above.

The Commission finds:

(1) It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that Columbia's proposed PGA adjustment be suspended for one day to become effective September 2, 1975, subject to refund as hereinafter ordered and conditioned.

(2) The claimed increased costs, other than (1) those costs associated with that portion of small producer purchases in excess of the rate levels prescribed in Opinion No. 699–H and (2) those costs associated with Ohio intrastate purchases, have been reviewed and found to be in compliance with the standards set forth in Docket No. R–406.

The Commission orders:

(A) Columbia's proposed PGA rate change filed on July 17, 1975, is accepted for filing and suspended for one day to become effective September 2, 1975.

(B) Within 15 days of the date of issuance of this order, Columbia may file revised tariff sheets to become effective as of September 1, 1975, reflecting those claimed increased costs other than (1) those costs associated with that portion of small producer purchases in excess of the rate levels prescribed in Opinion 699–H and (2) those costs associated with Ohio "intrastate" purchases.

(C) The issue of the propriety of including costs associated with Ohio "intrastate" purchases in the instant PGA filing is hereby made subject to the determination of that issue in Docket Nos. RP73–65 and PGA75–5.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75–23514 Filed 9–4–75;8:45 am]

[Docket No. E–9002]

COMMONWEALTH EDISON CO.

Notice of Further Extension of Procedural Dates

AUGUST 28, 1975.

On August 26, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued July 14, 1975, as most recently modified by notice issued August 6, 1975, in the above-designated matter. Staff Counsel has contacted both counsel for the company and for intervenors and has been informed that the parties have no objection to this motion.

Upon consideration, notice is hereby given that the date of service of staff testimony in the above matter is extended to and including September 5, 1975.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75–23496 Filed 9–4–75;8:45 am]

[Project No. 2507]

CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, MONTANA AND THE MONTANA POWER CO.

Notice of Extension of Time

AUGUST 28, 1975.

On August 6, 1975, The Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana filed a motion to extend the time within which to respond to the Motion of Commission Staff Counsel to Dismiss Application for License, filed on July 1, 1975, in the above-designated matter.

Upon consideration, notice is hereby given that the date within which to respond to Staff Counsel's motion is extended to and including October 16, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–23497 Filed 9–4–75;8:45 am]

[Docket No. RI76–21]

EXXON CORP.

Notice of Petition for Special Relief

AUGUST 27, 1975.

Take notice that on August 18, 1975, Exxon Corporation (Petitioner), P.O. Box 2180, Houston, Texas 77001, filed a petition for special relief in Docket No. RI76–21, seeking a rate above the applicable area ceiling under Opinion No. 607. Petitioner seeks a price of 32 cents per Mcf for the sale of gas to Arkansas Louisiana Gas Company under its FPC Gas Rate Schedule No. 420 from the Federal King Well No. 1, Kinta Field, Haskell County, Oklahoma. The petition is based on remedial work and for purchasing, installing, equipping and maintaining compressor facilities for gas sold to Arkla from this well.

Any person desiring to be heard or to make any protest with reference to said petition should on or before September 16, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–23498 Filed 9–4–75;8:45 am]

[Docket No. RP74–26; AP76–1]

LOUISIANA-NEVADA TRANSIT CO.

Order Accepting for Filing and Suspending Proposed Advance Payments Adjustment

AUGUST 29, 1975.

On August 1, 1975 Louisiana-Nevada Transit Company (LNT) tendered for filing an increase in its rates[1] to reflect the inclusion in rate base of additional advance payments in the sum of $487,292. Notice of LNT's filing was issued August 8, 1975 with protests and petitions to intervene due on or before August 21, 1975. None have been received.

LNT has not filed information concerning the expenditure by producers of these advance payments received from LNT. Therefore, the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise illegal. Accordingly, we shall suspend the use of the new rates for one day to become effective September 3, 1975 and order a hearing thereon.

The Commission finds:

It is necessary and proper in the public interest and to aid in the enforcement of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of LNT's proposed rate adjustment as identified above, and that the tendered tariff sheets be accepted for filing and suspended as hereinafter provided.

The Commission orders:

(A) LNT's Fourth Revised Sheet No. PGA–1 to its FPC Gas Tariff, Original Volume No. 1 is hereby accepted for filing and suspended for one day to become effective September 3, 1975, subject to refund.

(B) Pursuant to the authority of the Natural Gas Act, particularly §§ 4 and 5 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing concerning the lawfulness of LNT's proposed change shall be held on January 27, 1976 at 10 a.m. at the offices of the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426.

(C) On or before January 2, 1976 the Staff shall serve its prepared testimony and exhibits. On or before January 16, 1976 LNT shall serve any rebuttal testimony and exhibits.

(D) 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 ac-

[1] Fourth Revised Sheet No. PGA–1 to its FPC Gas Tariff, Original Volume No. 1.

cordance with the policies expressed in the Commission's Rules of Practice and Procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-23515 Filed 9-4-75;8:45 am]

[Docket No. RP73-91; PGA 76-1]

McCULLOCH INTERSTATE GAS CORP.

Notice of Purchased Gas Adjustment Clause

AUGUST 28, 1975.

Take notice that on August 15, 1975, McCulloch Interstate Gas Corporation (McCulloch) tendered for filing, copies of two Sixth Revised Sheets No. 32 to McCulloch Interstate Gas Corporation's FPC Gas Tariff Original Volume No. 1, as required under the Commission's Regulations under the Natural Gas Act.

McCulloch Interstate's Sixth Revised Sheets No. 32 provide in the alternative for Purchased Gas Adjustment rate reductions of:

(1) 2.03¢ per Mcf effective October 1, 1975, and

(2) 14.62¢ per Mcf effective October 1, 1975.

McCulloch states that its filings are made in order to provide for a current Gas Cost Adjustment in order to bring its Purchased Gas Cost in line with the cost of gas purchases which it is currently incurring. McCulloch states that in this first alternative filing McCulloch is proposing no adjustment to account for the one-time temporary reduction of 12.59¢ per Mcf in McCulloch's Unrecovered Purchased Gas Cost Account as of June 30, 1975.

McCulloch states further that its second alternative filing provides for a reduction of 14.62¢ per Mcf effective October 1, 1975 takes into account both the reduction in the Gas Cost Adjustment of 2.03¢ per Mcf and the reduction of 12.59¢ per Mcf in the Surcharge Adjustment, covering the one-time temporary reduction in its Unrecovered Purchased Gas Cost Account as of June 30, 1975.

McCulloch asks that the first alternative Sixth Revised Sheet No. 32, providing for a reduction of 2.03¢ per Mcf be permitted to go into effect on October 1, 1975 and that the second alternative Sixth Revised Sheet No. 32 providing for a reduction of 14.62¢ per Mcf effective October 1, 1975 be rejected.

McCulloch explains that it asks for this alternative treatment in order to avoid a "yo-yo" effect in the present level of its jurisdictional natural gas rates requiring a substantial reduction to be made effective at the present time, coupled with a new substantial rate increase which would become effective on April 1, 1976, the effective date of McCulloch's next required Purchase Gas Adjustment clause rate filing.

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, N.E., 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 September 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-23500 Filed 9-4-75;8:45 am]

[Docket No. RP72-149; PGA75-12]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Proposed Change in Rates

AUGUST 27, 1975.

Take notice that Mississippi River Transmission Corporation ("Mississippi") on August 20, 1975, submitted for filing Thirty-Third Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1, to become effective October 1, 1975.

The instant filing is being made pursuant to the provisions of Mississippi's purchased gas cost adjustment clause to its tariff to reflect a change in Mississippi's deferred gas cost adjustment.

Mississippi submitted schedules containing computations supporting the rate changes to be effective October 1, 1975. Mississippi states that copies of its filing were served on Mississippi's jurisdictional customers and the State Commissions of Arkansas, Illinois and Missouri.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission in accordance with Sections 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 September 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene unless such petition has previously been filed. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-23501 Filed 9-4-75;8:45 am]

[Docket No. ER76-83]

OHIO POWER CO.

Notice of Tariff Change

AUGUST 28, 1975.

Take notice that Ohio Power Company, on August 22, 1975, tendered for filing proposed changes in its FPC Electric Tariff MRS For Municipal Resale Electric Service, Original Volume No. 1. The proposed changes would increase revenues from jurisdictional sales and service by $907,694, based on the 12-month period ending December 31, 1975.

Ohio Power Company states that the proposed rate increase is occasioned by increases in the cost of providing electric service, increased costs of capital and increased construction requirements.

Copies of the filing were served upon the affected municipal customers and the Public Utilities Commission of Ohio.

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, N.E., Washington, D.C. 20426, in accordance with Sections 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 September 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-23502 Filed 9-4-75;8:45 am]

[Docket No. ER76-74]

OKLAHOMA GAS AND ELECTRIC CORP.

Notice of Filing of Notice of Termination

AUGUST 28, 1975.

Take notice that Oklahoma Gas and Electric Company, on August 15, 1975, tendered for filing a Notice of Termination of its Rate Schedule FPC No. 92 with Arkansas Valley Electric Cooperative. That rate schedule terminated under its own terms on July 8, 1975.

The filing indicates that a copy of the notice of termination was served upon Arkansas Valley Electric Cooperative.

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, N.E., Washington, D.C. 20002, in accordance with Sections 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 September 9, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not

serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23503 Filed 9-4-75;8:45 am]

[Docket No. CP76-50]

PACIFIC GAS TRANSMISSION CO.

Notice of Application

AUGUST 25, 1975.

Take notice that on August 11, 1975, Pacific Gas Transmission Company (Applicant), 245 Market Street, San Francisco, California 94105, filed in Docket No. CP76-50 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and delivery of natural gas to Northwest Pipeline Corporation (Northwest), on an emergency basis, by revision of deliveries of gas to Pacific Gas and Electric Company (PG&E) all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it has been represented to it that for Northwest to maintain continuity of service to firm priority 1 and 2 requirements customers during the period commencing November 1, 1975, through April 30, 1976 (winter season), additional volumes of natural gas will be required. Applicant states that it has therefore entered into an emergency agreement with Northwest, to which PG&E is also a party, for the temporary revision of the deliveries of natural gas that Applicant would have to make to PG&E. It is stated that under the terms of the agreement, during the winter season Applicant would make exchange deliveries up to 150,000 Mcf of gas per day and 1,200,000 Mcf of gas over the term of the agreement to Northwest, to the extent agreed to by PG&E from day to day. The deliveries are proposed to be made at the Stanfield, Oregon, interconnection and at the Spokane, Washington, delivery point.

It is stated that Northwest would pay Applicant on a monthly basis, an amount equal to $1.68 per Mcf multiplied by the volume of gas delivered as emergency exchanges in the month. Applicant states that such amount would then be credited to PG&E's monthly cost of service charge rendered to PG&E to reimburse it for the additional burden placed upon its system due to the revisions so made. Applicant states further that the cost of service charge would be allocated as though the deliveries so made were to be made at PG&E at Oregon-California border.

Applicant states that Northwest would, in exchange for the volumes of gas received from Applicant, deliver to Applicant between May 1, 1976, and September 30, 1976 such volumes of gas as Northwest has available and Applicant and PG&E can accept until the quantity of gas so delivered equals the quantity of exchange gas theretofore received by Northwest. If the total quantity of gas so delivered by Northwest were not to equal the total quantity delivered to Northwest, Northwest would pay to Applicant an additional sum based on the purchase price of gas then existing, plus an average transportation charge, for credit to PG&E's bill.

The application indicates that no new facilities are required to institute the proposed emergency exchange.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 16, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by §§ 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23516 Filed 9-4-75;8:45 am]

[Docket No. ER76-80]

PACIFIC POWER & LIGHT CO.

Notice of Filing of Amended Rate Schedule

AUGUST 28, 1975.

Take Notice that Pacific Power & Light Company (Pacific) on August 20, 1975, tendered for filing, in accordance with Section 35.13 of the Commission's Regulations, an amended rate schedule for electric power and energy sales and transmission service to Black Hills Power and Light Company (Black Hills).

The amended rate schedule provides for changes in dates, equipment supplied and Black Hills' peak and energy forecast. There is no change in rates by these amendments.

Pacific requests waiver of the Commission's notice requirements to permit the rate schedule to become effective June 11, 1975, which it claims is the date of commencement of power sales under the rate schedule.

A copy of this filing has been supplied to the Wyoming Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 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 September 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23504 Filed 9-4-75;8:45 am]

[Docket No. E-9212]

PACIFIC POWER & LIGHT CO.

Notice of Initial Tariff Filing

AUGUST 28, 1975.

Take notice that Pacific Power & Light Company, by letter dated January 8, 1975, and supplemented thereafter on August 1, 1975, tendered for filing what it claims to be a new rate schedule RR-2 to become part of its FPC Electric Service Tariff.

The company states that the proposed rate schedule covers nonfirm, thermal-generated electric energy at transmission interconnections to any electric public utility in amounts and at times when available at the rate agreed to prior to delivery but not more than 12 mills per kilowatt-hour.

Copies of the filing were supplied to the regulatory commissions in the States of Oregon, Washington, California and Wyoming.

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, N.E., Washington, D.C. 20426, in accordance with Sections 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 September 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23505 Filed 9-4-75;8:45 am]

[Docket No. ER76-77]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE

Notice of Filing of Agreement

AUGUST 28, 1975.

Take notice that Public Service Company of New Hampshire (PSNH) on August 15, 1975, tendered for filing as an initial rate schedule a Transmission Contract with the Connecticut Light and Power Company, The Hartford Electric Light Company and Western Massachusetts Electric Company (the Buyers).

Under the Contract, PSNH will transmit through its system an entitlement of power which the Buyers will be purchasing from Vermont Electric Power Company, Inc.

PSNH requests that the Commission waive the normal 30-day notice requirement and permit the rate schedule to be effective as of May 1, 1975.

According to PSNH, a copy of the filing was served upon each of the Buyers and the New Hampshire Public Utilities Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20002, in accordance with Section 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 September 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23506 Filed 9-4-75;8:45 am]

[Docket No. RP73-92, PGA76-1]

RATON NATURAL GAS CO.

Notice of Change in Rates

AUGUST 28, 1975.

Take notice that Raton Natural Gas Company (Raton) on August 21, 1975, tendered for filing, proposed changes in its FPC Gas Tariff, Volume No. 1, consisting of Eighth Revised Sheet No. 3a. The change in rates is for Jurisdictional Gas Service.

Raton states that the instant notice of change in rates is occasioned solely by, and will compensate Raton only for, increases in the cost of gas purchased from Colorado Interstate Gas Company (CIG). The tracking of CIG gas cost increase of $0.11 per MCF of demand results in increased rate from $1.23 to $1.34 per MCF and increase of 0.06 cents per MCF of Commodity results in increased rate from 56.23 cents to 56.29 cents per MCF. The annual revenue increase by reason of the tracking increased rate amounts to $8,850.

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, N.E., Washington, D.C. 20426, in accordance with Sections 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 September 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23507 Filed 9-4-75;8:45 am]

[Docket No. RI75-122]

ROBINSON BROTHERS DRILLING CO.

Order Granting Special Relief

AUGUST 14, 1975.

On April 4, 1975, Robinson Brothers Drilling Company (Robinson) filed in Docket No. RI75-122 a petition for special relief pursuant to Section 2.76 of the Commission's General Policy and Interpretations (18 CFR § 2.76) for sales of natural gas to El Paso Natural Gas Company (El Paso) from the Manry Elliott No. 1 Well located in Chaves County, New Mexico. Robinson is a small producer and was granted a small producer certificate in Docket No. CS75-350 effective as of March 3, 1975. Robinson is successor in interest to Robinson Brothers Oil Producers, which previously sold the subject gas to El Paso under a small producer certificate issued in Docket No. CS71-972 on October 21, 1971.

Robinson is currently collecting a rate of 25.3 cents per Mcf for the sales to El Paso pursuant to a contract dated December 9, 1960. Robinson states that in November 1974 it installed a two-stage compression facility which was necessary in order to produce the remaining well reserves against existing pipeline pressure. Without the installation of the compression facility, Robinson asserts that the well would be incapable of production and would have to be plugged and abandoned. Robinson leases the compression facility at a cost of $50 per day.

By letter dated January 28, 1975, Robinson informed El Paso that continued operation of the well with the compression facility was uneconomical, and that a substantial price increase would be necessary to prevent abandonment of the well. Subsequently, on February 18, 1975, the parties executed an amendatory agreement to their gas sales contract of December 9, 1960. The amendment provides for a base contract rate of 51.0 cents per Mcf at 14.73 psia, plus 1.0 cent per Mcf annual escalations, plus tax and proportionate Btu adjustments.[1]

[1] The rate sought by Robinson does not take into account any effect on Robinson's tax liability resulting from the repeal of the percentage depletion allowance by the Tax Reduction Act of 1975.

Notice of the petition for special relief was issued on April 14, 1975, and appeared in the FEDERAL REGISTER on April 18, 1975, at 40 FR 17336. No petitions to intervene have been filed.

Staff has reviewed the cost data submitted by Robinson and has made an extensive field audit of Robinson's books and records. Based thereon Staff has estimated that 205,000 Mcf of reserves remain to be produced over a period of three years, and Staff has determined that the proposed rate is cost justified. After a careful review of the costs to be incurred and the reserves to be recovered, we conclude that it is in the public interest to grant Robinson's petition.

The Commission finds:

The petition for special relief filed by Robinson meets the criteria set forth in § 2.76 of the Commission's General Policy and Interpretations.

The Commission orders:

(A) The petition for special relief of Robinson is hereby granted.

(B) The contract amendment dated February 18, 1975 between Robinson and El Paso is accepted for filing effective as of the date of issuance of this order.

(C) Robinson is authorized to collect a base rate of 51.0 cents per Mcf at 14.73 psia plus tax and Btu adjustments, as provided in the February 18, 1975 contract amendment, effective as of the date of issuance of this order.

(D) During the one year period commencing January 1, 1976, and during each succeeding one year period thereafter, Robinson may increase the base rate authorized herein by 1.0 cent per Mcf as provided in the February 18, 1975 contract amendment; *Provided, however,* that prior to any such change in the rate to be collected by Robinson, Robinson must file a notice of change in rate in accordance with § 154.94 of the Commission's Regulations under the Natural Gas Act (18 CFR § 154.94).

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23517 Filed 9-4-75;8:45 am]

[Docket No. ER76-75]

ROCHESTER GAS AND ELECTRIC CORP.

Notice of Filing of Supplement to Interchange Agreement

AUGUST 28, 1975.

Take notice that Rochester Gas and Electric Corporation (Rochester), on August 15, 1975, tendered for filing a supplement to its contract with Niagara Mohawk Power Corporation (Niagara). The contract is designated Rochester Rate Schedule FPC No. 10 and Niagara Rate Schedule FPC No. 69.

The supplemental agreement amends the filed rate schedule to permit energy exchange in the event of outages scheduled by either of the parties.

Rochester requests that the Commission waive the normal 30-day notice requirement and permit the supplement to be effective as of June 29, 1975.

Any person desiring to be heard or to protest said application should file a pe-

tition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20002, 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 September 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23508 Filed 9-4-75;8:45 am]

[Docket No. ER76-87]

SIERRA PACIFIC POWER CO.

Notice of Proposed Changes in Rates and Charges

AUGUST 28, 1975.

Take notice that on August 25, 1975, Sierra Pacific Power Company (Sierra Pacific) tendered for filing a notice of change in rates and charges in its Rate Schedule FPC No. 11 and a notice of change in rates and charges in Rate Schedule R; Fuel Adjustment; Terms and Conditions; and associated changes in its FPC Electric Tariff, Volume No. 1. Based upon the test period of twelve months ending June 1976, Sierra Pacific estimates that the total effect of the changes in rates and charges would increase annual revenues from jurisdictional sales and services by approximately $716,132, or 14.7%.

Sierra Pacific requested a waiver of the thirty (30) day rule pursuant to § 35.11 of the Commission's Rules and Regulations under the Federal Power Act to cancel Supplement No. 2 to Rate Schedule FPC No. 11 to transfer Mt. Wheeler Power, Inc. (Mt. Wheeler) to the existing Rate Schedule R of its FPC Electric Tariff (Supplement No. 3) as the type of service rendered Mt. Wheeler was changed with completion of the Sierra Pacific-Utah Power and Light Company interconnection on August 8, 1975. Sierra Pacific estimates that this change would increase jurisdictional revenues during the test period by $595,172.

Sierra Pacific proposed that the effective date of the changes in rates and charges of its FPC Electric Tariff be September 21, 1975, and stated that these changes would effect an increase in test period jurisdictional revenues of $121,679.

In addition, Sierra Pacific requested permission to initiate deferred fuel and purchased power cost accounting on its books and records, and interest charges on delayed payment of service billings.

Copies of the filing were served upon Sierra Pacific's jurisdictional customers, the California Public Utilities Commission, and the Public Service Commission of Nevada.

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, N.E., Washington, D.C. 20426, in accordance with Sections 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 September 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23509 Filed 9-4-75;8:45 am]

[Docket No. ER76-76]

SOUTH CAROLINA ELECTRIC & GAS CO.

Notice of Filing of Interconnection Agreement

AUGUST 28, 1975.

Take notice that on August 15, 1975, South Carolina Electric & Gas Company (Company), pursuant to Part 35 of the Commission's Regulations under the Federal Power Act, tendered for filing an interconnection agreement dated January 1, 1975 between the Company and South Carolina Public Service Authority (Authority).

The agreement, which supersedes a prior interconnection agreement on file with the Commission and designated as the Company's Rate Schedule FPC No. 15, provides for the establishment of two new points of interconnection between the Company and the Authority. The interconnection arrangement, according to the Company, is to provide means with which to coordinate the operation of the respective generation, transmission and subsection facilities to the mutual advantage of both parties.

In order to effectuate the new agreement of January 1, 1975, the Company requests waiver of the 30-day notice provision of the Commission's Regulations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., 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 September 9, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to the proceeding must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23510 Filed 9-4-75;8:45 am]

[Docket No. ER 76-69]

SOUTHERN CALIFORNIA EDISON CO.

Notice of Filing of Rate Schedule Cancellation Notice

AUGUST 28, 1975.

Take notice that on August 4, 1975, Southern California Edison Company filed with the Commission a Notice of Cancellation of Rate Schedule FPC No. 73 relating to service to the Department of Water and Power of the City of Los Angeles.

The cancellation is proposed to be made effective thirty days after filing.

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, N.E., Washington, D.C. 20426, in accordance with Sections 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 September 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23511 Filed 9-4-75;8:45 am]

[Docket No. RP72-91 (Phase I)]

SOUTHERN NATURAL GAS CO.

Notice of Extension of Time

AUGUST 28, 1975.

On August 21, 1975, Southern Natural Gas Company filed a motion to extend the time within which to respond to the "Request for Early Decision on Pending Exceptions to April 3, 1975, Initial Decision and Response Thereto" filed by Mississippi Valley Gas Company on August 15, 1975, in the above-designated matter.

Notice is hereby given that the date by which to file responses to the "Request for Early Decision on Pending Exceptions to April 3, 1975, Initial Decision and Response Thereto" is, for all parties, extended to and including September 17, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23512 Filed 9-4-75;8:45 am]

[Docket No. ER76-85]

TOLEDO EDISON CO.

Notice of Contract Revision

AUGUST 28, 1975.

Take notice that The Toledo Edison Company on August 27, 1975 tendered for filing a revised Exhibit B (Service Specifications) to the contract for wholesale electric service to the Village of Oak Harbor, Ohio.

Toledo Edison states that the revised Exhibit B has been executed by the

Village and replaces Exhibit B in Rate Schedule F.P.C. No. 16 on file with the Commission.

Toledo Edison states that the Village is presently served at one delivery point at 4000 volts, but that the Village has undertaken a project to convert their distribution system from 4000 volts to 12,000 volts. The revised Exhibit B provides that during the period of such conversion, the Village will receive service at two delivery points, one each at 4000 and 12,000 volts and that the amount of demand and consumption at each shall be added and the sum so obtained shall be used for billing purposes. The Commission has been requested to assign to this revised Exhibit B the earliest effective date permitted by the Commission's rules.

A copy of this filing has been served upon the Village of Oak Harbor, Ohio.

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 N.E., Washington, D.C. 20426, in accordance with Section 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 September 19, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23513 Filed 9-4-75;8:45 am]

[Docket No. RP75-51]

TRANSCONTINENTAL GAS PIPELINE CORP.

Investigation of Revised Curtailment Level on System, Notice of Extension of Time

AUGUST 27, 1975.

On August 25, 1975, General American Oil Company of Texas filed a motion to extend the date for filing the report required by paragraph (A) of order issued August 8, 1975, in the above-designated matter.

Notice is hereby given that the date for filing the report required by paragraph (a) of the order issued August 8, 1975, in the above matter is extended to September 4, 1975 for all parties.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23499 Filed 9-4-75;8:45 am]

[Docket Nos. RP71-29, *et al.*]

UNITED GAS PIPE LINE CO.

Notice of Proposed Settlement

AUGUST 25, 1975.

Take notice that on August 14, 1975, the Administrative Law Judge in the proceeding in Docket Nos. RP71-29, *et al.*, certified a proposed settlement to the Commission for action. The said proceeding is being conducted for the purpose of developing a plan to curtail the service rendered by United Gas Pipe Line Company (United) to its customers. The proposed settlement was submitted by United and it constitutes a scheme of allocation of United's services during the period of November 1, 1975 through October 31, 1976. The scheme of allocation is a departure from United's service obligations under the currently effective interim agreement, which departure is necessitated by a foreseeable decrease in the supply of natural gas that will be available to United during the period mentioned.

PROCEEDINGS

The proposed settlement resulted from proceedings held pursuant to a Federal Power Commission order issued on March 7, 1975 under Docket No. RP71-29. The March 7 order denied a motion for immediate modification of the existing curtailment plan and directed that further hearings in these proceedings be conducted in two phases. Phase I was to be convened immediately for the purpose of determining, in advance of the 1975-76 winter heating season, whether United's currently-effective interim curtailment program should either (1) remain in effect pending formulation of a permanent plan, or (2) be modified by the Commission pursuant to Section 5 (a) of the Natural Gas Act. The March 7 order also provided for a later Phase II hearing for the purpose of formulating a permanent curtailment plan for implementation on United's System. By an "Order on Rehearing" issued May 2, 1975, the Commission ordered that a Phase III be added to the proceedings to consider matters pertaining to § 12.3 of United's proposed tariff dealing with United's contractual liability filed on March 3, 1975 in Docket No. RP75-71.[1]

The Phase I hearing was convened on May 20, 1975 and recessed upon application of the combined parties for settlement conferences. Informed on May 30, 1975 that unanimous agreement upon a settlement in connection with an interim curtailment plan appeared unlikely but that further negotiations conducted simultaneously with the taking of testimony in connection therewith might eventually prove fruitful, the hearing on Phase I, as previously directed by the Presiding Administrative Law Judge, commenced on June 2, 1975 and continued with short interim recesses through June 24, 1975. A further settlement conference was convened on June 30, 1975 and on July 1, 1975 the Presiding Administrative Law Judge was advised by counsel for United that the majority of the parties had reached agreement on modifications to the three-category program as a settlement of the issues in Phase I.

[1] Docket No. RP75-71 was consolidated with RP71-29 by Commission order dated April 2, 1975.

Further hearing in connection with Phase I was thereupon suspended and the Presiding Administrative Law Judge, on request of the parties, directed that a hearing be convened on July 22, 1975 at which time testimony would be presented in support of, and in opposition to, United's proposed settlement, together with proposed variations thereto and any alternate proposals which any of the dissenting parties might wish to present. The hearing on the proposed settlement and variations thereto proceeded as scheduled and was concluded on August 4, 1975.[2]

The settlement proposal and the transcript of the hearing in connection with Phase I were certified to the Commission by the Administrative Law Judge on August 14, 1975 pursuant to § 1.18(e) of the Rules of Practice and Procedure. The Judge's certification stated that "United's settlement proposal, concurred in by a substantial majority of the parties, constitutes the 'ameliorating' plan for the coming winter heating season."

HIGHLIGHTS OF SETTLEMENT PLAN

Under the proposed settlement plan, the currently-effective interim three-category curtailment program would continue in effect subject to the following modifications:

(1) The curtailment allocations of United's customers shall be determined using the new end-use data which has been collected pursuant to the directives of the Commission in Opinion Nos. 647 and 647-A. Appendix A of the proposed plan contains an impact study showing estimated curtailments and deliveries under the proposed plan.

(2) The 3,000 Mcf per day Category III cut-off will be continued for the protection of industrial customers. However, any curtailments below that level shall be effectuated on a pro rata basis in three successive steps, to 1,500, 300, and 0 Mcf per day.

(3) Industrial feedstock requirements of United's city gate customers shall be reclassified from Category III to Category II. Only two city gate customers have reported such requirements.

(4) United's pro rata share of the industrial feedstock requirements reported by its seven pipeline customers shall also be reclassified from Category III to Category II except that no such deliveries shall be made when United must curtail below the 300 Mcf Category III step mentioned in paragraph 2 above.

(5) Industrial process gas requirements shall be protected to the extent of 3,000 Mcf per day which shall not be curtailed until all other Category III requirements have been curtailed to the

[2] An alternate settlement proposal presented by Allied Chemical Corporation, *et al.*, through the prepared testimony of Mr. R. A. Ransom based on the issue of "new and enlarged service" was stricken from the record by the Presiding Administrative Law Judge on motion by United inasmuch as the issue of "new and enlarged service" had previously been stated by the Commission to be more appropriate for consideration in Phase II.

300 Mcf step mentioned in paragraph 2 above.

(6) Industrial customers may petition the Commission for a reclassification of their process gas requirements from Category III to Category II. Such a petition must specify why the process gas in question cannot be (a) converted to solid or liquid fuels or (b) satisfied through the use of supplemental gas supplies. The Commission may act on such petitions either with or without a formal hearing. The process gas requirements of five named direct industrial customers will be so reclassified based on testimony already provided in the Phase I hearing.

(7) City gate customers of United served through multiple delivery points shall be given a single base requirement for each of the two seasons reflected in Appendix A of the proposal. Provided, however (a) that the establishment of such single base requirements shall not affect existing transportation agreements between United and such customers or the Maximum Daily Delivery Obligation provisions contained in their individual service agreements with United, and (b) that said city gate customers shall be required, on a daily basis, to limit their industrial sales based on gas supplies from United to their aggregate industrial allocations.

The proposed settlement is premised on the belief that United will not have to curtail below the 1,500 Mcf Category III step. However, extremely cold weather could necessitate curtailment to or below the 300 Mcf Category III step. If curtailment below the 300 Mcf step cannot be avoided by means of storage withdrawals, the plan directs United to use its best efforts to obtain from its pipeline customers, on a voluntary basis subject to prompt repayment, the volumes of gas required to avoid such curtailment.

If the settlement is approved, United would be required to file within ten days revised tariff sheets to implement its proposal, copies of which constitute Appendix B to the settlement proposal. United would also be required to file by April 1, 1976 revised tariff sheets and an impact study setting forth United's proposed curtailment program for the winter 1976–77 and summer 1977 seasons. This would facilitate efforts towards a subsequent settlement in the event that Phase II of the proceeding is not completed prior to the 1976–77 winter season.

FILING OF COMMENTS

Any person, including the parties to this proceeding, desiring to file comments either in support of or in opposition to the proposed settlement should file such comments on or before September 9, 1975. Copies of such comments will be available in the Office of Public Information of the Federal Power Commission. Replies to the initial comments may be filed and will be accepted on or before September 23, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23518 Filed 9-4-75;8:45 am]

[Project No. 2716—Virginia]

VIRGINIA ELECTRIC AND POWER CO.

Notice of Availability of Environmental Impact Statement for Inspection

Notice is hereby given that on September 15, 1975, as required by the Commission Rules and Regulations under Order 415–C, issued December 18, 1972, a final environmental impact statement prepared by the Commission's staff pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91–100) was placed in the public files of the Federal Power Commission. This statement deals with the environmental impact of an application for license filed pursuant to the Federal Power Act by Virginia Electric and Power Company for proposed Bath County Pumped Storage Project No. 2716 to be located on Back Creek and Little Back Creek in Bath, Highland, Augusta, and Rockbridge Counties, Virginia and partially within the George Washington National Forest. This statement is available for public inspection in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426 and its Atlanta Regional Office located at 730 Peachtree Building; Room 500, Atlanta, Georgia 30308. Copies may be ordered from the Commission's Office of Public Information, Washington, D.C. 20426.

The project would consist of a 265-acre upper reservoir (full power pool elevation 3320 feet m.s.l.), a 555-acre lower reservoir (full power pool elevation 2118 feet m.s.l.), three tunnels connected to six penstocks, and an indoor-type powerhouse which would contain six 350 mW pump-turbine generating units. Also associated with the project would be two 500 kV transmission lines, one extending 50 miles to Burketown, Virginia, and one extending 35 miles to Lexington, Virginia. Recreation facilities include streamside fishing, 2 recreation ponds (total of 85 acres), camping facilities, and a visitors center.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-23491 Filed 9-4-75;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

ELECTRIC FACE EQUIPMENT STANDARD

Applications for Renewal Permits; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

(1) ICP Docket No. 4291-000, INDIAN HEAD MINING COMPANY, Indian Head Mine No. 3, Mine ID No. 15 02378 0, Hazard, Kentucky, ICP Permit No. 4291-003-R-4 (Porter End Dump Battery Buggy, I.D. No. B-3).

(2) ICP Docket No. 4307-000, DARBY B COAL COMPANY, MINE No. 6, Mine ID No. 15 02794 0, Linefork, Kentucky, ICP Permit No. 4307-001-R-2 (S&S 90 Battery Tractor Motor, I.D. No. 04), ICP Permit No. 4307-002-R-2 Kersey 445 Battery Tractor Motor, I.D. No. 05), ICP Permit No. 4307-003-R-2 (Owens Coal Wagon Drill, I.D. No. 01), ICP Permit No. 4307-004-R-2 (Owens Coal Wagon Drill, I.D. No. 02).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before September 22, 1975. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

SEPTEMBER 2, 1975.

[FR Doc.75-23604 Filed 9-4-75;8:45 am]

ELECTRIC FACE EQUIPMENT STANDARD

Applications for Renewal Permits; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP Docket No. 4011-000, B & S COAL COMPANY, INC., Mine No. 21, Mine ID No. 15 02749 0, Vicco, Kentucky, ICP Permit No. 4011-010—R-2 (Kersey 944 Tractor, I.D. No. 12-3), ICP Permit No. 4011-011—R-2 (Kersey 944 Tractor, I.D. No. 6-4).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before September 22, 1975. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

AUGUST 29, 1975.

[FR Doc.75-23605 Filed 9-4-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

AD HOC TASK GROUP 10 OF THE ADVISORY COMMITTEE FOR RESEARCH

Notice of Open Meeting

Ad hoc Task Group 10 of the Advisory Committee for Research will hold a meeting in Rm. 543 on September 24, and in Rm. 540 on September 25, 1975, beginning at 9 a.m. each day at the National Science Foundation, 1800 G St., NW., Washington, D.C.

The purpose of the ad hoc task groups of the Advisory Committee for Research is to provide the Committee with a mechanism to consider numerous issues of interest to the full Committee. The task groups are composed of members of the Advisory Committee for Research and function in accordance with the Federal Advisory Committee Act, Pub. L. 92–463.

The agenda for this meeting will be to work on draft material for the task group's report on the Social Sciences which will be submitted to the full Committee in November 1975.

The meeting is open to the public. Anyone who plans to attend or would like more information about the ad hoc task group should contact Mr. Leonard Gardner, Executive Secretary, Advisory Committee for Research, Rm. 320, National Science Foundation, Washington, D.C. 20550, telephone 202/632–4278.

Summary minutes of this meeting may be obtained from the Committee Management Coordination Staff, Management Analysis Office, National Science Foundation, Rm. 248, Washington, D.C. 20550.

FRED K. MURAKAMI,
Committee Management Officer.

SEPTEMBER 2, 1975.

[FR Doc.75–23622 Filed 9–4–75;8:45 am]

ADVISORY COMMITTEE FOR RESEARCH

Notice of Open Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: Ad hoc Task Group 13 of the Advisory Committee for Research.

Date: September 25 and 26, 1975.

Time: 9 a.m. each day.

Place: Room 543, National Science Foundation, 1800 G Street, NW., Washington, D.C.

Type of Meeting: Open.

Contact Person: Mr. Leonard Gardner, Executive Secretary, Advisory Committee for Research, Rm. 320, National Science Foundation, Washington, D.C. 20550, telephone 202/632–4278.

Summary Minutes: May be obtained from the Committee Management Coordination Staff, Management Analysis Office, Rm. 248, National Science Foundation, Washington, D.C. 20550.

Purpose of Ad Hoc Task Group: To provide the Advisory Committee for Research with a mechanism to consider numerous issues of interest to the full Committee. The task groups are composed of members of the Advisory Committee for Research.

FRED K. MURAKAMI,
Committee Management Officer.

SEPTEMBER 2, 1975.

[FR Doc.75–23595 Filed 9–4–75;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

IMPLEMENTATION OF PRIVACY ACT OF 1974

Notice of Systems of Records; Amendment

Correction

In FR Doc. 75–22885 appearing on page 40137 of the issue for Friday, August 29, 1975, make the following changes:

1. In the third line of the first paragraph and the third line of the second paragraph, the date "1085" should read "1975";

2. The signature, now reading "Frirtz L. Puls", should read "Fritz L. Puls".

3. The text of the systems of records was printed out of order and should read as follows:

NTSB—5

System name: Reports of Employee's Financial Interests and Outside Employment.

System location: National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594

Categories of individuals covered by the system: NTSB employees.

Categories of records in the system: Confidential statements of financial interests and outside employment required of certain employees. The statements set forth the financial interests of the employees and members of their immediate families and specify the employment of the members of the immediate family or any other employment of the NTSB employees involved.

Authority for maintenance of the system: 5 CFR Part 735 (Federal Personnel Manual), implemented by 49 CFR Part 805.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by authorized personnel for ascertaining conflicts or apparent conflicts of interest and for recommending appropriate action to NTSB employees. In the event of a violation or potential violation of law, whether civil, criminal, or regulatory, the records may be referred to the appropriate agency. Routine use includes, but is not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court, referral to potential employers, and for security clearance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 8-1/2 inch by 10-1/2 inch forms kept in a manila folder.

Retrievability: Indexed alphabetically by name.

Safeguards: Records are stored in a locked safe.

Retention and disposal: Records are manually kept during employment of the individual and then destroyed.

System manager(s) and address: Director of Administration, Office of the General Manager, National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594.

Notification procedure: Address inquiries to System Manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: NTSB employees.

NTSB—6

System name: Employee Payroll, Leave, and Attendance Records—NTSB

System location: National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594.

Categories of individuals covered by the system: NTSB employees.

Categories of records in the system: Manual files and computer-retrievable data containing payroll-related information covering NTSB employees. Payroll, leave and attendance records include many records or information also maintained in the employees' Personnel Nonpermanent Records and related files which are maintained in accordance with Civil Service Commission regulations and noticed by the Commission in its Governmentwide systems of personnel records. Payroll and related information consists of various forms and computer-retrievable data which discloses on a biweekly, year-to-date, and/or annual basis, payroll and leave data for each NTSB employee. This data relates to the rate and amount of pay, leave, hours worked, and leave balances. It also includes tax and retirement deductions, life insurance and health deductions, savings allotments, savings bond and charity deductions, mailing addresses, and home addresses.

Authority for maintenance of the system: Federal Personnel Manual and Treasury Fiscal Requirements Manual; and Pub. L. 93-633, 88 Stat. 2168 (sec. 303(c)(3) of the Independent Safety Board Act of 1974, 49 U. S.C. 1902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For preparation of payroll, to fulfill Government payroll recordkeeping and reporting requirements; and to retrieve and supply payroll and leave information as required for NTSB needs. Other routine uses for certain records are specified in the Civil Service Commission notice: "C.S.C.—General Personnel Records (Official Personnel Folder and records related thereto)." Routine use includes, but is not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court, referral to potential employees, and for security clearance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Storage for NTSB is maintained by the Federal Highway Administration (FHWA), 400 7th Street, S.W., Washington, D.C. 20590.

Retrievability: Time cards are machine-printed, 7-1/2 inch by 3-1/2 inch cards (FHWA Form 320A); tapes are standard 2, 400-foot IBM tapes.

Safeguards: There are no safeguards for the time cards. The tapes, however, are maintained in the computer center and access is permitted only to certain specified FHWA employees or appropriate employees of contractor agencies.

Retention and disposal: The time cards are maintained in the office for the current and prior year and are thereafter sent to the Federal Records Center in St. Louis. The tapes are retained, based on the cycle of the particular system. The disposal occurs when the cycle ends. The tapes are kept by employee number, which is a number assigned to the employee on hiring.

System manager(s) and address: Director of Administration, Office of the General Manager, National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594.

Notification procedure: Address inquiries to System Manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: NTSB employees.

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-254]

COMMONWEALTH EDISON CO. AND IOWA-ILLINOIS GAS AND ELECTRIC CO.

Notice of Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating License No. DPR-29 issued to the Commonwealth Edison Company (the licensee, acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company) for operation of Quad-Cities Unit 1 (the facility), a boiling water reactor located in Rock Island County, Illinois, and currently authorized for operation at power levels up to 2511 MWt.

In accordance with the licensee's application for a license amendment dated July 1, 1975, the amendment would modify operating limits in the Technical Specifications based upon an evaluation of ECCS performance calculated in accordance with an acceptable evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR Section 50.46. The amendment would modify various limits established in accordance with the Commission's Interim Acceptance Criteria, and would, with respect to Quad-Cities Unit 1, terminate the further restrictions imposed by the Commission's December 27, 1974 Order for Modification of License, and would impose instead, limitations established in accordance with the Commission's Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors, 10 CFR 50.46.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By October 6, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date.

A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to John W. Rowe, Esquire of Isham, Lincoln & Beale, One First National Plaza, Chicago, Illinois 60670, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceedings as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see (1) the application for amendment dated July 1, 1975, and (2) the Commission's Order for Modification of License and the documents referred to in the Order dated December 27, 1974, published in the FEDERAL REGISTER on January 9, 1975 (40 FR 1783), which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., 20555 and at the Moline Public Library, 504—17th Street, Moline, Illinois 61265. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 26th day of August, 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Division of Reactor Licensing.

[FR Doc.75-23371 Filed 9-4-75;8:45 am]

[Docket No. 50-284]

IDAHO STATE UNIVERSITY

Notice of Proposed Issuance of Construction Permit and Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of a construction permit and subsequently an amendment to Facility Operating License No. R-110 to Idaho State University (the licensee). The licensee is currently authorized by the Commission to possess and operate an AGN-201 research reactor (the facility) at 100 milliwatts on its campus in Pocatello, Idaho, for teaching and training purposes.

The proposed permit would authorize the licensee to move the reactor from the Physical Science Building to the Lillibridge Engineering Laboratory Building (a distance of approximately 110 yards) and to reconstruct it at the new location. The proposed amendment to the license subsequently would authorize operation of the facility in the new location at the previously approved power level. The amendment would also extend the expiration date of the license from July 11, 1987 to the fall of 1995.

Prior to issuance of the proposed construction permit, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

Upon completion of the relocation of the facility in compliance with the terms and conditions of the construction permit and the application, and in the absence of good cause to the contrary, the Commission will issue to Idaho State University (without prior notice) an amendment to the existing facility license authorizing operation of the reactor in the new location for the extended period of time specified above since the application is complete enough to permit evaluation of the safety considerations associated with the operation of the facility in the new location and for the additional period of time. Prior to the issuance of the license amendment, the facility will be inspected by a representative of the Commission to determine whether it has been satisfactorily relocated in accordance with the application and the provisions of the construction permit. The amendment to the operating license will not be issued until the Commission makes the findings required by the Act and the Commission's rules and regulations, and concludes that the issuance of the license amendment will not be inimical to the common defense and security or to the health and safety of the public.

By October 6, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the construction permit and the amendment to the license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing actions. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to these actions, see (1) the application for amendment filed by the Idaho State University dated June 17, 1975 and letter dated July 21, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. The license amendment and the Safety Evaluation, when issued, may be inspected at the above location, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 26th day of August, 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Division of Reactor Licensing.

[FR Doc.75-23372 Filed 9-4-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

AUGUST 27, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is re-

quired in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from August 28, 1975 through September 6, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-23638 Filed 9-4-75;8:45 am]

[Release No. 8909; 812-3815]

DOUGLAS CAMPBELL, JR., ET AL.

Application for Exemption

AUGUST 28, 1975.

Notice is hereby given that Douglas Campbell, Jr. ("Campbell"), 522 Fifth Avenue, New York, New York 10036, Campbell Asset Management Company ("Campbell Asset") and Campbell Advisors, Inc. ("Campbell Advisors") ("Applicants"), have filed an application and amendment thereto pursuant to Section 9(c) of the Investment Company Act of 1940 ("Act"), for an order of the Commission exempting Applicants from the provisions of Section 9(a) of the Act insofar as any ineligibility to serve or act in the capacities enumerated in Section 9(a) of the Act arises out of an injunction entered in connection with an action entitled *Securities and Exchange Commission* v. *Bausch & Lomb, Inc., et al.* (United States District Court for the Southern District of New York) (the "Action"). All interested persons are referred to the application and amendment on file with the Commission for a statement of the representations therein.

Campbell is the majority stockholder, President and Chief Executive Officer and a director of Campbell Advisors, a registered investment adviser pursuant to Section 203(c) of the Investment Advisers Act of 1940, and formerly conducted a business as an unregistered private investment adviser by means of a sole proprietorship under the assumed name of Campbell Asset.

The Action arose out of the sale by Campbell and Campbell Asset of common stock of Bausch & Lomb, Inc. The complaint in the Action alleges the improper use by Campbell and Campbell Asset of material non-public information in connection with transactions in the securities of Bausch & Lomb, Inc., in violation of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.

On March 7, 1975, a final judgment of permanent injunction against Campbell and Campbell Asset was entered upon the consent of the Securities and Exchange Commission and Campbell and Campbell Asset. The judgment enjoined Campbell and Campbell Asset, directly or indirectly by use of any means or instruments of transportation or communication in interstate commerce or of the mails, from purchasing or selling or recommending the purchase or sale of the common stock of Bausch & Lomb, Inc., in violation of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder. The judgment further ordered Campbell and Campbell Asset to adopt and implement a written statement of procedures concerning the receipt of material inside, non-public corporate information with respect to Bausch & Lomb, Inc. or any other securities.

Section 9(a)(2) of the Act makes it unlawful for any person who, by reason of any misconduct, is permanently or temporarily enjoined by order, judgment, or decree or any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security, to serve or act in the capacity of officer, director, member of an advisory board, investment adviser, or depositor of any registered investment company, or principal underwriter for any registered open-end company. Section 9(a)(3) makes it unlawful for a company any affiliated person of which is ineligible by reason of Section 9(a)(2) to serve or act in the foregoing capacities.

Campbell represents that he was formerly a director of Smith Barney Equity Fund, Inc. and Smith Barney Income and Growth Fund, Inc., which are registered investment companies and it is anticipated that he will rejoin the board of directors of these companies upon the Commission entering an order exempting Campbell from the provisions of Section 9(a) of the Investment Company Act of 1940.

Section 9(c) of the Act provides that any person who is ineligible by reason of subsection (a) to serve or act in the capacities enumerated therein may file with the Commission an application for an exemption from the provisions of that subsection and further provides that the Commission shall by order grant such application, either unconditionally or on an appropriate temporary or other conditional basis, if it is established that the prohibitions of subsection (a), as applied to such person, are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant such application.

Except for the action which resulted in the Consent Decree of March 7, 1975, Campbell and Campbell Asset have never previously been the subject of an injunctive action initiated by the Commission (Campbell Advisors, has never been the subject of any such injunctive action).

Applicants submit that for the following reasons:

(i) the limited nature of the matters covered by Consent Decree in relation to the matters specified in Section 9(a)(2) of the Act and the purposes of Section 9(a) of the Act;

(ii) the fact that the allegations of the Commission's complaint in the Action involved novel questions of law concerning the receipt and use of investment recommendations and other information disseminated by securities analysts when such recommendation and information is allegedly formulated in part on the basis of material non-public information with respect to which no precedent existed;

(iii) the fact that the Consent Decree was entered with the consent of Campbell and Campbell Asset for the purposes of the Action only, without admitting or denying the material allegations of the complaint and without consenting to the adjudication of any wrongdoing or liability; and

(iv) the fact that Campbell and Campbell Asset have participated with the Commission in formulating a written statement of procedures with respect to their activities and the activities of Campbell Advisors as an investment advisor concerning the receipt of material non-public corporate information with respect to the securities of Bausch & Lomb, Inc. or any other securities which is in the form annexed to a document filed with the Court and that Campbell through Campbell Advisors has agreed to implement such statement of procedures;

the prohibitions of Section 9(a) of the Act, if applicable by reason of the abovementioned final judgment, would be unduly and disproportionately severe if applied to Applicants and asserts that it is consistent with the public interest and the protection of investors and the purposes fairly intended by the policy and provisions of Section 9 of the Act for the Commission to enter an order granting this application for an exemption from the provisions of Section 9(a) of the Act.

Notice is further given that any interested person may, not later than September 22, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued 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.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-23639 Filed 9-4-75;8:45 am]

[Rel. No. 19147; 70-5728]

GULF POWER CO.

Proposal To Amend Articles of Incorporation and Solicit Proxies

AUGUST 29, 1975.

Notice is hereby given that Gulf Power Company ("Gulf"), 75 North Pace Boulevard, Pensacola, Florida 32505, an electric utility subsidiary of The Southern Company, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a) and 7 of the Act and Rule 62 promulgated thereunder as applicable to the proposed transactions. All interested parties are referred to said declaration, which is summarized below, for a complete statement of the proposed transactions.

Gulf proposes to amend its Articles of Incorporation to increase the authorized number of shares of preferred stock, par value $100 per share, from 401,626 shares, of which 301,626 shares are currently outstanding, to 801,626 shares.

Gulf's Articles of Incorporation presently empower the Board of Directors to establish various series of preferred stock, and to fix and determine the relative rights and preferences, as to which there may be variations between different series. Gulf proposes to authorize, by amendment to the Articles of Incorporation, the Board of Directors to fix and determine the sinking fund provisions, if any, for the redemption or purchase of shares of any series.

Gulf further proposes to amend its Articles of Incorporation so as to limit the issuance or assumption of securities representing unsecured debt without consent of preferred stockholders only if after such issuance or assumption (1) the total outstanding amount of securities representing unsecured debt would exceed 20% of the aggregate of capital, surplus and secured debt or (2) the total amount of securities representing unsecured debt having maturities of less than 10 years would exceed 10% of such aggregate.

Gulf further proposes that, if the proposed amendment to its Articles of Incorporation relating to limitations on the issuance or assumption of securities representing unsecured debt is adopted, it be authorized by vote of the holders of its preferred stock to issue or assume, until July 1, 1982, securities representing unsecured debt having maturities of less than ten years in excess of 10% of capital, surplus and secured debt, provided that (a) the amount of securities representing unsecured debt having maturities of less than ten years outstanding on January 1, 1983, shall not exceed said 10% limitation, and (b) Gulf's total indebtedness represented by unsecured securities shall at no time exceed 20% of capital, surplus and secured debt. If the proposed amendment relating to limitations on the issuance or assumption of securities representing unsecured debt is not adopted Gulf proposes to issue or assume, until July 1, 1982, securities representing unsecured debt in excess of 10% of capital, surplus and secured debt provided that (a) the amount of securities representing unsecured debt outstanding on January 1, 1983 shall not exceed said 10% limitation and (b) Gulf's total unsecured indebtedness shall at no time exceed 20% of capital, surplus and secured debt.

The fees and expenses to be incurred in connection with the proposed transactions are estimated at $30,000, including fee for solicitation of proxies of $10,000 and legal fees of $8,400. It is stated that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 23, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-23640 Filed 9-4-75;8:45 am]

[Rel. No. 19146; 70-5727]

HARTFORD ELECTRIC LIGHT CO.

Proposal To Issue and Sell First Mortgage Bonds and Preferred Stock at Competitive Bidding

AUGUST 29, 1975.

Notice is hereby given that The Hartford Electric Light Company ("HELCO"), 176 Cumberland Avenue, Wethersfield, Connecticut 06109, an electric utility subsidiary company of Northeast Utilities, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transactions. All interested parties are referred to said application, which is summarized below, for a complete statement of the proposed transactions.

HELCO proposes to issue and sell, at competitive bidding, up to $30 million principal amount of its —% First Mortgage Bonds, 1975 Second Series ("bonds"). The maturity date of the bonds will be not less than five nor more than thirty years from October 1, 1975. The interest rate, which shall be a multiple of ⅛ of 1%, and the price, which will be not less than 99% nor more than 102.75% of the principal amount thereof, will be determined by competitive bidding. The bonds will be issued under the First Mortgage Indenture and Deed of Trust dated as of January 1, 1958 ("Indenture") between HELCO and The First National Bank of Boston, Successor Trustee, as supplemented and amended from time to time, and as further supplemented by a fifteenth supplemental indenture to be dated October 1, 1975 ("supplemental indenture"). The supplemental indenture provides, among other things, that bonds shall not be redeemed at the applicable general redemption price prior to October 1, 1980, from the proceeds of borrowings secured by HELCO at an effective interest cost to HELCO of less than the effective interest cost of the bonds. The supplemental indenture further provides for a mandatory cash sinking fund, so long as any bonds are outstanding, in the annual amount of $1,875,000 commencing October 1, 1980, continuing to and including October 1, 1994. HELCO will also have the noncumulative option to increase any such sinking fund payment by an amount not exceeding $1,875,000, provided that no bonds may be redeemed prior to October 1, 1980, by operation of the sinking fund provision.

HELCO also proposes to issue and sell, at competitive bidding, 200,000 shares of its Preferred Stock, 1975 Series ("preferred stock"), par value $50 per share. The dividend rate, which shall be a multiple of $0.08 and the price to be paid to CL&P, which will be not less than $50 nor more than $51.375 per share, will be determined by the competitive bidding. The terms of the preferred stock include a prohibition, until October 1, 1980, against redeeming the preferred stock through the use, directly or indirectly, of borrowings or the proceeds of the issuance of stock ranking prior to or on a parity with the preferred stock as to dividends or assets, if such borrowings or stock have an effective interest or dividend cost to HELCO of less than the effective dividend cost of the preferred stock. The terms of the preferred stock also provide for a cumulative sinking fund commencing October 1, 1980, to the extent any funds of HELCO are legally available therefor, for the annual redemption or purchase of 10,000 shares of the preferred stock. HELCO has the noncumulative option to purchase or redeem for said sinking fund up to an additional 10,000 shares of the preferred

stock in any such year. The redemption price will equal the initial public offering price plus accrued dividends to the date of redemption.

The application states that HELCO will use the net proceeds from the sale of the bonds and preferred stock, together with a capital contribution of $20 million which Northeast Utilities will make no later than December 1, 1975, to repay short-term borrowings incurred for the purpose of financing HELCO's 1974–1975 construction program. Such short-term borrowings will aggregate an estimated $60 million at the time of the aforementioned sales. The balance of the proceeds of the sales will be used to finance, in part, HELCO's 1975–1976 construction program.

A statement of the fees, commissions, and expenses incurred or to be incurred in connection with the proposed transactions will be supplied by amendment. The approval of the Connecticut Public Utilities Commission is required for the issuance of the bonds and preferred stock. It is stated that no other State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 22, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-23641 Filed 9-4-75;8:45 am]

[Rel. No. 8903; 812-3826]

LIBERTY FUND, INC. AND THE KNICKERBOCKER FUND

Application for an Order Exempting a Proposed Transaction

AUGUST 28, 1975.

Notice is hereby given that Liberty Fund, Inc. ("Liberty") 245 Park Avenue, New York, New York, 10017, and The Knickerbocker Fund ("Knickerbocker") (collectively referred to as "Applicants"), open-end, diversified management investment companies registered under the Investment Company Act of 1940 ("Act"), filed an application on June 30, 1975, and an amendment thereto on August 20, 1975 pursuant to Section 17 (b) of the Act for an order of the Commission exempting from the provisions of Section 17(a) of the Act the proposed sale by Knickerbocker of substantially all of its assets to Liberty. All interested persons are referred to the application on file with the Commission for a statement of the matters contained therein, which are summarized below.

Liberty was incorporated in Maryland on January 11, 1956 and is authorized to issue one class of shares. It had 1,978,002 shares of common stock outstanding and total assets of $7,679,682 as of May 30, 1975. Knickerbocker was organized as a common law trust under the laws of the State of New York on August 17, 1938 and all of its shares are of the same class. On June 1, 1975 Knickerbocker had 1,521,900 shares outstanding and total assets of $8,165,750. Since CNA Management Corporation ("Management") is the investment adviser and distributor of the shares of both applicants and certain members of the Board of Managers of Knickerbocker are also directors of Liberty, each applicant might be deemed to be an "affiliated person" of the other within the meaning of the definition set forth in Section 2(a) (3) of the Act.

The application states that the Funds have entered into an agreement and plan of reorganization ("Plan") under which substantially all of the assets and liabilities of Knickerbocker are to be purchased by Liberty in exchange for shares of Liberty at net asset value as of the "closing date" as defined in the Plan. Thereupon, the Liberty shares will be distributed pro-rata to Knickerbocker's shareholders in liquidation of Knickerbocker. Following such distribution and the payment of any remaining obligations of Knickerbocker, Knickerbocker will be dissolved. Liberty has covenanted to call a shareholders meeting to consider, among other matters, an amendment to Liberty's Articles of Incorporation changing its name to "The Knickerbocker Fund, Inc."

The adoption of the Plan requires the affirmative vote of at least a majority of the outstanding voting securities of each of the Applicants. Since the shareowners of Liberty will be asked to vote on certain important matters concerning Liberty—namely the adoption of a new investment advisory agreement, and election to Liberty's Board of Directors of three members of Knickerbocker's Board of Managers—at the same time they will be asked to vote on the plan of reorganization, and since proxies will be solicited from shareowners of Knickerbocker in connection with the Plan prior to the vote by the shareowners of Liberty, the merger will be conditioned on the shareowners of Liberty adopting these proposed changes.

The proposed merger is also contingent upon the receipt of a ruling from the Internal Revenue Service, or in lieu thereof, an opinion of counsel, to the effect that the Plan will constitute a tax free reorganization.

Each fund, immediately preceding the merger, will distribute all of its net realized capital gains in excess of any applicable loss carryforwards and substantially all of its net investment income realized since the close of its last fiscal year.

As of March 31, 1975 Liberty had capital loss carryforwards of approximately $6,033,000, expiring $930,000 in 1976, $2,832,000 in 1979 and $2,271,000 in 1980. Knickerbocker, at March 31, 1975 had no such capital loss carryforwards. No adjustments in the aggregate net asset values of Liberty or Knickerbocker will be made to compensate shareholders for any potential Federal income tax impact which may result from the differences between Liberty and Knickerbocker in their capital loss carryforwards. Applicants assert that there is no assurance that capital gains will be realized against which the capital loss carryforwards may be offset or that the unrealized depreciation or unrealized appreciation appearing on the books of the Applicants will ultimately be realized. In addition, it is asserted that no adjustment is being made because the advantage or disadvantage to a shareholder resulting from the reorganization is dependent on a variety of factors peculiar to the particular shareholder such as the individual's capital gains tax rate, cost basis, the time shares were purchased and redeemed and other factors.

Applicants assert that the proposed transaction is consistent with the investment policies of each of the funds. The primary investment objective of Liberty is obtaining liberal income consistent with reasonable safety of capital. As a secondary objective, Liberty also selects investments with a view to capital growth. The investment objective of Knickerbocker is to provide shareholders with an opportunity to participate in a professionally managed portfolio selected for long term growth with current income an important consideration. The investment policies through which Applicants seek to implement their respective objectives, although differing in some regards, are basically consistent. Further, both Applicants have similar restrictions which cannot be changed without the approval of a majority of the outstanding

voting securities of each of the Applicants.

Section 17(a) of the Act, in pertinent part, provides that it shall be unlawful for any affiliated person of a registered investment company knowingly to sell to or purchase from such registered investment company any security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of Section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid and received, are reasonable and fair and do not involve overreaching on the part of any person concerned and the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

Applicants assert that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned. Applicants believe that the consummation of the proposed reorganization will result in certain economies of operation through the reduction of certain expenses, such as auditing fees, filing fees, custodial fees and the expenses of preparation of proxy statements and shareholder reports. The aggregate expenses of consummating the reorganization of Liberty and Knickerbocker are estimated to be $30,000. Under the agreement, such expenses are the obligation of Liberty and Knickerbocker in proportion to their respective net asset values as of June 30, 1975 whether or not the reorganization is carried out. Finally, as a registered investment company, Liberty will be required to continue to comply with all applicable provisions of the Act.

Notice is further given that any interested person may, not later than September 22, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed to: Secretary, Securities and Exchange Commission, Washington, D.C. 20549 A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-a-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–23642 Filed 9–4–75;8:45 am]

[Rel. No. 19149; 70–5729]

MIDDLE SOUTH UTILITIES, INC. AND SYSTEM FUELS, INC.

Proposed Loan Agreement With Bank by System Fuel Supply Subsidiary and Guaranty of Obligations Thereunder by Holding Company

AUGUST 29, 1975.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 225 Baronne Street, New Orleans, Louisiana 70112, a registered holding company, and System Fuels, Inc. ("SFI"), a fuel supply subsidiary of Middle South's operating electric utility subsidiaries, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a), 7, 12(b), and 12(f) of the Act and Rules 45 and 50(a)(2) thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

SFI proposes to enter into a loan agreement ("Loan Agreement") with a consortium of 50 banks headed by First National Bank of Commerce, New Orleans, Louisiana ("Bank"), under which SFI will borrow up to $25 million between the date thereof and March 31, 1976. It is intended that the Bank will loan SFI 11% of the borrowings outstanding at any one time and that other banks, participating in the loan pursuant to agreements with the Bank, will loan the balance.

Each loan by the Bank will be evidenced by a note dated the date of such loan and stated to mature on March 31, 1976. Each note will bear interest from its date at the rate of one percent (1%) in excess of the interest rate in effect at the Bank for prime commercial loans of 90-day maturities. The loans may be prepaid at any time without penalty and reborrowed through March 31, 1976.

To compensate the Bank for costs associated with coordinating the consortium of participating banks, SFI will pay the Bank a facility servicing fee equal to one eighth of one percent (⅛ of 1%) of the total amount to be loaned under the Loan Agreement, or $31,250. There are no compensating balance arrangements between SFI or MSU and the Bank or any participating bank as a result of the proposed transaction. Middle South proposes to unconditionally guarantee SFI's obligations under the Loan Agreement.

SFI will apply the proceeds of the loan to (i) repay loans made to SFI by its parent operating companies under authority heretofore given (HCAR No. 18221, December 17, 1973) which, at July 31, 1975, totalled $16,550,585, and (ii) complete construction on oil storage tanks and related equipment located at Mississippi Power & Light Company's Baxter Wilson Steam Electric Generating Station near Vicksburg, Mississippi. It is anticipated that once the facilities are completed, SFI will enter into a long-term sale-leaseback with certain investors, and that the proceeds therefrom will be used to retire all of the loans referred to above. Any such sale-leaseback arrangement would be the subject of a future application-declaration.

It is stated that no special or separable fees, commissions or expenses will be paid in connection with the proposed transactions other than incidental expenses all at cost by Middle South Services, Inc., and estimated not to exceed $500. It is further stated that no state or federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 23, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–23643 Filed 9–4–75;8:45 am]

[Rel. No. 8906; 811-2101]

MUTUAL BENEFIT GROWTH FUND

Application for an Order Declaring That Applicant Has Ceased To Be an Investment Company

AUGUST 28, 1975.

Notice is hereby given that Mutual Benefit Growth Fund ("Applicant"), 520 Broad Street, Newark, New Jersey, 07101, registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified management investment company, filed an application on July 22, 1975 pursuant to Section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act and that its registration as an investment company has ceased to be in effect. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Applicant was incorporated under the laws of the State of Delaware on August 4, 1970 and registered under the Act on August 14, 1970.

Applicant entered into an Agreement and Plan of Reorganization with Mutual Benefit Fund ("Benefit"), a registered open-end diversified management investment company, pursuant to which Applicant transferred to Benefit substantially all of its assets in exchange for shares of Benefit common stock to be credited to the shareholders of Applicant. These transactions were approved by the shareholders of Applicant and of Benefit and were consummated on April 18, 1975. Applicant has filed a Certificate of Dissolution with the Secretary of State of Delaware and has applied to terminate the registration of its shares with the appropriate state securities departments. Applicant no longer conducts the business of an investment company for which it was organized but rather intends that its existence shall be terminated subject to final settlement of its affairs pursuant to the General Corporation Law of Delaware.

Applicant transferred to Benefit all of its assets except the sum of $9,860, representing a reserve established for the payment of expenses in carrying out its obligations under the Agreement and Plan of Reorganization. After the payment of these expenses, $1,046 remained, which amount was transferred to Benefit.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than September 25, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon 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 September 25, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-23644 Filed 9-4-75;8:45 am]

[Rel. No. 19150; 70-5539]

NORTHEAST UTILITIES

Notice of Proposal To Issue and Sell Common Stock Through Dividend Reinvestment and Common Share Purchase Plan

AUGUST 29, 1975.

Notice is hereby given that Northeast Utilities ("Northeast"), 174 Brush Hill Avenue, West Springfield, Massachusetts 01089, a registered holding company, has filed a post-effective amendment to its previously amended declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6 and 7 thereof as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

By order dated October 23, 1974 (HCAR No. 18617), Northeast was authorized to issue and sell from time to time through November 15, 1975, 500,000 shares of its common stock, par value $5.00 per share, under a voluntary dividend reinvestment and common share purchase plan ("Plan"). At August 1, 1975, 362,159 of such shares had been issued and sold under the Plan for $2,786,608. The proceeds have been applied to the continuing construction program of the Northeast system companies.

In order to meet the anticipated requirements for its common stock under the Plan over the next year, Northeast proposes to issue and sell an additional 1,000,000 shares, together with the balance of those which remain unsold under its current authorization, through December 31, 1976. Shareholders who elect to participate in the Plan may invest regular cash dividends and/or optional cash payments of between $500 to $1,000 per quarter in such stock. It is stated that the purchase price will be the average of the closing sales price for Northeast's common stock on the New York Stock Exchange during the first fifteen trading days of the twenty trading days preceding the dividend payment. The net proceeds from the sale of shares pursuant to the Plan, estimated at $10,240,569, will be applied to Northeast's construction program.

The Plan will be administered by The First National Bank of Boston ("Agent"), and all shares purchased will be held for the exclusive benefit of the Plan participants. All record holders of Northeast's outstanding common stock are eligible to participate in the Plan and may join by executing an authorization form and returning it to the Agent. A participant may withdraw from the Plan at any time upon giving written notice to the Agent. Upon withdrawal, certificates for whole shares credited to a participant's account will be issued and a cash payment will be made for any fractional shares so credited. The Plan provides that a participant may also request that certificates for any number of full shares credited to his account be issued to him even though he wishes to remain in the Plan.

It is stated that all costs for administering the Plan will be paid by Northeast and that there will be no brokerage fees when shares are purchased under the Plan. However, if a participant withdrawing from the Plan requests the Agent to sell his shares, there will be brokerage commissions.

The Agent will not vote any shares held by it under the Plan. Participants will receive a single proxy with respect to full shares which they own of record or which are credited to their accounts under the Plan.

A statement of the fees, commissions, and expenses incurred or to be incurred in connection with the proposed transaction will be supplied by amendment. It is stated that no State commission and no Federal commission other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 24, 1975, request in writing that a hearing be held on such matter stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment 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 at-

torney at law, by certificate) should be filed with the request. At any time after said date, the post-effective amendment, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-23645 Filed 9-4-75;8:45 am]

[Rel. No. 8907; 812-3832]

ONE HUNDRED FUND, INC. AND FLEMING BERGER FUND, INC.

Application for an Order Exempting a Proposed Transaction

AUGUST 28, 1975.

Notice is hereby given that The One Hundred Fund, Inc., 899 Logan Street, Denver, Colorado 80203, ("One Hundred") and Fleming Berger Fund, Inc. ("Fleming Berger") (collectively referred to as "Applicants"), registered under the Investment Company Act of 1940 ("Act") as open-end management investment companies of the diversified and non-diversified type, respectively, filed an application on July 7, 1975 and an amendment thereto on August 21, 1975, pursuant to Section 17(b) of the Act for an order of the Commission exempting from the provisions of Section 17(a) of the Act the proposed sale by Fleming Berger of substantially all its assets to One Hundred pursuant to an Agreement and Plan of Reorganization ("Agreement"). All interested persons are referred to the application on file with the Commission for a statement of matters contained therein, which are summarized below.

On March 31, 1975, total net assets of One Hundred amounted to $13,770,507, or $6.60 per share outstanding. Fleming Berger, as of April 30, 1975, had total net assets of $2,280,097 and a net asset value of $7.11 per share. The investment objective of One Hundred is long-term capital growth through investment, primarily, in common stocks of established companies. The investment objective of Fleming Berger is to seek capital appreciation. Fleming Berger does not currently offer its shares to the public, while One Hundred offers its shares at net asset value without sales charge.

Berger Associates, Inc. ("Adviser") is the investment adviser of One Hundred. The investment advisory fee payable by One Hundred is at the annual rate of ¾ of 1% of the first $50,000,000 of the average daily net asset value. The fee is reduced for assets exceeding such amount. The application states that One Hundred will be reimbursed by the Adviser in any fiscal year when the total cost of normal operating expenses exceeds 2% of the first $10,000,000, 1½% of the next $20,000,000 and 1% of the balance of the average net asset value of One Hundred for that year.

Effective March 27, 1975, the sale of in excess of 40% of the outstanding voting securities of the Adviser to Mr. William M. B. Berger effected an assignment of the Adviser's contract with Fleming Berger, and consequently, its termination. The application states that on April 1, 1975, Fleming Berger entered into an agreement with the Adviser pursuant to which the Adviser agreed to provide Fleming Berger with investment advisory services without a fee upon terms otherwise essentially identical to the previous contract. Under this interim arrangement the Adviser must reimburse Fleming Berger for its expenses in any fiscal year which are in excess of 1½% of the first $30,000,000 and 1% of any excess over $30,000,000 of the average of the daily net asset value of Fleming Berger. This interim arrangement will terminate if the proposed sale of assets is approved by the Fleming Berger shareholders at their September 1975 Special Meeting and such sale is consummated.

Due to common officers and the common Adviser, Applicants may be deemed to be under common control and, thus, affiliated persons of each other within the meaning of Section 2(a)(3) of the Act. Section 17(a) of the Act, in pertinent part, provides that it shall be unlawful for an affiliated person of a registered investment company knowingly to sell to or purchase from such registered investment company any security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of Section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair, do not involve overreaching on the part of any person concerned with the proposed transaction and are consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

Under the terms of the Agreement the sale in the form of an exchange will be based upon the net asset value of Fleming Berger and the net asset value per share of One Hundred as of the closing date provided in the Agreement. The number of shares of common stock of One Hundred to be transferred to Fleming Berger will be computed by dividing the net asset value of Fleming Berger by the net asset value per share of One Hundred, in each case as of the close of trading on the New York Stock Exchange on the closing date. Following the closing date Fleming Berger will liquidate and distribute pro-rata to its stockholders of record the shares of One Hundred's common stock received by Fleming Berger. Each Applicant will, to the extent earned or realized in material amounts prior to the closing date, distribute to its respective shareholders substantially all undistributed net investment income and net capital gains realized since the close of their fiscal years in excess of any applicable loss carryforwards.

In the computation of each Applicant's net asset value, no adjustment will be made to compensate for any potential tax impact on their respective shareholders which may result from differences between the Applicants in the percentage of each Applicant's realized or unrealized capital gains or losses to its net asset value and in the amount of each Applicant's tax loss carryforward. As of September 30, 1974, One Hundred had a Federal capital loss carryforward of approximately $22,213,000 and, as of April 30, 1975, Fleming Berger had a Federal capital loss carryforward of approximately $4,162,000. As of August 11, 1975 One Hundred had Federal net unrealized appreciation of approximately $250,000, and Fleming Berger had Federal net unrealized appreciation of approximately $45,000. Applicant's assert that it is not appropriate to implement a tax adjustment formula with respect to the foregoing differences because there is no assurance that capital gains will be realized against which the capital loss carryforwards may be offset or that the unrealized appreciation will ultimately be realized. Furthermore, the amount of any advantage or disadvantage to a particular shareholder receiving shares in a reorganization is dependent upon a variety of factors peculiar to the shareholder, among which are his individual capital gains rate, his individual cost basis, the time at which his shares are ultimately repurchased or redeemed, and the investment company's pattern of realization and distribution of capital gains between the date of the reorganization and the date of the ultimate repurchase or redemption of his shares.

The aggregate expenses of the Applicants in effecting the reorganization are estimated at $22,000. One Hundred and Fleming Berger will each bear that portion of such expenses incurred by it, except that One Hundred and Fleming Berger shall each pay one-half of the printing expenses in excess of an amount equal to the printing expenses of Fleming Berger for its 1973 meeting of shareholders, which amount shall be paid by Fleming Berger. This arrangement applies whether or not the Agreement is consummated. Adviser has, however, agreed to pay certain of Fleming Berger's reorganization expenses, as set forth in the application.

Applicants submit that the terms of the proposed transaction are reasonable and fair to all parties, do not involve overreaching and that the transaction is consistent with the investment policies of each Applicant and with the policies of the Act. No brokerage commission or other fees will result from the proposed transaction and in the opinion of the management of both Applicants, their combination will result in certain economies, particularly with regard to expenses of director and shareholder meetings, fees of attorneys, auditors and custodians, expenses of preparation of

shareholder reports, franchise taxes and possible brokerage commissions.

Notice is further given that any interested person may, not later than September 22, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered), and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-23646 Filed 9-4-75;8:45 am]

[Rel. No. 8910; 812-3836]

SCHUSTER FUND, INC. AND KNICKERBOCKER GROWTH FUND, INC.

Application for an Order Exempting a Proposed Transaction

AUGUST 28, 1975.

Notice is hereby given that Schuster Fund, Inc., 245 Park Avenue, New York, New York 10017, ("Schuster") and Knickerbocker Growth Fund, Inc. ("Knickerbocker") (sometimes collectively referred to as "Applicants"), open-end, diversified management investment companies registered under the Investment Company Act of 1940 (the "Act"), filed an application on July 3, 1975, and an amendment thereto on August 20, 1975, pursuant to Section 17(b) of the Act for an order of the Commission exempting from the provisions of Section 17(a) of the Act the proposed sale by Knickerbocker of substantially all of its assets to Schuster. All interested persons are referred to the application on file with the Commission for a statement of the matters contained therein, which are summarized below.

Schuster was incorporated in Maryland in April 1967 and is authorized to issue one class of shares. It had 1,664,838 shares outstanding and net assets of $11,102,903 as of June 2, 1975. Knickerbocker was incorporated on May 22, 1953 under the laws of the State of Delaware and is authorized to issue 4,999,000 shares of Special stock and 1,000 shares of common stock. On June 2, 1975, Knickerbocker had outstanding 955,336 shares of Special stock and total net assets of $5,423,339. There are no shares of common stock outstanding. Since CNA Management Corporation ("Management") is the investment adviser and distributor of the shares of both applicants and certain members of the Board of Directors of Schuster are also directors of Knickerbocker, each applicant might be deemed to be an "affiliated person" of the other within the meaning of the definition set forth in Section 2(a)(3) of the Act.

The application states that the Funds have entered into an agreement and Plan of Reorganization ("Plan") under which substantially all of the assets and liabilities of Knickerbocker are to be transferred to Schuster in exchange for shares of Schuster Capital stock. The number of shares of Capital stock of Schuster to be transferred to Knickerbocker will be computed by dividing the net asset value of Knickerbocker by the net asset value per share of Schuster, in each case as of the close of trading on the New York Stock Exchange on the Closing Date as defined in the Agreement. Thereupon, the Schuster shares will be distributed pro rata to Knickerbocker's shareholders in liquidation of Knickerbocker. Following such distribution and the payment of any remaining obligations of Knickerbocker, Knickerbocker will be dissolved. Schuster has covenanted to call a shareholders meeting to consider, among other matters, an amendment to Schuster's Articles of Incorporation changing its name to CNA Growth Fund, Inc.

The adoption of the Plan requires the affirmative vote of at least a majority of the outstanding voting securities of each of the Applicants. Since the shareowners of Schuster will be asked to vote on certain important matters concerning Schuster—namely the adoption of a new investment advisory agreement, and election to Schuster's Board of Directors of several of Knickerbocker's directors—at the same time they will be asked to vote on the plan of reorganization, and since proxies will be solicited from shareowners of Knickerbocker in connection with the plan prior to the vote by the shareowners of Schuster, the merger will be conditioned on the shareowners of Schuster adopting these proposed changes.

The proposed merger is also contingent upon the receipt of a ruling from the Internal Revenue Service, or in lieu thereof, an opinion of counsel, to the effect that the plan will constitute a tax free reorganization.

Each fund, immediately preceding the merger, will distribute all of its net realized capital gains in excess of any applicable loss carryforwards and substantially all of its net investment income realized since the close of its last fiscal year.

As of March 31, 1975, Schuster had a capital loss carryforward of approximately $7,972,000, expiring $1,191,000 in 1976, $65,000 in 1978, $4,014,000 in 1979, and $2,702,000 in 1980. At March 31, 1975 Knickerbocker had a capital loss carryforward of approximately $1,822,724, expiring $1,531,474 in 1978 and $291,250 in 1979. No adjustments in the aggregate net asset values of Schuster or Knickerbocker will be made to corporate shareholders for any potential Federal income tax impact which may result from the differences between Schuster and Knickerbocker in their capital loss carryforwards. Applicants assert that there is no assurance that capital gains will be realized against which the capital loss carryforwards may be offset or that the unrealized depreciation or unrealized appreciation appearing on the books of the Applicants will ultimately be realized. In addition, it is asserted that no adjustment is being made because the advantage or disadvantage to a shareholder resulting from the reorganization is dependent on a variety of factors peculiar to the particular shareholder such as the individual's capital gains tax rate, cost basis, the time shares were purchased or redeemed and other factors.

Applicants assert that the proposed transaction is consistent with the investment policies of each of the funds. The primary investment objective of Schuster is to seek appreciation of capital through professional management, with some short term trading. The investment objective of Knickerbocker is long-term appreciation of investors' capital. The investment policies through which the Applicants seek to implement their respective objectives, though differing in some regards, are basically consistent. Further, both Applicants have similar investment restrictions which cannot be changed without the approval of a majority of the outstanding voting securities of each of the Applicants.

Section 17(a) of the Act, in pertinent part, provides that it shall be unlawful for any affiliated person of a registered investment company knowingly to sell to or purchase from such registered investment company security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of Section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

Applicants assert that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned. Applicants believe that the consummation of the proposed reorganization will result in certain economies of operation through the reduction of certain expenses, such as auditing fees, filing fees, custodial fees and the expenses of preparation of proxy statements and share-

holder reports. The aggregate expenses of consummating the reorganization of Schuster and Knickerbocker are estimated to be $25,000. Under the agreement, such expenses are the obligation of Schuster and Knickerbocker in proportion to their respective net asset values as of June 30, 1975, whether or not the reorganization is carried out. Finally, as a registered investment company, Schuster will be required to continue to comply with all applicable provisions of the Act.

Notice is further given that any interested person may, not later than September 22, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed to: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–23647 Filed 9–4–75;8:45 am]

SMALL BUSINESS ADMINISTRATION

CLARKSBURG DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Clarksburg District Advisory Council will hold a public meeting at 9:00 a.m., Friday, October 10, 1975, at the Pipestem Resort, Pipestem, West Virginia, to discuss such business as may be presented by members, staff of the Small Business Administration, and others present. For further information, write or call Isaac R. Mayfield, Lowndes Bank Building, 109 North Third Street, Clarksburg, West Virginia 26301 (304) 624–1365.

Dated: August 25, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy, Small Business Administration.

[FR Doc. 75–23564 Filed 9–4–75;8:45 am]

[Declaration of Disaster Loan Area #1172]

FLORIDA

Declaration of Disaster Area

As a result of the President's declaration I find that Bay, Gulf, Holmes, Okaloosa, Santa Rose, Wakulla, Walton, Washington, and adjacent counties within the State of Florida constitute a disaster area because of damage resulting from heavy rains and flooding beginning about July 28, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on October 20, 1975, and for economic injury until the close of business on May 21, 1976, at:

Small Business Administration; District Office, 400 West Bay Street, Jacksonville, Florida 32202.

or other locally announced locations.

Dated: August 25, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75–23566 Filed 9–4–75;8:45 am]

[Declaration of Disaster Loan Area #1146; Amdt. 1]

LOUISIANA

Declaration of Disaster Area

In addition to areas previously declared (40 F.R. 25525), the Port of New Orleans in the State of Louisiana constitutes a disaster area because of damage resulting from heavy rains, flooding and tornadoes beginning about March 14, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on October 24, 1975, and for economic injury until the close of business on May 22, 1976, at:

Small Business Administration, District Office, Plaza Tower—17th Floor, 1001 Howard Avenue, New Orleans, Louisiana 70113.

or other locally announced locations.

Dated: August 27, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75–23567 Filed 9–4–75;8:45 am]

NASHVILLE DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Nashville District Advisory Council will hold a public meeting at 11:00 a.m., Tuesday, October 14, 1975, at the Holiday Inn, Oak Ridge, Tennessee, to discuss such business as may be presented by members, staff of the Small Business Administration, and others present. For further information, write or call W. J. Shaver, District Director, Small Business Administration, 1012 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee 37219 (615) 749–5850.

Dated: August 28, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy, Small Business Administration.

[FR Doc.75–23565 Filed 9–4–75;8:45 am]

VETERANS ADMINISTRATION

WAGE COMMITTEE

Availability of Annual Report

Pursuant to the provisions of section 10(d) of Public Law 92–463 (Federal Advisory Committee Act) and OMB Circular A–63 of March 27, 1974, notice is hereby given that the Annual Report of the Veterans Administration Wage Committee for calendar year 1974 has been issued.

The report summarizes activities of the Committee on matters related to wage surveys and pay schedules for Federal prevailing rate employees. It is available for public inspection at two locations:

Library of Congress, Microfilm Reading Room, Room MB–140B, Main Building, 10 First Street, SE., Washington, D.C.

Veterans Administration, Office of the Secretary, VA Wage Committee, Room 1102, 810 Vermont Avenue, NW., Washington, D.C.

By direction of the Administrator.

Dated: August 26, 1975.

[SEAL] A. J. SCHULTZ, Jr.
Associate Deputy Administrator.

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

EQUAL EMPLOYMENT OPPORTUNITY IN BALTIMORE, MD., AREA CONSTRUCTION INDUSTRY AND GENERAL QUESTIONS REGARDING THE CONTRACT COMPLIANCE PROGRAM

Request for Information and Notice of Factfinding Hearing

Notice is hereby given that the Department of Labor is requesting information concerning equal employment opportunity in the Baltimore, Maryland area construction industry in order to determine the scope and extent of any existing problems of minority group and female underutilization in the various trades (both union and non-union) and to assist the Department in formulating further actions and approaches, if appropriate, to provide full and equal employment opportunity in the Baltimore area construction industry consistent with the nondiscrimination and affirmative action mandate of Executive Order 11246 (30 FR 12319), as amended by Executive Order 11375 (32 FR 14303).

Relevant information on the Baltimore area construction industry would include, but not be limited to:

(1) The current extent of minority group and female participation in the construction trades as journeymen, apprentices, trainees, helpers, and other classifications as compared with the full employee complement of each trade by classification;

(2) A description and evaluation of present employee recruitment methods, including the assistance and effectiveness of any employer, union, and community programs to increase minority and female participation in the trades;

(3) The availability of qualified and qualifiable minority group and female persons for employment in each construction trade, indicating the sources

for such persons and how they may be brought into the trades;

(4) Descriptions and evaluations of existing training programs, including apprenticeship and special training programs in the area, indicating the numbers of minorities, women, and all others recruited into the programs, the attrition rates in each program by race and sex, and the proportion of persons by race and sex who achieve journeyman status and union membership, if appropriate;

(5) Apprenticeship and special training program standards and their effect on minority and female participation in each trade, employer experience with apprentices and trainees, and the need for additional or expanded training programs;

(6) An analysis of the number of workhours performed by minorities and women in comparison to other workers.

(7) An analysis of the growth and attrition in each trade or craft and their effect on minority group and female participation over the past five years.

(8) An analysis of the number of additional workers that could be absorbed into each trade without displacing present employees, including consideration of present employee shortages or surpluses, projected growth and attrition in each trade, and any technological changes which may affect employee demand.

(9) The desirability, extent, and content of possible federal action, initiatives, and approaches to insure nondiscrimination and affirmative action for minorities and women in the construction trades, including considerations of geographical scope, the need and parameters of employment goals and timetables for various trades, including goals for women as well as for minorities, and various other equal employment mechanisms;

(10) The viability and content of supplementary or alternative, privately developed affirmative action approaches which may be negotiated and implemented by contractors and their associations (both union and non-union), labor organizations, community organizations and others in lieu of further federally developed equal employment specifications under Executive Order 11246, as amended;

(11) Recommendations of federal, state and local governmental equal employment agencies involved in the Baltimore area.

In addition, the Department is interested in soliciting information concerning the broader questions of discharging its duties pursuant to the affirmative action mandate of Executive Order 11246, as amended, with regard to the construction industry. Accordingly, the Department is also requesting relevant information concerning its construction contract compliance program including, but not limited to:

(1) The appropriateness of the formula proposed in the New Philadelphia Plan (40 FR 28477, July 7, 1975) and the Revised New York Plan (40 FR 28472, July 7, 1975), as a method of computing ultimate goals for minority utilization in other areas;

(2) Methods for establishing intermediate goals and timetables;

(3) Establishment of meaningful good faith efforts compliance with which is acceptable in lieu of achievement of the goals for minority and female utilization;

(4) The creation of effective record keeping and/or reporting systems which enable agencies to determine compliance with a minimum of paperwork;

(5) The role of private groups in the development, monitoring, and enforcement of affirmative action requirements;

(6) The proper geographical scope of affirmative action requirements, i.e., union jurisdiction, Standard Metropolitan Statistical Area, counties or some combination of one or more geographical references;

(7) Methods of computing goals and timetables for women in construction trades.

Such information may be submitted either in writing or at an informal fact-finding hearing to be held pursuant to Section 208 of E.O. 11246, as amended, and commencing on October 15, 1975, at Room 108, Federal Building, 31 Hopkins Plaza, Baltimore, Maryland. Beginning at 9:30 a.m. on October 15, 1975, the presiding Administrative Law Judge will hold a pre-hearing conference in order to settle matters relating to the proceedings. The public hearing will immediately follow the pre-hearing conference. Participants in the hearing will include representatives of the Office of Federal Contract Compliance and the Office of the Solicitor of Labor.

Persons desiring to appear at the hearing must file a written notice of intention to appear along with four duplicate copies including enclosures, if any, with Philip J. Davis, Director, Office of Federal Contract Compliance, New U.S. Department of Labor Building, Room N-3402, 200 Constitution Avenue, NW., Washington, D.C. 20210. If possible, notices should be filed before October 6, 1975, in order to facilitate scheduling the appearances.

The notice should state the name, address, and phone number (business and home) of the person wishing to appear, the capacity in which he or she will appear, and the approximate amount of time required for the presentation. The notice should also include, or be accompanied by, a brief statement of the presentation to be made.

The oral proceedings shall be reported verbatim. The use of prepared statements by witnesses is encouraged. An original and four copies of all documents to be used should be submitted at the hearing.

Persons who wish to submit information but who do not wish to attend the hearing may mail such written information, along with four duplicate copies to Mr. Davis at the above address by October 6, 1975. Such information will be submitted to the Administrative Law Judge for inclusion in the hearing record.

The Administrative Law Judge shall have all the powers necessary or appropriate to conduct a fair and full informal hearing, including the powers:

(a) To regulate the course of the hearing;

(b) To dispose of procedural requests, objections, and comparable matters;

(c) To confine the presentations to matters pertinent to the requested information;

(d) To regulate the conduct of those present at the hearing by appropriate means;

(e) In his discretion, to question and permit questioning of any witness; and

(f) In his discretion, to keep the record open for a reasonable stated time to receive written information from any person who has participated in the oral proceeding.

Following the close of the hearing, the presiding Administrative Law Judge shall certify the record thereof to the Secretary of Labor.

Signed at Washington, D.C., this 30th day of August 1975.

JOHN T. DUNLOP,
Secretary of Labor.

ROBERT C. CHASE,
Acting Assistant Secretary for Employment Standards.

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

[FR Doc.75-33649 Filed 9-4-75;8:45 am]

Office of the Secretary

[TA-W-126]

DORSEY TRAILERS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On August 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Dorsey Trailers, Inc., Elba, Alabama (TA-W-126). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with seagoing containers produced by Dorsey Trailers, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a sub-

stantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than 10 days after this notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 25th day of August 1975.

DOMINIC SORRENTINO,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-23651 Filed 9-4-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 847]

ASSIGNMENT OF HEARINGS

SEPTEMBER 2, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An atttmpt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 119619 Sub 74, Distributors Service Co., now assigned September 9, 1975, at Columbus, Ohio; has been postponed to September 18, 1975 (2 days), at Columbus, Ohio.

No. MC 97270 Subs 5 & 6, Reyco Motor Express, Inc., applications dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-23670 Filed 9-4-75;8:45 am]

[AB 1; Sub-No. 27]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment of Service

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request, and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, *et seq.;* and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Calhoun and Carroll Counties, Iowa, on or before September 17, 1975, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the Federal Register.

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

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated August 25, 1975, it has been determined that the proposed abandonment by the Chicago and North Western Transportation Company of its line between Milepost 389.1 near Somers and Milepost 420 near Carroll, a distance of approximately 31 miles, in Carroll and Calhoun Counties, Iowa, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because (1) the volume of traffic handled on the line has been low and is declining, (2) any resultant diversion of traffic from rail to truck will not have a significant impact on air and water quality, (3) Somers, Lohrville, and Carroll will continue to have rail service and, (4) there are no development plans or land use policies in the tributary territory which are dependent on the availability of rail service. Furthermore, governmental units have expressed an interest in utilizing this right-of-way for recreational purposes should the abandonment be authorized.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before September 22, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-23675 Filed 9-4-75;8:45 am]

[AB 1; sub-No. 39]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment of Service

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Bureau County, Ill., on or before September 11, 1975, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 18th day of August, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated August 18, 1975, it has been determined that the proposed abandonment of the Chicago and North Western Transportation Company of its line between Milepost 72.0 near La Salle and Milepost 77.0 near Spring Valley, a distance of 5.0 miles; all in Bureau County, Ill., if approved by the Commission, does not constitute a major Federal action significantly affecting human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because (1) several washouts have occurred on the subject line, and no traffic has moved since May 1974, (2) overhead traffic is presently handled via other interchange points, (3) the applicant's shippers in Spring Valley are presently served by the Chicago, Rock Island and Pacific Railroad Company, and (4) the degradation of the affected area's air and

water quality will be minimal. In addition, the State Department of Transportation has expressed an interest in obtaining a part of the right-of-way property for public use.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Com- this matter by filing their statements Commission, Washington, D.C. 20423, on

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before September 16, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

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

[FR Doc.75-23673 Filed 9-4-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY ELIMINATION OF GATEWAY LETTER NOTICES

SEPTEMBER 2, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before September 15, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 113843 (Sub-No. E510), filed May 19, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prune juice*, from those points in Pennsylvania on and west of U.S. Highway 15, and, on, north, and east of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 120, thence along Pennsylvania Highway 120 to junction Pennsylvania Highway 477, thence along Pennsylvania Highway 477 to junction Pennsylvania Highway 192, thence along Pennsylvania Highway 192 to junction U.S. Highway 15, thence along U.S. Highway 15 to points in South Dakota. The purpose of this filing is to eliminate the gateway of the plant sites and storage facilities of Duffy-Mott Co., Inc., at or near Hamlin, Holley, or Williamson, N.Y.

No. MC 114604 (Sub-No. E4), filed June 4, 1974. Applicant: CAUDELL TRANSPORT, INC., State Farmer Market No. 33, Forest Park, Ga. 30050. Applicant's representative: Guy Postell, Suite 713, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and foodstuffs, from points in Fayette, Henry, Jasper, Putnam, Pike, Spalding, Butts, Monroe, Jones, Lamar, Baldwin, and Bibb Counties, Ga., to points in and north of Lamar, Fayette, Walker, Jefferson, St. Clair, Calhoun, and Cleburne Counties, Ala. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 114604 (Sub-No. E8), filed June 4, 1974. Applicant: CAUDELL TRANSPORT, INC., State Farmer Market No. 33, Forest Park, Ga. 30050. Applicant's representative: Guy Postell, Suite 713, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and foodstuffs, from points in Walker, Floyd, Polk, Chattanooga, Gordon, Bartow, Cobb, Haralson, Paulding, De Kalb, Carroll, Clayton, Dade, Catoosa Counties, Ga., to points in and east of Lancaster, Chester, Fairfield, Richland, Calhoun, Orangeburg, Bamberg, Colleton, and Jasper, S.C. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 114604 (Sub-No. E11), filed June 4, 1974. Applicant: CAUDELL TRANSPORT, INC., State Farmer Market No. 33, Forest Park, Ga. 30050. Applicant's representative: Guy Postell, Suite 713, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and foodstuffs, from points in Muscogee, Harris, and Talbot Counties, Ga., to points in, north, and east of Greenville, Spartanburg, Union, Newberry, Fairfield, Kershaw, Lee, Florence, Clarendon, and Berkeley Counties, S.C. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 114604 (Sub-No. E19), filed June 4, 1974. Applicant: CAUDELL TRANSPORT, INC., State Farmer Market No. 33, Forest Park, Ga. 30050. Applicant's representative: Guy Postell, Suite 713, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and foodstuffs, from points in Cherokee, Paulding, Bartow, Douglas Counties, Ga., to Coffee, Dale, Henry, Geneva, and Houston Counties, Ala. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 114897 (Sub-No. E1), filed May 15, 1974. Applicant: WHITFIELD TANK LINES, INC., P.O. Drawer 9897, El Paso, Tex. 79989. Applicant's representative: J. E. Gallegos, 215 Lincoln Ave., Santa Fe, N. Mex. 87501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum* and *petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles; (a) from El Paso, Tex., to points in Texas on, north, and west of a line beginning at the New Mexico-Texas State line and extending along U.S. Highway 380 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 180, thence along U.S. Highway 180 to junction U.S. Highway 277, thence along U.S. Highway 277 to the Texas-Oklahoma State line; and (b) from points in Colorado located on and west of a line beginning at the New Mexico-Colorado State line and extending along U.S. Highway 285 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Colorado Highway 789, thence along Colorado Highway 789 to the Colorado-Wyoming State line, to points in Texas on and bounded by a line beginning at the New Mexico-Texas State line extending along Texas Highway 54 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Texas Highway 116, thence along Texas Highway 116 to junction Texas Highway 125, thence along Texas Highway 125 to the New Mexico-Texas State line. The purpose of this filing is to eliminate the gateway of Milnesand, N. Mex.

(2) *Petroleum* and *petroleum products*, in bulk, in tank vehicles, from points in that part of Texas in and west

of Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties, Tex., and those in and south of El Paso, Hudspeth, Culberson, Reeves, Loving, Winkler, Ector, Midland, Glasscock, and Sterling Counties, Tex., to points in Colorado. The purpose of this filing is to eliminate the gateway of points in New Mexico.

(3) *Petroleum* and *petroleum products*, in bulk, in tank vehicles; (a) from points in Andrews, Martin, Howard, Mitchell, Scurry, Borden, Dawson, Gaines, Yoakum, Terry, Lynn, Lubbock, Hockley, Cochran, Lamb, Bailey, and Parmer Counties, Tex., to points in Colorado; (b) from points in Deaf Smith, Castro, Swisher, and Hale Counties, Tex., to points in Colorado (except points in Baca and Prowers Counties, Colo.); (c) from points in Hutchinson County, Tex., to points in Colorado in and west of Conejos, Rio Grande, Mineral, Hinsdale, Gunnison, Chaffee, Park, Clear Creek, Gilpin, Grand, and Jackson Counties, Colo. (except points in Archuleta, La Plata, and Montezuma Counties, Colo.); (d) from points in Moore County, Tex., to points in Colorado in, west, and north of Dolores, San Juan, Ouray, Gunnison, Mesa, Garfield, and Routt Counties, Colo.; (e) from points in Potter and Randall Counties, Tex., to points in Colorado on and west of a line beginning at the New Mexico-Colorado State line and extending along Interstate Highway 25 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Nebraska State line; and (f) from points in Gray and Carson Counties, Tex., to points in Colorado (except Walsenberg, Colo.), on and west of a line beginning at the New Mexico-Colorado State line and extending along Colorado Highway 159 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-Wyoming State line. The purpose of this filing is to eliminate the gateway of points in New Mexico south of U.S. Highway 66.

(4) *Petroleum products*, in bulk, in tank vehicles; (a) from Fruita, Colo., to points in Arizona; and (b) from points in Colorado to points in Arizona. The purpose of this filing is to eliminate the gateway of points in New Mexico.

No. MC 115554 (Sub-No. E13), filed June 4, 1974. Applicant: SCOTTS TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration, cooling, heating and electrical equipment, appliances, and parts, materials, and supplies* used in the manufacture, repair, and distribution of such commodities; (1) between points in Minnesota on and east of U.S. Highway 63, beginning at the Minnesota-Iowa State line and ending at Lake City, Minn., and Duluth, Minn., on the one hand, and, on the other, points in Wyoming south of Interstate Highway 80; (2) between points in Minnesota on, east, and south of a line beginning at the Iowa-Minnesota State line, thence along Interstate Highway 35 to junction Minnesota Highway 48, thence along Minnesota Highway 48 to the Minnesota-Wisconsin State line, on the one hand, and, on the other, points in Colorado on and west of Interstate Highway 25; (3) between points in Minnesota on, south, and east of a line beginning at the Minnesota State line, thence along Interstate Highway 35 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Minnesota-Wisconsin State line, on the one hand, and, on the other, points in Oregon; (4) between Minneapolis, Minn., on the one hand, and, on the other, points in Oregon on and south of a line beginning at the Oregon-Idaho State line, thence along U.S. Highway 20 to junction Oregon Highway 126, thence along Oregon Highway 126 to the Pacific Ocean; (5) between points in Minnesota on, south, and east of a line beginning at the Iowa-Minnesota State line, thence along Interstate Highway 35 to junction U.S. Highway 16, thence along U.S. Highway 16 to the Minnesota-Wisconsin State line, on the one hand, and, on the other, points in Washington on and west of U.S. Highway 97; and (6) between points in Minnesota on, north, and east of a line beginning at the Minnesota-Iowa State line, thence along Interstate Highway 35 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Minnesota State line, on the one hand, and, on the other, Boise, Idaho. The purpose of this filing is to eliminate the gateway of Amana, Iowa.

No. MC 115840 (Sub-No. E70) (Correction), filed December 30, 1974, published in the FEDERAL REGISTER July 28, 1975. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Valves, hydrants, fittings, components, parts, and accessories which are materials and supplies (except in bulk), used in the operation, production, processing, or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes; (1) from points in Florida to points in Arizona, California, Colorado, Idaho, those points in Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along unnumbered highway to junction U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line to the point of beginning, points in Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah, Washington, Wyoming, and Ohio (except those points in that part of Ohio on, west, and north of a line beginning at the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati Ohio);

(2) From points in Florida east of U.S. Highway 231 to points in Texas; (3) from points in Florida on and south of Interstate Highway 4 to points in West Virginia; (4) from points in Georgia to points in Arizona, California, Colorado, Idaho, Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to junction unnumbered highway (referred to as Aurora Avenue), thence along unnumbered highway to U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line to the point of beginning, points in Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio (except those points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio), Oregon, South Dakota, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming. The purpose of this filing is to eliminate the gateway of Anniston, Ala. The purpose of this partial correction is to include (2), (3), and (4) above. The remainder of this letter-notice remains as previously published.

No. MC 115841 (Sub-No. E53), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy*, in vehicles equipped with mechanical refrigeration, (A) from Birmingham, Ala., to points in North Carolina, Virginia, and West Virginia, (B) from Brundidge, Ala., to points in Virginia, West Virginia, and to points in North Carolina on and north of a line beginning at the Atlantic Ocean and extending along U.S. Highway 64 to junction North Carolina Highway 98, thence along North Carolina Highway 98 to junction Interstate Highway 85, thence along Interstate Highway 85 to junction Interstate Highway 40, thence along Interstate Highway 40 to the North Carolina-Tennessee State line. The purpose of this filing is to eliminate the gateway of Chattanooga, Tenn.

No. MC 115841 (Sub-No. E90), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala.

35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible meats, edible meats products, edible meat by-products, edible dairy products, and edible articles distributed by meat packinghouses*, unfrozen, as defined by the Commission, and *frozen foods*, in vehicles equipped with mechanical refrigeration (except liquid commodities, in bulk), from Nashville, Tenn., (A) to points in California, Oregon, and Washington (Chattanooga, Tenn. and Birmingham, Ala.)*; (B) to points in Virginia, North Carolina, South Carolina, Georgia, and points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along Interstate Highway 20 (including Anniston), to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Alabama Highway 25, thence along Alabama Highway 25 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Alabama-Mississippi State line (including Tuscaloosa, Northport, Cottondale, and Holt), and New Orleans, La. (Chattanooga, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E97), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible meats, edible meat products, and edible meat by-products*, as defined by the Commission (except liquid commodities, in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Chattanooga, Tenn., to points in Texas and points in Oklahoma on and west of U.S. Highway 281. The purpose of this filing is to eliminate the gateway of Montgomery, Ala.

No. MC 115841 (Sub-No. E101), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen edible meats* (except canned meats) and *unfrozen edible dairy products*, as defined by the Commission, and *unfrozen edible bakery products*, when moving in mixed loads therewith (except liquid commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Nashville, Tenn., to points in Texas on and south of a line beginning at the Texas-Louisiana State line and extending along Interstate Highway 10 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction Interstate Highway 10, thence along Interstate Highway 10 to the United States-Mexico International Boundary line. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn., and Birmingham, Ala.

No. MC 115841 (Sub-No. E143), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen edible fruits, frozen edible berries, and frozen edible vegetables*, in vehicles equipped with mechanical refrigeration, (1) from points in Tennessee on and east of Interstate Highway 65 (including Nashville and Davidson Counties), to points in California, Oregon, and Washington; (2) from points in Tennessee on and west of Interstate Highway 65 to points in California, and those points in Oregon and Washington on and west of U.S. Highway 97; (3) from points in Tennessee on and west of U.S. Highway 51 (including Memphis and Shelby Counties), to points in Georgia and South Carolina; and (4) from points in Tennessee on and north of a line beginning at the Tennessee-North Carolina State line and extending along Interstate Highway 40 to junction Interstate Highway 65 (including Nashville and Davidson Counties), to the Tennessee-Kentucky State line, to Bainbridge, Ga. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub-E352), filed May 22, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INCORPORATED, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen edible meats, frozen edible meat products, frozen edible meat by-products, frozen edible dairy products, and frozen edible articles distributed by meat packinghouses*, as defined by the Commission (except in bulk), in vehicles equipped with mechanical refrigeration, from points in that part of the New York, N.Y., Commercial Zone, as defined by the Commission, within which local operations may be conducted under the exemption provided in Section 203(b)(8) of the Act (the exempt zone), to points in Texas on and south of Interstate Highway 40 and points in Oklahoma on and south of U.S. Highway 70. The purpose of this filing is to eliminate the gateway of Springfield, N.J., Chattanooga, Tenn., Atlanta, Ga., and Montgomery, Ala., or Birmingham, Ala., and points in Tennessee west of the Tennessee River.

No. MC 119777 (Sub-No. E42), filed April 9, 1974. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Jean Holmes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such metallic grindings, and shavings, residue, dross, slag, concentrates, oxides, and spent nickel catalyst*, which are embraced within ferro-chrome, ferrochrome silicon, ferro-silicon, silicon-manganese, ferro-manganese, silicon metal, and scrap iron for remelting purposes only (except liquid chemicals, in bulk, in tank vehicles); (1) from points in California to points in Connecticut, Delaware, Georgia, Indiana, Kentucky, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Tennessee (except Woodstock, Nashville, and Memphis), and Owen, Columbia, East Greenville, and Charleston, S.C.; (2) from points in Florida to points in Illinois, Iowa, Kansas, Michigan, and Wisconsin; (3) from points in Georgia to points in Illinois, Iowa, Kansas, Missouri, and Wisconsin; (4) from points in Illinois to points in Alabama, Florida, and Georgia; (5) from points in Indiana to points in Louisiana, Mississippi, and Texas; (6) from points in Kansas to points in Connecticut, Delaware, Florida, Georgia, Maryland, New Jersey, Virginia, and Owen, Columbia, East Greenville, and Charleston, S.C.; (7) from points in Louisiana to points in Connecticut, Delaware, Indiana, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin; (8) from points in Maryland to points in Arkansas, Kansas, Oklahoma, and Texas; (9) from points in Michigan to points in Florida, Louisiana, and Mississippi; (10) from points in Missouri to points in Georgia, and Owen, Columbia, East Greenville, and Charleston, S.C.;

(11) From points in Nebraska to points in Alabama, Florida, Georgia, and Owen, Columbia, East Greenville, and Charleston, S.C.; (12) from points in New Jersey to points in Arkansas, Kansas, Louisiana, Mississippi, Oklahoma, and Texas; (13) from points in New York to points in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas; (14) from points in Ohio to points in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas; (15) from points in Pennsylvania to points in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas; (16) from points in South Carolina to points in Iowa, Kansas, Missouri, Oklahoma, and Wisconsin; (17) from points in Texas to points in Connecticut, Delaware, Indiana, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, and West Virginia; (18) from points in Virginia to points in Arkansas, Kansas, Oklahoma, and Texas; (19) from points in West Virginia to points in Arkansas, Oklahoma, and Texas; (20) from points in California to points in Alabama on, north, and east of a line beginning at the Florida-Alabama State line extending along U.S. Highway 331 to junction Alabama Highway 55, thence along Alabama Highway 55 to junction U.S. Highway 31, thence along U.S. Highway 31 to Montgomery, Ala., thence along U.S. Highway 82 to the Alabama-Mississippi State line; (21) from points in California on, north, and west of a line beginning at the California-Nevada State line extending along U.S. Highway 6 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 14, thence along California Highway 14 to junction Interstate Highway 5, thence along In-

terstate Highway 5 to junction California Highway 11, thence along California Highway 11 to a terminus at Fort MacArthur, Calif., to points in Arkansas on, north, and east of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 63 to junction Arkansas Highway 1, thence along Arkansas Highway 1 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Tennessee State line; (22) from points in California on, north, and west of a line beginning at San Diego, Calif., thence along U.S. Highway 395 to junction Interstate Highway 10, thence along Interstate Highway 10 to the California-Arizona State line to points in Florida;

(23) From points in California on, south, and west of a line beginning at the California-Oregon State line extending along U.S. Highway 101 to junction California Highway 128, thence along California Highway 128 to junction Interstate Highway 80, thence along Interstate Highway 80 to Sacramento, Calif., thence along California Highway 99 to Bakersfield, Calif., thence along California Highway 58 to Barstow, Calif., thence along U.S. Highway 66 to the California-Nevada State line to points in Illinois on, south, and east of a line beginning at Alton, Ill., thence along U.S. Highway 67 to junction Illinois Highway 108, thence along Illinois Highway 108 to junction Illinois Highway 4, thence along Illinois Highway 4 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 54, thence along Illinois Highway 54 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 50, thence along Illinois Highway 50 to junction U.S. Highway 66, thence along U.S. Highway 66 to its terminus at Chicago, Ill.; (24) from points in California on, south, and west of a line beginning at the United States-Mexico International Boundary line extending along California Highway 111 to junction Interstate Highway 8, thence along Interstate Highway 8 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction U.S. Highway 101, thence along U.S. Highway 101 to a terminus at Santa Barbara, Calif., to Davenport, Iowa; (25) from points in California on and north of a line beginning at the California-Iowa State line extending along Interstate Highway 80 to junction California Highway 20, thence along California Highway 20 to a terminus at Noyo, Calif., to points in Louisiana on and east of a line beginning at the Louisiana-Arkansas State line extending along U.S. Highway 65 to junction Louisiana Highway 15, thence along Louisiana Highway 15 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 20, thence along Louisiana Highway 20 to junction Louisiana Highway 24, thence along Louisiana Highway 24 to Houma, La.;

(26) From points in California to points in Michigan on and south of a line beginning at Alpena, Mich., thence along Michigan Highway 32 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction Michigan Highway 72, thence along Michigan Highway 72 to a terminus at Traverse City, Mich.; (27) from points in California to points in Mississippi on, east, and north of a line beginning at the Mississippi-Tennessee State line extending along U.S. Highway 61 to Clarksdale, Miss., thence along U.S. Highway 61 to junction Mississippi Highway 6, thence along Mississippi Highway 6 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Alabama-Mississippi State line; (28) from points in California to points in Missouri on and east of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 67 to a terminus at St. Louis, Mo.; (29) from Merced, Calif., and points in California on, south, and west of a line beginning at the Arizona-California State line extending along U.S. Highway 66 to junction California Highway 58, thence along California Highway 58 to junction U.S. Highway 99, thence along U.S. Highway 99 to junction California Highway 152, thence along California Highway 152 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 68, thence along California Highway 68 to its terminus at Monterey, Calif., to points in Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line extending along U.S. Highway 51 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction U.S. Highway 41, thence along U.S. Highway 41 to a terminus at Marinette, Wis.;

(30) From points in Florida on and east of a line beginning at Jacksonville, Fla., thence along U.S. Highway 17 to junction U.S. Highway 41, thence along U.S. Highway 41 to a terminus at Fort Myers, Fla., to points in Arkansas on and north of a line beginning at Fort Smith, Ark., thence along U.S. Highway 64 to junction U.S. Highway 65, thence along U.S. Highway 65 to Little Rock, Ark., thence along U.S. Highway 67 to junction Arkansas Highway 78, thence along Arkansas Highway 78 to its terminus at the Arkansas-Tennessee State line on the Mississippi River; (31) from Pensacola, Fla., to Canaan, Conn.; (32) from points in Florida to points in Indiana on, north, and west of Indiana Highway 37; (33) from points in Florida to points in Kentucky on and west of a line beginning at Owensboro, Ky., thence along Kentucky Highway 81 to junction Kentucky Highway 85, thence along Kentucky Highway 85 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Kentucky-Tennessee State line; (34) from points in Florida on and east of a line beginning at Cocoa, Fla., thence along U.S. Highway 1 to its terminus at West Key, Fla., to Walls, Miss.; (35) from points in Florida to Springfield, Mo., and points in Missouri on and north of a line beginning at the Illinois-Missouri State line extending along U.S. Highway 60 to junction Missouri Highway 17, thence along Missouri Highway 17 to junction Missouri Highway 38, thence along Missouri Highway 38 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Missouri-Oklahoma State line; (36) from Pensacola, Fla., to Montague, N.J.; (37) from points in Florida on and west of U.S. Highway 231 to points in New York on, north, and west of a line beginning at the New York-Pennsylvania State line extending along Interstate Highway 90 to Utica, N.Y., thence along New York Highway 8 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 3, thence along New York Highway 3 to the terminus at Plattsburgh, N.Y.;

(38) From points in Florida on and west of a line beginning at the Florida-Georgia State line extending along U.S. Highway 27 to junction U.S. Highway 319, thence along U.S. Highway 319 to junction Florida Highway 363, thence along Florida Highway 363 to a terminus at St. Marks, Fla., and points in Florida on and south of a line beginning at Cedar Key, Fla., thence along Florida Highway 345 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction Florida Highway 26, thence along Florida Highway 26 to junction Florida Highway 20, thence along Florida Highway 20 to junction Florida Highway 207, thence along Florida Highway 207 to St. Augustine, Fla., to Findley, Ohio, and points in Ohio on and north of a line beginning at Toledo, Ohio, thence along Interstate Highway 75 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction Ohio Highway 34, thence along Ohio Highway 34 to junction Ohio Highway 49, thence along Ohio Highway 49 to the Michigan-Ohio State line; (39) from points in Florida on and east of a line beginning at the Georgia-Florida State line extending along U.S. Highway 17 to its terminus at Punta Gorda, Fla., to points in Oklahoma on, north, and west of a line beginning at the Texas-Oklahoma State line extending along U.S. Highway 183 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Oklahoma Highway 7, thence along Oklahoma Highway 7 to junction Oklahoma Highway 1, thence along Oklahoma Highway 1 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 226, thence along U.S. Highway 226 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Oklahoma-Arkansas State line;

(40) From points in Florida on and west of U.S. Highway 231 to points in Pennsylvania on, north, and west of a line beginning at the Pennsylvania-Ohio State line extending along Pennsylvania Highway 68 to junction Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line; (41) from points in Florida on and south of a line beginning at St. Petersburg, Fla., thence along U.S. Highway 92 to junction Interstate Highway 4, thence along Interstate Highway 4 to junction Florida Highway 50, thence along Florida Highway 50 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction Florida Highway 520, thence

along Florida Highway 520 to its terminus at the Atlantic Ocean to points in Tennessee on, north, and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 79 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 54, thence along Tennessee Highway 54 to junction Tennessee Highway 59, thence along Tennessee Highway 59 to the terminus at Richardsons, Tenn.; (42) from points in Florida on, south, and east of a line beginning at the Florida-Georgia State line extending along U.S. Highway 221 to junction U.S. Highway 90, thence along U.S. Highway 90 to Tallahassee, Fla., thence along U.S. Highway 319 to a terminus at Medart, Fla., to points in Texas on, north, and west of a line beginning at the Texas-New Mexico State line extending along Interstate Highway 40 to Amarillo, Tex., thence along U.S. Highway 287 to junction Texas Highway 15, thence along Texas Highway 15 to the Oklahoma-Texas State line;

(43) From Pensacola, Fla., to points in West Virginia on, north, and west of a line beginning at Parkersburg, W. Va., thence along U.S. Highway 50 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 119, thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line; (44) from Rossville, Ga., and points in Georgia on, east, and north of a line beginning at the Georgia-Tennessee State line extending along U.S. Highway 41 to junction Georgia Highway 52, thence along Georgia Highway 52 to junction U.S. Highway 129, thence along U.S. Highway 129 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction Georgia Highway 17, thence along Georgia Highway 17 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction U.S. Highway 341, thence along U.S. Highway 341 to a terminus at Brunswick, Ga., to points in Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line extending along U.S. Highway 70 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Arkansas Highway 28, thence along Arkansas Highway 28 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Arkansas Highway 18, thence along Arkansas Highway 18 to junction U.S. Highway 61, thence along U.S. Highway 61 to the Arkansas-Missouri State line; (45) from points in Georgia on and south of a line beginning at Columbia, Ga., thence along U.S. Highway 27 to junction Georgia Highway 26, thence along Georgia Highway 26 to junction Georgia Highway 27, thence along Georgia Highway 27 to junction U.S. Highway 23, thence along U.S. Highway 23 to McRae, Ga., thence along U.S. Highway 280 to junction U.S. Highway 80, thence along U.S. Highway 80 to its terminus at Savannah Beach, Ga., to points in Indiana on and west of a line beginning at the Michigan-Indiana State line extending along Indiana Highway 19, thence along Indiana Highway 19 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 31, thence along U.S. Highway 31 to Indianapolis, Ind., thence along Indiana Highway 67 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Indiana-Kentucky State line;

(46) From points in Georgia on, south, and east of U.S. Highway 17 to points in Kentucky on, north, and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 641 to junction U.S. Highway 68, thence along U.S. Highway 68 to Hopkinsville, Ky., thence along U.S. Highway 41 to junction U.S. Highway 60, thence along U.S. Highway 60 to a terminus at Owensboro, Ky.; (47) from Rossville and Blairsville, Ga., to Ida, La.; (48) from points in Georgia on, south, and west of a line beginning at Savannah, Ga., thence along U.S. Highway 80 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction U.S. Highway 23, thence along U.S. Highway 23 to Atlanta, Ga., thence along U.S. Highway 41 to the Georgia-Tennessee State line to points in Michigan on, north, and west of a line beginning at St. Joseph, Mich., thence along U.S. Highway 33 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Michigan Highway 21, thence along Michigan Highway 21 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction Michigan Highway 32, thence along Michigan Highway 32 to its terminus at Alpena, Mich.; (49) from points in Georgia on and west of U.S. Highway 27 to points in New York on and north of a line beginning at Ogdensburg, N.Y., thence along New York Highway 37 to junction U.S. Highway 11, thence along U.S. Highway 11 to its terminus at Rouses Point, N.Y.; (50) from Faceville, Ga., to points in Ohio on, north, and west of a line beginning at Union City, Ohio, thence along Ohio Highway 47 to junction Interstate Highway 75, thence along Interstate Highway 75 to a terminus at Toledo, Ohio; (51) from points in Georgia to points in Oklahoma on and north of a line beginning at the Oklahoma-Texas State line extending along Oklahoma Highway 51 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Oklahoma-Missouri State line; (52) from Faceville, Ga., to Erie and Cherry Hill, Pa.;

(53) From points in Georgia on, south, and east of a line beginning at the Georgia-Florida State line extending along U.S. Highway 41 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 441, thence along U.S. Highway 441 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction U.S. Highway 1, thence along U.S. Highway 1 to a terminus at Augusta, Ga., to points in Tennessee on, north, and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 641 to junction Tennessee Highway 54, thence along Tennessee Highway 54 to junction Tennessee Highway 104, thence along Tennessee Highway 104 to junction Tennessee Highway 20, thence along Tennessee Highway 20 to its terminus at Heloise, Tenn.; (54) from points in Georgia on, north, and east of a line beginning at the Alabama-Georgia State line extending along U.S. Highway 278 to Atlanta, Ga., thence along U.S. Highway 23 to the Florida-Georgia State line to points in Texas on, north, and west of a line beginning at Presidio, Tex., thence along U.S. Highway 67 to junction Texas Highway 17, thence along Texas Highway 17 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Texas Highway 115, thence along Texas Highway 115 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Oklahoma-Texas State line; (55) from points in Illinois on, north, and east of a line beginning at East Dubuque, Ill., thence along U.S. Highway 20 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Illinois Highway 130, thence along Illinois Highway 130 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Indiana State line to points in Arkansas on, south, and east of a line beginning at the Arkansas-Oklahoma State line extending along U.S. Highway 70 to junction U.S. Highway 61, thence along U.S. Highway 61 to the Arkansas-Missouri State line;

(56) From points in Illinois on, south, and west of a line beginning at Alton, Ill., thence along Illinois Highway 143 to junction Illinois Highway 3, thence along Illinois Highway 3 to junction U.S. Highway 460, thence along U.S. Highway 460 to the Illinois-Indiana State line to points in Connecticut; (57) from points in Illinois on and south of a line beginning at the Illinois-Indiana State line extending along Illinois Highway 141 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 3, thence along Illinois Highway 3 to a terminus at Chester, Ill., to points in Delaware; (58) from Cairo and Brookport, Ill., to points in Illinois on, north, and east of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 6 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Illinois-Indiana State line; (59) from points in Illinois on, north, and east of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 6 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Illinois-Indiana State line to Cairo and Brookport, Ill.; (60) from Cairo and

Brookport, Ill., to points in Indiana on and east of a line beginning at the Indiana-Kentucky State line extending along U.S. Highway 41 to junction Indiana Highway 441, thence along Indiana Highway 441 to the terminus at Vincennes, Ind.;

(61) From Cairo and Brookport, Ill., to points in Iowa on and north of a line beginning at the Iowa-Nebraska State line extending along Iowa Highway 2 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Iowa-Illinois State line; (62) from points in Illinois on and south of a line beginning at the Illinois-Kentucky State line extending along U.S. Highway 45 to junction Illinois Highway 169, thence along Illinois Highway 169 to junction Illinois Highway 37, thence along Illinois Highway 37 to the terminus at Cairo, Ill., to points in Kansas on, north, and west of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 77 to junction Kansas Highway 15, thence along Kansas Highway 15 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Kansas Highway 15W, thence along Kansas Highway 15W to the Kansas-Nebraska State line; (63) from points in Illinois on and north of U.S. Highway 40 to Paducah, Ky.; (64) from points in Illinois to points in Louisiana on, south, and east of a line beginning at the Louisiana-Texas State line extending along Louisiana Highway 6 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Louisiana Highway 34, thence along Louisiana Highway 34 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction Louisiana Highway 2, thence along Louisiana Highway 2 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Louisiana-Arkansas State line; (65) from points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 141, thence along Illinois Highway 141 to the Illinois-Indiana State line to points in Maryland; (66) from Cairo and Brookport, Ill., to points in Michigan;

(67) From points in Illinois on, north, and east of a line beginning at Quincy, Ill., thence along U.S. Highway 24 to junction Illinois Highway 125, thence along Illinois Highway 125 to Springfield, Ill., thence along Illinois Highway 29 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Kentucky-Illinois State line to points in Mississippi; (68) from points in Illinois on and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 136 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Illinois-Wisconsin State line to points in Missouri on and south of a line beginning at the Missouri-Kentucky State line extending along U.S. Highway 60 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction Missouri Highway 21, thence along Missouri Highway 21 to the Missouri-Arkansas State line; (69) from points in Illinois on and south of a line beginning at the Illinois-Indiana State line extending along Illinois Highway 141 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 460, thence along U.S. Highway 460 to the terminus at East St. Louis, Ill., to points in New Jersey; (70) from points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to the Illinois-Kentucky State line to points in New York;

(71) From Cairo and Brookport, Ill., to points in Ohio; (72) from points in Illinois on and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 136 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Illinois Highway 130, thence along Illinois Highway 130 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 15, thence along Illinois Highway 15 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction U.S. Highway 51, thence along U.S. Highway 51 to the terminus of Cairo, Ill., to points in Oklahoma on and west of a line beginning at the Oklahoma-Kansas State line extending along U.S. Highway 183 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 177, thence along U.S. Highway 177 to junction Oklahoma Highway 19, thence along Oklahoma Highway 19 to junction Oklahoma Highway 3, thence along Oklahoma Highway 3 to the Oklahoma-Arkansas State line, (73) from points in Illinois on and south of a line beginning at the Illinois-Kentucky State line extending along Illinois Highway 13 to junction Illinois Highway 4, thence along Illinois Highway 4 to junction Illinois Highway 150, thence along Illinois Highway 150 to its terminus at Chester, Ill., to points in Pennsylvania; (74) from points in Illinois to Columbia, Charleston, and Owen, S.C.;

(75) From points in Illinois on and north of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 24 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Illinois-Missouri State line to points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 41A to junction U.S. Highway 31, thence along U.S. Highway 31 to the Tennessee-Alabama State line (except Nashville, Memphis, and Woodstock); (76) from points in Illinois on, east, and south of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 136 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 51, thence along U.S. Highway 51 to a terminus at Cairo, Ill., to points in Texas; (77) from points in Illinois on, south, and west of a line beginning at East St. Louis, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to the Illinois-Kentucky State line to points in Virginia; (78) from points in Illinois on, south, and west of a line beginning at East St. Louis, Ill., thence along Illinois Highway 3 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Illinois-Kentucky State line to points in West Virginia on and south of U.S. Highway 33; (79) from Cairo and Brookport, Ill., to points in Wisconsin;

(80) From Ray, Ind., and points in Indiana on, north, and west of a line beginning at the Michigan-Indiana State line extending along Interstate Highway 69 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction Interstate Highway 465, thence along Interstate Highway 465 to junction Indiana Highway 67, thence along Indiana Highway 67 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Indiana-Kentucky State line to points in Alabama on, south, and west of a line beginning at the Tennessee-Alabama State line extending along Alabama Highway 17 to junction Alabama Highway 243, thence along Alabama Highway 243 to junction Alabama Secondary Highway 93, thence along Alabama Secondary Highway 93 to junction Alabama Highway 195, thence along Alabama Highway 195 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction U.S. Highway 31, thence along U.S. Highway 31 to Montgomery, Ala., thence along U.S. Highway 80 to the Alabama-Georgia State line; (81) from points in Indiana to points in

Arkansas on and south of a line beginning at Fort Smith, Ark., thence along U.S. Highway 64 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Arkansas Highway 25, thence along Arkansas Highway 25 to the Arkansas-Missouri State line; (82) from Evansville, Ind., to points in Connecticut; (83) from Evansville, Ind., to points in Delaware; (84) from points in Indiana on and west of Indiana Highway 37 to points in Florida; (85) from points in Indiana on and west of a line beginning at the Indiana-Kentucky State line extending along U.S. Highway 41 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Indiana Highway 53, thence along Indiana Highway 53 to the terminus at Gary, Ind., to points in Georgia on, south, and east of a line beginning at the Georgia-Alabama State line extending along U.S. Highway 278 to junction Georgia Highway 113, thence along Georgia Highway 113 to junction Georgia Highway 61, thence along Georgia Highway 61 to junction Georgia Highway 20, thence along Georgia Highway 20 to junction U.S. Highway 19, thence along U.S. Highway 19 to the Georgia-North Carolina State line;

(86) From points in Indiana on and east of a line beginning at Evansville, Ind., thence along U.S. Highway 41 to a terminus at Vincennes, Ind., to Cairo and Brookport, Ill.; (87) from Jeffersonville, Ind., and points in Indiana on and south of a line beginning at Evansville, Ind., thence along U.S. Highway 460 to the Kentucky-Indiana State line to points in Iowa on and west of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 59 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction Iowa Highway 4, thence along Iowa Highway 4 to the Iowa-Minnesota State line; (88) from points in Indiana on, south, and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 50 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 67, thence along Indiana Highway 67 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction Indiana Highway 18, thence along Indiana Highway 18 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Indiana-Michigan State line to points in Kansas on, south, and west of a line beginning at the Colorado-Kansas State line extending along Kansas Highway 96 to junction Kansas Highway 27, thence along Kansas Highway 27 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 154, thence along U.S. Highway 154 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 166, thence along U.S. Highway 166 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line;

(89) from points in Indiana to Wickliffe and Paducah, Ky.; (90) from Evansville, Ind., to points in Maryland on, south, and east of U.S. Highway 1;

(91) From points in Indiana to points in Missouri on and south of a line beginning at the Arkansas-Missouri State line extending along Missouri Highway 17 to U.S. Highway 160, thence along U.S. Highway 160 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Illinois-Missouri State line; (92) from Evansville, Ind., to points in New Jersey; (93) from Evansville, Ind., to points in New York on and east of a line beginning at Hale Eddy, N.Y., thence along New York Highway 17 to junction New York Highway 10, thence along New York Highway 10 to junction New York Highway 8, thence along New York Highway 8 to Utica, N.Y., thence along New York Highway 12 to Watertown, N.Y., thence along New York Highway 12E to a terminus at Cape Vincent, N.Y.; (94) from points in Indiana on, south, and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 24 to junction U.S. Highway 421, thence along U.S. Highway 421 to its terminus at Michigan City, Ind., to points in Oklahoma on and south of Interstate Highway 40; (95) from Evansville, Ind., to points in Pennsylvania on and east of a line beginning at Philadelphia, Pa., thence along Pennsylvania Highway 611 to a terminus at Stroudsburg, Pa.; (96) from points in Indiana on, north, and west of a line beginning at Michigan City, Ind., thence along U.S. Highway 12 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Indiana-Kentucky State line to Charleston, S.C.;

(97) From points in Indiana on, north, and west of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 24 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 10, thence along Indiana Highway 10 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 421, thence along U.S. Highway 421 to its terminus at Michigan City, Ind., to points in Tennessee on, south, and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway Alternate 41, thence along U.S. Highway Alternate 41 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Georgia-Tennessee State line; (98) from Evansville, Ind., to points in Virginia on, east, and south of a line beginning at Reedville, Va., thence along U.S. Highway 360 to junction Virginia Highway 307, thence along Virginia Highway 307 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Virginia-North Carolina State line; (99) from Evansville, Ind., to points in Wisconsin on and north of a line beginning at the Wisconsin-Minnesota State line extending along U.S. Highway 8 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Wisconsin Highway 77, thence along Wisconsin Highway 77 to a terminus at Hurley, Wis.; (100) from points in Kansas on, north, and east of a line beginning at the Kansas-Colorado State line extending along U.S. Highway 50 to junction U.S. Highway 154, thence along U.S. Highway 154 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line to points in Alabama; (101) from Narka, Kans., and points in Kansas on and north of a line beginning at the Colorado-Kansas State line extending along U.S. Highway 36 to junction U.S. Highway 183, thence along U.S. Highway 183 to the Kansas-Nebraska State line to Blytheville, Ark.;

(102) From points in Kansas on and west on U.S. Highway 81 to Cairo and Brookport, Ill.; (103) from points in Kansas on, south, and west of a line beginning at the Kansas-Colorado State line extending along Kansas Highway 96 to Tribune, Kans., thence along Kansas Highway 27 to junction U.S. Highway 50, thence along U.S. Highway 50 to Dodge City, Kans., thence along U.S. Highway 154 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line to points in Indiana on, south, and east of a line beginning at the Indiana-Ohio State line extending along Indiana Highway 37 to Indianapolis, Ind., thence along Indiana Highway 67 to junction U.S. Highway 41, thence along U.S. Highway 41 to a terminus at Vincennes, Ind.; (104) from Narka, Kans., and points in Kansas on, south, and west of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 81 to Wichita, Kans., thence along U.S. Highway 54 to junction Kansas Highway 96, thence along U.S. Highway 96 to the Kansas-Missouri State line to points in Kentucky on and east of U.S. Highway 45; (105) from points in Kansas on and north on Interstate Highway 70 to Bogalusa, La.; (106) from Liberal and Arkansas City, Kans., to points in the Upper Peninsula of Michigan on and east of Interstate Highway 75, and points in the Lower Peninsula of Michigan on, north, and east of a line beginning at St. Joseph, Mich., thence along U.S. Highway 33 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Michigan Highway 66, thence along Michigan Highway 66 to the Indiana-Michigan State line; (107) from points in Kansas on and north of a line beginning at the Kansas-Colorado State line extending along Kansas Highway 96 to Wichita, Kans., thence along U.S. Highway 81 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Missouri State line to points in Mississippi on and east of a line beginning at Gulfport, Miss., thence along U.S. Highway 90 to junction Mississippi Highway 63, thence along Mississippi Highway 63 to junction U.S. Highway 45, thence along U.S. Highway

45 to the Mississippi-Tennessee State line;

(108) From points in Kansas on and west of Kansas Highway 27 to Cape Girardeau and Sikeston, Mo.; (109) from points in Kansas on, south, and west of a line beginning at Kansas City, Kans., thence along U.S. Highway 40 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line to points in New York; (110) from points in Kansas on, south, and west of a line beginning at the Kansas-Colorado State line extending along U.S. Highway 36 to junction Kansas Highway 27, thence along Kansas Highway 27 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 166, thence along U.S. Highway 166 to the Kansas-Missouri State line to points in Ohio on, south, and east of a line beginning at Cleveland, Ohio, thence along Ohio Highway 21 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 22, thence along U.S. Highway 22 to its terminus at Cincinnati, Ohio; (111) from points in Kansas to points in Pennsylvania on and east of a line beginning at the Pennsylvania-West Virginia State line extending along U.S. Highway 119 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line; (112) from points in Kansas to points in Tennessee on and east of a line beginning at the Alabama-Tennessee State line extending along Tennessee Highway 13 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 69, thence along Tennessee Highway 69 to the Tennessee-Kentucky State line; (113) from points in Kansas to points in West Virginia on, south, and east of a line beginning at Parkersburg, W. Va., thence along U.S. Highway 50 to junction U.S. Highway 19, thence along U.S. Highway 19 to the West Virginia-Pennsylvania State line; (114) from Ida, La., to Rossville and Blairsville, Ga.; (115) from points in Louisiana on, south, and east of a line beginning at the Arkansas-Louisiana State line extending along U.S. Highway 165 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Louisiana Highway 6, thence along Louisiana Highway 6 to the Louisiana-Texas State line to points in Illinois;

(116) From Delta and Vidalia, La., and points in Louisiana on, south, and east of a line beginning at the Louisiana-Mississippi State line extending along U.S. Highway 61 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction U.S. Highway 167, thence along U.S. Highway 167 to junction Louisiana Highway 82, thence along Louisiana Highway 82 to junction Louisiana Highway 333, thence along Louisiana Highway 333 to its terminus at Intracoastal, La., to points in Iowa on, north, and east of a line beginning at the Iowa-Minnesota State line extending along Iowa Highway 4 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Iowa Highway 5, thence along Iowa Highway 5 to the Iowa-Missouri State line; (117) from Bogalusa, La., to points in Kansas on, north, and east of a line beginning at the Colorado-Kansas State line extending along U.S. Highway 36 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 40, thence along U.S. Highway 40 to a terminus at Kansas City, Kans.; (118) from New Orleans, La., to points in Kentucky on, north, and west of a line beginning at Jenkins, Ky., thence along U.S. Highway 119 to junction Kentucky Highway 15, thence along Kentucky Highway 15 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line; (119) from points in Louisiana to Annapolis, Md., and points in Maryland on, north, and east of a line beginning at the Maryland-West Virginia State line extending along U.S. Highway 340 to junction U.S. Highway 40, thence along U.S. Highway 40 to Baltimore, Md., thence along Maryland Highway 2 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Maryland Highway 404, thence along Maryland Highway 404 to the Delaware-Maryland State line;

(120) From points in Louisiana on, east, and south of a line beginning at the Louisiana-Mississippi State line extending along Louisiana Highway 131 to junction Louisiana Highway 15, thence along Louisiana Highway 15 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 20, thence along Louisiana Highway 20 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction Louisiana Highway 14 at or near Lake Charles, La., thence along Louisiana Highway 14 to junction Louisiana Highway 27, thence along Louisiana Highway 27 to the terminus at Creole, La., to points in Missouri on, north, and east of a line beginning at the Missouri-Iowa State line extending along U.S. Highway 63 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction U.S. Highway 61, thence along U.S. Highway 61 to a terminus at or near Cape Girardeau, Mo.; (121) from Ida, La., to East Greenville, Columbia, and Charleston, S.C.; (122) from points in Louisiana to Clarksville, Tenn.; (123) from Millikin, La., and points in Louisiana on and west of a line beginning at the Louisiana-Arkansas State line extending along Louisiana Highway 17 to junction Louisiana Highway 2, thence along Louisiana Highway 2 to junction U.S. Highway 165, thence along U.S. Highway 165 to Alexandria, La., thence along U.S. Highway 167 to junction Louisiana Highway 13, thence along Louisiana Highway 13 to junction Louisiana Highway 14, thence along Louisiana Highway 14 to Abbeville, La., thence along Louisiana Highway 82 to Esther, La., thence along Louisiana Highway 333 to Intracoastal, La., to points in Virginia; (124) from New Orleans, La., to Reynolds Store, Monterey, and Winchester, Va.; (125) from points in Louisiana to points in West Virginia on and north of a line beginning at the Ohio-West Virginia State line extending along U.S. Highway 119 to junction West Virginia Highway 10, thence along West Virginia Highway 10 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the West Virginia-Virginia State line;

(126) From points in Maryland to points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 150 to junction Illinois Highway 154, thence along Illinois Highway 154 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 141, thence along Illinois Highway 141 to the Illinois-Indiana State line; (127) from Annapolis, Md., and points in Maryland bounded on the north by a line beginning at the Delaware-Maryland State line extending along Maryland Highway 404 to junction U.S. Highway 50, thence along U.S. Highway 50 to a terminus at Chesapeake Bay and bounded on the west by the Chesapeake Bay and bounded on the south by Virginia, and bounded on the east by Delaware and the Atlantic Ocean to Evansville, Ind.; (128) from Newburg, Md., to points in Iowa on, south, and west of a line beginning at Sioux City, Iowa, thence along U.S. Highway 20 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Iowa Highway 5, thence along Iowa Highway 5 to the Iowa-Missouri State line; (129) from points in Maryland to points in Kentucky on, south, and west of a line beginning at Paducah, Ky., thence along U.S. Highway 62 to junction U.S. Highway 68, thence along U.S. Highway 68 to Hopkinsville, Ky., thence along U.S. Highway 41A to the Kentucky-Tennessee State line; (130) from Annapolis, Md., and points in Maryland on, north, and east of a line beginning at or near Washington, D.C., on U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 13, thence along U.S. Highway 13 to the Maryland-Delaware State line to points in Louisiana;

(131) From points in Maryland to points in Mississippi on, north, and west of a line beginning at Natchez, Miss., thence along U.S. Highway 61 to junction Mississippi Highway 18, thence along Mississippi Highway 18 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Natchez Trace National Parkway, thence along the Natchez Trace National Parkway to junction Mississippi Highway 6, thence

along Mississippi Highway 6 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Mississippi-Tennessee State line; (132) from points in Maryland on and east of Interstate Highway 81 to points in Missouri on, south, and west of a line beginning at Cape Girardeau, Mo., thence along Missouri Highway 72 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Missouri-Iowa State line; (133) from points in Maryland to points in Tennessee on and west of a line beginning at the Tennessee-Mississippi State line extending along Tennessee Highway 18 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 45E, thence along U.S. Highway 45E to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Tennessee-Kentucky State line (except Memphis and Woodstock, Tenn.)*; (134) from points in Michigan to points in Alabama on, south, and west of a line beginning at the Alabama-Tennessee State line extending along Alabama Highway 17 to junction Alabama Highway 20, thence along Alabama Highway 20 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Alabama-Georgia State line;

(135) from points in Michigan to points in Arkansas on, south, and east of a line beginning at the Arkansas-Oklahoma State line extending along Interstate Highway 40 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Arkansas Highway 201, thence along Arkansas Highway 201 to the Arkansas-Missouri State line; (136) from points in the Upper Peninsula of Michigan to points in Georgia, (137) from points in Michigan to Brookport and Cairo, Ill.; (138) from Ironwood, Mich., to Evansville, Ind.; (139) from Traverse City, Mich., and points in Michigan on and east of a line beginning at Alpena, Mich., thence along Michigan Highway 32 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction Business Route Interstate Highway 75, thence along Business Route Interstate Highway 75 to junction Michigan Highway 72, thence along Michigan Highway 72 to junction Michigan Highway 33, thence along Michigan Highway 33 to junction Michigan Highway 76, thence along Michigan Highway 76 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Michigan Highway 66, thence along Michigan Highway 66 to the Indiana-Michigan State line to points in Kansas on and south of a line beginning at the Colorado-Kansas State line extending along Kansas Highway 96 to junction Kansas Highway 27, thence along Kansas Highway 27 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 154, thence along U.S. Highway 154 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 166, thence along U.S. Highway 166 to the Kansas-Missouri State line;

(140) From points in Michigan to points in Kentucky on and west of a line beginning at Calvert City, Ky., thence along Kentucky Highway 282 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Kentucky-Tennessee State line; (141) from points in Michigan to points in Missouri on and south of a line beginning at Cape Girardeau, Mo., thence along U.S. Highway 61 to Sikeston, Mo., thence along U.S. Highway 60 to Poplar Bluff, Mo., thence along U.S. Highway 160 to West Plains, Mo., thence along Missouri Highway 17 to the Missouri-Arkansas State line; (142) from Grand Rapids, Mich., and points in the Upper Peninsula of Michigan on and east of Interstate Highway 75, and points in the Lower Peninsula of Michigan on, north, and east of a line beginning at the Michigan-Indiana State line extending along Michigan Highway 66 to junction Michigan Highway 21, thence along Michigan Highway 21 to junction Interstate Highway 96, thence along Interstate Highway 96 to junction Michigan Highway 104, thence along Michigan Highway 104 to its terminus at Ferrysburg, Mich., to points in Oklahoma; (143) from points in the Upper of Michigan on, north, and west of a line beginning at Menominee, Mich., thence along Michigan Highway 35 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction Michigan Highway 171, thence along Michigan Highway 171 to junction Michigan Highway 28, thence along Michigan Highway 28 to junction Interstate Highway 75, thence along Interstate Highway 75 to the terminus at Sault Ste. Marie to Charleston, S.C.; (144) from points in Michigan on, north, and west of a line beginning at St. Joseph, Mich., thence along U.S. Highway 33 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Michigan Highway 21, thence along Michigan Highway 21 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction Michigan Highway 55, thence along Michigan Highway 55 to its terminus at Tawas City, Mich., to points in Tennessee, on and west of a line beginning at the Georgia-Tennessee State line extending along U.S. Highway 41 to junction U.S. Highway 41A, thence along U.S. Highway 41A to the Tennessee-Kentucky State line (except Woodstock, Nashville, and Memphis, Tenn.);

(145) From points in the Lower Peninsula of Michigan and points in the Upper Peninsula of Michigan on and east of Interstate Highway 75 to points in Texas; (146) from points in the Upper Peninsula of Michigan on and north of a line beginning at Marquette, Mich., thence along Michigan Highway 28 to junction U.S. Highway 2, thence along U.S. Highway 2 to the Michigan-Wisconsin State line to Bristol, Va.; (147) from Springfield, Mo., and points in Missouri on and north of a line beginning at the Illinois-Missouri State line extending along U.S. Highway 60 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction Missouri Highway 32, thence along Missouri Highway 32 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Missouri-Oklahoma State line to points in Alabama on and east of U.S. Highway 43; (148) from Anson, Hannibal, and St. Louis, Mo., to Readland, Ark.; (149) from points in Missouri on, south, and west of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 63 to junction Missouri Highway 22, thence along Missouri Highway 22 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction U.S. Highway 54, thence along U.S. Highway 54 to a terminus at Louisiana, Mo., to points in Connecticut; (150) from St. Joseph, Mo., and points in Missouri on and south of U.S. Highway 40 to points in Delaware; (151) from points in Missouri to points in Florida on and east of U.S. Highway 231; (152) from points in Missouri on, south, and east of a line beginning at the Missouri-Arkansas State line extending along U.S. Highway 67 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Missouri-Illinois State line to the point of Waukegan, Ill., and points in Illinois on and east of a line beginning at the Illinois-Indiana State line extending along Interstate Highway 74 to junction Illinois Highway 1, thence along Illinois Highway 1 to and including Chicago, Ill.;

(153) From Sikeston, Mo., and points in Missouri on, south, and east of a line beginning at the Arkansas-Missouri State line extending along Missouri Highway 17 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Illinois-Missouri State line to points in Indiana on and east of a line beginning at Evansville, Ind., thence along U.S. Highway 41 to junction Indiana Highway 441, thence along Indiana Highway 441 to its terminus at Vincennes, Ind.; (154) from Sikeston, Mo., to points in Iowa on, north, and west of a line beginning at the Iowa-Minnesota State line extending along Iowa Highway 4 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 75, thence along U.S. Highway 75 to a terminus at Council Bluffs, Iowa; (155) from points in Missouri on and east of a line beginning at Cape Girardeau, Mo., thence along

U.S. Highway 61 to a terminus at New Madrid, Mo., to points in Kansas on and west of a line beginning at the Oklahoma-Kansas State line extending along U.S. Highway 270 to Syracuse, Kans., thence along Kansas Highway 27 to the Kansas-Nebraska State line; (156) from points in Missouri on, south, and west of a line beginning at the Kansas-Missouri State line extending along U.S. Highway 66 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Arkansas-Missouri State line to points in Kentucky on, north, and east of a line beginning at Paducah, Ky., thence along U.S. Highway 62 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 41A, thence along U.S. Highway 41A to the Kentucky-Tennessee State line;

(157) From points in Missouri on, north, and east of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 36 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction Missouri Highway 25, thence along Missouri Highway 25 to junction Missouri Highway 77, thence along Missouri Highway 77 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Missouri-Kentucky State line to points in Louisiana on and southeast of a line beginning at the Louisiana-Mississippi State line extending along Louisiana Highway 10 to junction Louisiana Highway 21, thence along Louisiana Highway 21 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Lake Pontchartrain Causeway, thence along Lake Pontchartrain Causeway to junction Interstate Highway 10, thence along Interstate Highway 10 to junction U.S. Highway 90, thence along U.S. Highway 90 to a terminus at Houma, La.; (158) from points in Missouri on, south, and west of a line beginning at Kansas City, Mo., thence along U.S. Highway 40 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 68, thence along Missouri Highway 68 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 32, thence along Missouri Highway 32 to Ste. Genevieve, Mo., to points in Maryland;

(159) From points in Missouri on and south of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 66 to Springfield, Mo., thence along U.S. Highway 60 to junction Missouri Highway 34, thence along Missouri Highway 34 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction U.S. Highway 61, thence along U.S. Highway 61 to Cape Girardeau, Mo., to points in the Lower Peninsula of Michigan on, east, and north of a line beginning at the Michigan-Ohio State line extending along U.S. Highway 23 to junction U.S. Highway 10, thence along U.S. Highway 10 to a terminus at Ludington, Mich., and points in the Upper Peninsula of Michigan on, north, and east of a line beginning at Marquette, Mich., thence along Michigan Highway 28 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Mackinaw City-St. Ignace Bridge; (160) from Anson and Hannibal, Mo., to points in Mississippi; (161) from St. Joseph, Mo., and points in Missouri on and south of U.S. Highway 40 to points in New Jersey; (162) from points in Missouri on and south of U.S. Highway 40 to points in New York on, north, and east of a line beginning at Cape Vincent, N.Y., thence along New York Highway 12E to junction New York Highway 12, thence along New York Highway 12 to Utica, N.Y., thence along New York Highway 8 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 79, thence along New York Highway 79 to the Pennsylvania-New York State line; (163) from points in Missouri on and south of a line beginning at the Kansas-Missouri State line extending along Missouri Highway 13 to junction Missouri Highway 7, thence along Missouri Highway 7 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction Missouri Highway 32, thence along Missouri Highway 32 to a terminus at Ste. Genevieve, Mo., to points in Ohio on, south, and east of a line beginning at Cincinnati, Ohio, thence along U.S. Highway 22 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Ohio-Pennsylvania State line;

(164) From points in Missouri on, north, and east of a line beginning at Cape Girardeau, Mo., thence along U.S. Highway 61 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Illinois-Missouri State line to Hollis, Okla., and points in Oklahoma on and west of a line beginning at the Texas-Oklahoma State line extending along U.S. Highway 54 to the Kansas-Oklahoma State line; (165) from points in Missouri on, south, and west of a line beginning at the Kansas-Missouri State line extending along Interstate Highway 70 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction U.S. Highway 61, thence along U.S. Highway 61 to a terminus at Cape Girardeau, Mo., to points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line extending along U.S. Highway 11 to junction U.S. Highway 60, thence along U.S. Highway 60 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line; (166) from points in Missouri on, north, and west of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 67 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Missouri-Kentucky State line to Bethel, Tenn., and points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to junction U.S. Highway 31, thence along U.S. Highway 31 to the Tennessee-Alabama State line (except Memphis); (167) from Sikeston, Mo., and points in Missouri on and east of a line beginning at St. Louis, Mo., thence along Interstate Highway 55 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Missouri-Illinois State line to points in Texas on, south, and west of a line beginning at the Texas-New Mexico State line extending along Texas Highway 18 to Kermit, Tex., thence along Texas Highway 302 to Odessa, Tex., thence along U.S. Highway 385 to junction U.S. Highway 67, thence along U.S. Highway 67 to San Angelo, Tex., thence along U.S. Highway 87 to Brady, Tex., thence along U.S. Highway 190 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 7, thence along Texas Highway 7 to junction Texas Highway 103, thence along Texas Highway 103 to junction Texas Highway 21, thence along Texas Highway 21 to the Louisiana-Texas State line;

(168) From points in Missouri on and south of U.S. Highway 40 to points in Virginia; (169) from points in Missouri on and south of a line beginning at the Kansas-Missouri State line extending along U.S. Highway 66 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Missouri Highway 34, thence along Missouri Highway 34 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction U.S. Highway 61, thence along U.S. Highway 61 to Cape Girardeau, Mo., to points in West Virginia; (170) from Sikeston, Mo., and points in Missouri, on, south, and west of a line beginning at the Missouri-Arkansas State line extending along Missouri Highway 17 to West Plains, Mo., thence along U.S. Highway 160 to Poplar Bluff, Mo., thence along U.S. Highway 60 to the Illinois-Missouri State line to points in Wisconsin on and east of a line beginning at Red Cliff, Wis., thence along Wisconsin Highway 13 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction U.S. Highway 51, thence along U.S. Highway 51 to Wausaw, Wis., thence along Wisconsin Highway 29 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Wisconsin Highway 57, thence along Wisconsin Highway 57 to Milwaukee, Wis., thence along Wisconsin Highway 32 to a terminus at Kenosha, Wis.; (171) from points in Nebraska on, west, and north of a line beginning at Omaha, Nebr., thence along Nebraska Highway 92 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to the Nebraska-Kansas State line to Blytheville, Ark.; (172) from points in Nebraska on, south, and east of a line beginning at the Nebraska-South Dakota State line extending along U.S. Highway 385 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the

Nebraska-Iowa State line to points in Delaware; (174) from points in Nebraska to Brookport and Cairo, Ill.; (175) from points in Nebraska to Jeffersonville, Ind., and point in Indiana on and south of a line beginning at Evansville, Ind., thence along U.S. Highway 460 to the Indiana-Kentucky State line;

(176) From points in Nebraska to Ashland, Ky., and points in Kentucky on and south of Interstate Highway 64; (177) from points in Nebraska on, north, and west of a line beginning at the Nebraska-Wyoming State line extending along U.S. Highway 30 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Nebraska-South Dakota State line to Delta, La., and points in Louisiana on and east of a line beginning at the Louisiana-Mississippi State line extending along U.S. Highway 61 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 20, thence along Louisiana Highway 20 to junction Louisiana Highway 24, thence along Louisiana Highway 24 to a terminus at Houma, La.; (178) from points in Nebraska on, south, and west of a line beginning at the Nebraska-Wyoming State line extending along U.S. Highway 26 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Nebraska Highway 70, thence along Nebraska Highway 70 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 183, thence along U.S. Highway 183 to the Nebraska-Kansas State line to points in Maryland; (179) from points in Nebraska on, north, and west of a line beginning at the Nebraska-Wyoming State line extending along Nebraska Highway 92 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Nebraska-South Dakota State line to points in Mississippi.

(180) From points in Nebraska on, north, and west of a line beginning at the Nebraska-South Dakota State line extending along U.S. Highway 83 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction Nebraska Highway 71, thence along Nebraska Highway 71 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Nebraska Highway 19, thence along Nebraska Highway 19 to the Nebraska-Colorado State line to points in Missouri on and south of a line beginning at Cape Girardeau, thence along Missouri Highway 74 to junction Missouri Highway 25, thence along Missouri Highway 25 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Missouri-Arkansas State line; (181) from Ansley, Nebr., and points in Nebraska on, south, and west of a line beginning at the Nebraska-Wyoming State line extending along Nebraska Highway 92 to junction Nebraska Highway 71, thence along Nebraska Highway 71 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to the Kansas-Nebraska State line to points in New Jersey; (182) from points in Nebraska on, south, and west of a line beginning at the Colorado-Nebraska State line extending along Nebraska Highway 19 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Nebraska Highway 71, thence along Nebraska Highway 71 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to the Nebraska-Wyoming State line to points in New York on and east of a line beginning at Oswego, N.Y., thence along New York Highway 104 to junction New York Highway 69, thence along New York Highway 69 to junction Interstate Highway 90, thence along Interstate Highway 90 to Utica, N.Y., thence along New York Highway 8 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 79, thence along New York Highway 79 to the New York-Pennsylvania State line;

(183) From points in Nebraska on and south of a line beginning at the Nebraska-Wyoming State line extending along U.S. Highway 26 to junction Nebraska Highway 61, thence along Nebraska Highway 61 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to the Nebraska-Kansas State line to points in Ohio on and south of a line beginning at Cincinnati, Ohio, thence along U.S. Highway 50 to junction Ohio Highway 159, thence along Ohio Highway 159 to junction U.S. Highway 22, thence along U.S. Highway 22 to a terminus at Steubenville, Ohio; (184) from points in Nebraska on, south, and west of a line beginning at the Colorado-Nebraska State line extending along Nebraska Highway 19 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Nebraska Highway 71, thence along Nebraska Highway 71 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Nebraska State line, and points in Nebraska on and south of a line beginning at the Colorado-Nebraska State line extending along U.S. Highway 34 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to the Kansas-Nebraska State line to points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line extending along U.S. Highway 11 to junction U.S. Highway 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line; (185) from points in Nebraska to points in Tennessee on, north, and east of a line beginning at the Mississippi-Tennessee State line extending along U.S. Highway 45 to junction Tennessee Highway 20, thence along Tennessee Highway 20 to its terminus at the Mississippi River (except Memphis);

(186) From points in Nebraska to points in Virginia on and south of a line beginning at the West Virginia-Virginia State line extending along U.S. Highway 250 to junction Virginia Highway 20, thence along Virginia Highway 20 to junction Virginia Highway 3, thence along Virginia Highway 3 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-Maryland State line; (187) from points in Nebraska to points in West Virginia on and south of a line begnning at the Kentucky-West Virginia State line extending along U.S. Highway 60 to junction West Virginia Highway 16, thence along West Vrginia Highway 16 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the West Virginia-Virginia State line; (188) from points in Nebraska on, south, and west of a line beginning at the South Dakota-Nebraska State line extending along U.S. Highway 83 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 275, thence along U.S. Highway 275 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to junction Nebraska Highway 39, thence along Nebraska Highway 39 to junction Nebraska Highway 22, thence along Nebraska Highway 22 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Iowa State line to Graham, W. Va.; (189) from points in New Jersey on and north of a line beginning at the New Jersey-Pennsylvania State line extending along U.S. Highway Alternate 22 to junction Interstate Highway 78, thence along Interstate Highway 78 to junction Interstate Highway 287, thence along Interstate Highway 287 to junction U.S. Highway 9, thence along U.S. Highway 9 to a terminus at South Amboy, N.J., to points in Alabama on and west of a line beginning at the Tennessee-Alabama State line extending along U.S. Highway 43 to a terminus at Mobile, Ala.;

(190) From Montague, N.J., to Pensacola Fla.; (191) from points in New Jersey to points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois

Highway 13, thence along Illinois Highway 13 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 141, thence along Illinois Highway 141 to the Illinois-Indiana State line; (192) from points in New Jersey to Evansville, Ind.; (193) from points in New Jersey to Payne, Iowa; (194) from points in New Jersey to points in Kentucky on and west of a line beginning at the Kentucky-Illinois State line extending along Kentucky Highway 91 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Alternate Highway 41, thence along U.S. Alternate Highway 41 to the Kentucky-Tennessee State line; (195) from points in New Jersey to points in Missouri on, south, and west of a line beginning at St. Joseph, Mo., thence along Interstate Highway 29 to Kansas City, Mo., thence along Interstate Highway 70 to St. Louis, Mo.; (196) from points in New Jersey on and north of a line beginning at South Amboy, N.J., thence along New Jersey Highway 35 to junction Interstate Highway 287, thence along Interstate 287 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Interstate Highway 78, thence along Interstate Highway 78 to the New Jersey-Pennsylvania State line to points in Tennessee on and west of a line beginning at the Alabama-Tennessee State line extending along U.S. Highway 31 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Tennessee-Kentucky State line (except Woodstock, Nashville, and Memphis); (197) from points in New York to points in Alabama on and west of a line beginning at the Alabama-Tennessee State line extending along Alabama Highway 17 to the terminus at Mobile Ala.;

(198) From points in New York on, north, and west of a line beginning at the New York-Pennsylvania State line extending along U.S. Highway 62 to junction U.S. Highway Alternate 20, thence along U.S. Highway Alternate 20 to junction New York Highway 98, thence along New York Highway 98 to junction New York Highway 33, thence along New York Highway 33 to junction Interstate Highway 490, thence along Interstate Highway 490 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 28, thence along New York Highway 28 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 3, thence along New York Highway 3 to the terminus at Plattsburgh, N.Y., to points in Florida on and west of a line beginning at Panama City, Fla., thence along U.S. Highway 231 to the Florida-Alabama State line; (199) from points in New York on and north of a line beginning at Buffalo, N.Y., thence along New York Highway 33 to its terminus at Rochester, N.Y., to Columbus, Ga.; (200) from points in New York to points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 141, thence along Illinois Highway 141 to its terminus at the Illinois-Indiana State line; (201) from points in New York on, east, and south of a line beginning at Ogdensburg, N.Y., thence along New York Highway 68 to junction New York Highway 56, thence along New York Highway 56 to junction New York Highway 3, thence along New York Highway 3 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 8, thence along New York Highway 8 to junction New York Highway 17, thence along New York Highway 17 to a terminus at Hale Eddy; N.Y., to Evansville, Ind.;

(202) From points in New York on and south of a line beginning at the New York-New Jersey State line extending along U.S. Highway 9W to junction Interstate Highway 287, thence along Interstate Highway 287 to junction Interstate Highway 95, thence along Interstate Highway 95 to a terminus at Port Chester, N.Y., to points in Iowa on, south, and west of a line beginning at the Iowa-Nebraska State line extending along Iowa Highway 2 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Iowa-Missouri State line; (203) from points in New York to points in Kansas on, south, and west of a line beginning at the Kansas-Nebraska State line extending along U.S. Highway 287 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Missouri State line; (204) from points in New York to points in Kentucky on and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A, to Hopkinsville, Ky., thence along Kentucky Highway 91 to its terminus at the Kentucky-Illinois State line; (205) from points in New York to points in Missouri on, south, and west of a line beginning at Kansas City, Mo., thence along U.S. Highway 71 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 68, thence along Missouri Highway 68 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 32, thence along Missouri Highway 32 to a terminus at Ste. Genevieve, Mo.; (206) from points in New York on, north, and east of a line beginning at Buffalo, N.Y., thence along New York Highway 33 to Rochester, N.Y., thence along Interstate Highway 490 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line to points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway Alternate 41 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Tennessee-Alabama State line (except Woodstock, Nashville, and Memphis, Tenn.);

(207) From points in Ohio on and north of a line beginning at Union City, Ohio, thence along Ohio Highway 47 to junction Ohio Highway 4, thence along Ohio Highway 4 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Ohio Highway 43, thence along Ohio Highway 43 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State line to points in Alabama-Tennessee State line extending along U.S. Highway 43 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 82, thence along U.S. Highway 82 to Montgomery, Ala., thence along U.S. Highway 331 to the Alabama-Florida State line; (208) from points in Ohio on and north of U.S. Highway 40 to points in Florida on and west of U.S. Highway 231; (209) from Van Wert, Ohio, and points in Ohio on and north of a line beginning at the Ohio-Indiana State line extending along U.S. Highway 224 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 605, thence along Interstate Highway 605 to junction U.S. Highway 422, thence along U.S. Highway 422 to the Ohio-Pennsylvania State line to Faceville, Ga.; (210) from points in Ohio on and southwest of a line beginning at Cincinnati, Ohio, thence along U.S. Highway 42 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Ohio Highway 3, thence along Ohio Highway 3 to a terminus at Cleveland, Ohio, to points in Illinois on and west of a line beginning at the Illinois-Kentucky State line extending along U.S. Highway 45 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction Illinois Highway 3, thence along Illinois Highway 3 to a terminus at Chester, Ill.;

(211) From Chesapeake, Ohio, to points in Iowa on, south, and west of a line beginning at Sioux City, Iowa, thence along Interstate Highway 29 to Council Bluffs, Iowa, thence along U.S. Highway 275 to junction Iowa Highway 2, thence along Iowa Highway 2 to Centerville, Iowa, thence along Iowa Highway 5 to the Iowa-Missouri State line; (212) from points in Ohio on, south, and east of a line beginning at Cincinnati, Ohio, thence along U.S. Highway 22 to the Ohio-West Virginia State line to points in Kansas on, south, and west of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 283 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Interstate Highway 70, thence along Interstate Highway 70 to the

Kansas-Missouri State line; (213) from points in Ohio to points in Kentucky on and west of a line beginning at the Illinois-Kentucky State line extending along Kentucky Highway 91 to junction Kentucky Highway 139, thence along Kentucky Highway 139 to the Kentucky-Tennessee State line; (214) from points in Ohio on, south, and east of a line beginning at the Ohio-Michigan State line extending along U.S. Highway 25 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Ohio Highway 72, thence along Ohio Highway 72 to junction Ohio Highway 28, thence along Ohio Highway 28 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Ohio-Indiana State line to points in Missouri on and south of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 66 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Missouri Highway 34, thence along Missouri Highway 34 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction U.S. Highway 61, thence along U.S. Highway 61 to a terminus at Cape Girardeau, Mo.:

(215) From points in Tennessee on and west of a line beginning at the Mississippi-Tennessee State line extending along U.S. Highway 45 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Tennessee-Kentucky State line to points in Ohio; (216) from points in Pennsylvania on, north, and west of a line beginning at the Pennsylvania-New York State line extending along U.S. Highway 219 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to junction Pennsylvania Highway 536, thence along Pennsylvania Highway 536 to junction Pennsylvania Highway 28, thence along Pennsylvania Highway 28 to junction Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to junction Pennsylvania Highway 50, thence along Pennsylvania Highway 50 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Pennsylvania-Ohio State line to points in Alabama on and west of a line beginning at the Alabama-Tennessee State line extending along U.S. Highway 43 to junction Alabama Highway 5, thence along Alabama Highway 5 to junction U.S. Highway 78, thence along U.S. Highway 78 to Birmingham, Ala., thence along U.S. Highway 31 to Montgomery, Ala., thence along U.S. Highway 331 to the Alabama-Florida State line; (217) from points in Pennsylvania on, north, and west of a line beginning at the Pennsylvania-West Virginia State line extending along U.S. Highway 119 to junction Pennsylvania Highway 982, thence along Pennsylvania Highway 982 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 118, thence along Pennsylvania Highway 118 to junction Pennsylvania Highway 309, thence along Pennsylvania Highway 309 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Pennsylvania-New York State line to Pensacola, Fla.;

(218) From Cherry Hill, Pa., and points in Pennsylvania on and north of U.S. Highway 20 to points in Georgia on, south, and west of a line beginning at the Florida-Georgia State line extending along Georgia Highway 309 to Bainbridge, Ga., thence along Georgia Highway 253 to the Florida-Georgia State line; (219) from points in Pennsylvania to points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Illinois-Kentucky State line; (220) from points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line extending along U.S. Highway 209 to junction Pennsylvania Highway 611, thence along Pennsylvania Highway 611 to a terminus at or near Philadelphia, Mo., thence along Interstate Highway 70 to Columbia, Mo., thence along U.S. Highway 63 to junction Missouri Highway 68, thence along Missouri Highway 68 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 32, thence along Missouri Highway 32 to the Missouri-Illinois State line; (225) from points in Pennsylvania to points in Tennessee on and west of a line beginning at the Mississippi-Tennessee State line extending along U.S. Highway 45 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Tennessee-Kentucky State line (except Memphis and Woodstock, Tenn.); (226) from points in South Carolina to points in Arkansas on, north, and west of a line beginning at the Oklahoma-Arkansas State line extending along U.S. Highway 70 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Arkansas Highway 9, thence along Arkansas Highway 9 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Arkansas Highway 27, thence along Arkansas Highway 27 to junction Arkansas Highway 14, thence along Arkansas Highway 14 to junction Arkansas Highway 18, thence along Arkansas Highway 18 to its terminus on the Mississippi River at the Arkansas-Tennessee State line;

(227) From points in South Carolina on and south of a line beginning at the Georgia-South Carolina State line ex-Kansas Highway 27 to junction U.S. tion U.S. Highway 1, thence along U.S. Highway 1 to the South Carolina-North Carolina State line to points in Illinois; (228) from points in South Carolina on and south of U.S. Highway 78 to points in Indiana on, north, and west of a line beginning at the Indiana-Kentucky State line extending along U.S. Highway 41 to junction U.S. Highway 12, thence along U.S. Highway 12 to a terminus at Michigan City, Ind.; (229) from points in South Carolina on, south, and east of a line beginning at the North Carolina-South Carolina State line extending along U.S. Highway 17 to junction South Carolina Highway 90, thence along South Carolina Highway 90 to junction U.S. Highway 501, thence along U.S. Highway 501 to junction U.S. Highway 378, thence along U.S. Highway 378 to Columbia, S.C., thence along U.S. Highway 21 to junction U.S. Highway 17, thence along U.S. Highway 17 to the South Carolina-Georgia State line to points in Kentucky on, north, and west of a line beginning at Owensboro, Ky., thence along U.S. Highway 60 to junction Audubon Parkway, thence along Audubon Parkway to junction Pennyrile Parkway, thence along Pennyrile Parkway to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Kentucky-Tennessee State line; (230) from points in South Carolina on, north, and east of a line beginning at the Georgia-South Carolina State line extending along U.S. Highway 76 to Columbia, S.C., thence along U.S. Highway 176 to junction U.S. Highway 52, thence along U.S. Highway 52 to a terminus at Charleston, S.C., to Ida, La.; (231) from points in South Carolina on and south of U.S. Highway 78 to Sault St. Marie, Mich., and points in the Upper Peninsula of Michigan on and west of a line beginning at Menominee, Mich., thence along U.S. Highway 41 to a terminus at Marquette, Mich., and points in the Lower Peninsula of Michigan on and west of a line beginning at the Michigan-Illinois State line extending along Interstate Highway 94 to junction U.S. Highway 31, thence along U.S. Highway 31 to a terminus at Traverse City, Mich.;

(232) From points in Long Creek, Spartanburg, Ft. Mill, Wallace, and Little River, S.C., to Walls, Miss.; (233) from points in South Carolina to points in Texas on, north, and west of a line beginning at the Texas- Oklahoma State line extending along U.S. Highway 62 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Texas Highway 17, thence along Texas Highway 17 to junction U.S. Highway 67, thence along U.S. Highway

67 to its terminus at Presidio, Tex.; (234) from points in Tennessee on and east of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 127 to junction Tennessee Highway 52, thence along Tennessee Highway 52 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Tennessee Highway 63, thence along Tennessee Highway 63 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 441, thence along U.S. Highway 441 to junction U.S. Highway 411, thence along U.S. Highway 411 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Tennessee-North Carolina State line to points in Arkansas; (235) from points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway Alternate 41 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Tennessee-Alabama State line to points in Connecticut; (236) from points in Tennessee on, west, and north of a line beginning at the Mississippi-Tennessee State line extending along Tennessee Highway 18 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 79, thence along U.S. Highway 79 to the Tennessee-Kentucky State line to points in Delaware;

(237) From points in Tennessee on, north, and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 79 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 70, thence along U.S. Highway 70 to Memphis, Tenn., to points in Florida on, south, and east of a line beginning at Cocoa, Fla., thence along U.S. Highway 1 to junction Florida Highway 70, thence along Florida Highway 70 to junction U.S. Highway 441, thence along U.S. Highway 441 to junction Florida Highway 78, thence along Florida Highway 78 to junction Florida Highway 29, thence along Florida Highway 29 to junction Florida Highway 80, thence along Florida Highway 80 to Ft. Myers, Fla.; (238) from points in Tennessee on, north, and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 641 to junction Tennessee Highway 54, thence along Tennessee Highway 54 to junction Tennessee Highway 104, thence along Tennesee Highway 104 to junction Tennessee Highway 20, thence along Tennessee Highway 20 to its terminus at Heloise, Tenn., to points in Georgia on and east of a line beginning at the Georgia-Florida State line extending along U.S. Highway 41 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 441, thence along U.S. Highway 441 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction U.S. Highway 1, thence along U.S. Highway 1 to a terminus at Augusta, Ga.; (239) from points in Tennessee in an area bounded on the west by a line beginning at the Alabama-Tennessee State line extending along U.S. Highway 31 to Nashville, Tenn., thence along U.S. Highway 41 to the Georgia-Tennessee State line, and bounded on the south by the Alabama-Tennessee and Georgia-Tennessee State line to points in Illinois on, north, and west of a line beginning at the Illinois-Kentucky State line extending along U.S. Highway 45 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Illinois-Indiana State line;

(240) From points in Tennessee on, south, and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 641 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 41A, thence along U.S. Highway 41A to Nashville, Tenn., thence along U.S. Highway 41 to the Tennessee-Georgia State line to points in Indiana on, north, and west of a line beginning at the Indiana-Illinois State line extending along U.S. Highway 24 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Indiana-Michigan State line; (241) from points in Tennessee to points in Iowa on, north, and east of a line beginning at Council Bluffs, Iowa, thence along Iowa Highway 92 to junction Iowa Highway 25, thence along Iowa Highway 25 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Iowa-Missouri State line; (242) from points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along Tennessee Highway 69 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 13, thence along Tennessee Highway 13 to the Tennessee-Alabama State line to points in Kansas; (243) from Clarksville, Tenn., to points in Louisiana; (244) from points in Tennessee on and west of a line beginning at the Tennessee-Mississippi State line extending along Tennessee Highway 18 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Tennessee-Kentucky State line to points in Maryland;

(245) From points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 641 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 45E, thence along U.S. Highway 45E to junction U.S. Highway 45, thence along U.S. Highway 45 to the Tennessee-Mississippi State line to points in Michigan; (246) from Chanute, Tenn., and points in Tennessee on and east of a line beginning at the Tennessee-North Carolina State line extending along Interstate Highway 40 to junction Tennessee Highway 32, thence along Tennessee Highway 32 to junction U.S. Highway 25E, thence along U.S. Highway 25E to the Tennessee-Kentucky State line to points in Mississippi on and west of a line beginning at the Mississippi-Tennessee State line extending along U.S. Highway 61 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Mississippi-Arkansas State line; (247) from points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to Nashville, Tenn., thence along U.S. Highway 31 to junction Tennessee Highway 11, thence along Tennessee Highway 11 to the Alabama-Tennessee State line to points in Missouri; (248) from points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 41A to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 25E, thence along U.S. Highway 25E to junction U.S. Highway 45, thence along U.S. Highway 45 to the Tennessee-Mississippi State line to points in New Jersey; (249) from points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 41A to junction Tennessee Highway 13, thence along Tennessee Highway 13 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Tennessee-Alabama State line to points in New York;

(250) From points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 641 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Tennessee Highway 18, thence along Tennessee Highway 18 to the Tennessee-Mississippi State line to points in Ohio; (251) from points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to junction U.S. Highway 41, thence along U.S. Highway 41 to the Tennessee-Georgia State line to points in Oklahoma; (252) from points in Tennessee on and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 43, thence along U.S. Highway 43 to the Alabama-Tennessee State line to points in Pennsylvania on, north, and east of a line beginning at the New York-Pennsylvania State line extending along U.S. Highway 15 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 87, thence along Pennsylvania Highway 87 to junction U.S. Highway 6, thence along U.S. Highway 6 to a terminus at Matamaras, Pa.; (253) from points in Ten-

nessee on and north of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 641 to junction Tennessee Highway 54, thence along Tennessee Highway 54 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Tennessee Highway 20, thence along Tennessee Highway 20 to the terminus at or near Heloise, Tenn., to points in Owen, Columbia, and Charleston, S.C.; (254) from points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along Tennessee Highway 78 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Tennessee-Mississippi State line to points in Tennessee on, east, and north of a line beginning at the Tennessee-Kentucky State line extending along Interstate Highway 75 to junction U.S. Highway 441, thence along U.S. Highway 441 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Tennessee-North Carolina State line;

(255) From points in Tennessee on, east, and north of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Tennessee Highway 96, thence along Tennessee Highway 96 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 441, thence along U.S. Highway 441 to the Tennessee-North Carolina State line to points in Texas; (256) from points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 41A to Nashville, Tenn., thence along U.S. Highway 41 to the Tennessee-Georgia State line to points in Wisconsin; (257) from points in Texas on and north of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 66 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Texas-Oklahoma State line, and points in Texas on and west of a line beginning at El Paso, Tex., thence along U.S. Highway 80 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction U.S. Highway 67, thence along U.S. Highway 67 to the terminus at Presidio, Tex., to points in Alabama on, north, and east of a line beginning at the Alabama-Mississippi State line extending along U.S. Highway 72 to junction Alabama Highway 157, thence along Alabama Highway 157 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction Alabama Highway 46, thence along Alabama Highway 46 to the Alabama-Georgia State line; (258) from points in Texas on and north of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 66 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Texas-Oklahoma State line to points in Florida on and east of a line beginning at the Florida-Georgia State line extending along U.S. Highway 319 to junction U.S. Highway 98, thence along U.S. Highway 98 to a terminus at St. Teresa, Fla.;

(259) From points in Texas on and west of a line beginning at Corpus Christi, Tex., thence along Interstate Highway 37 to junction Texas Highway 9, thence along Texas Highway 9 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Interstate Highway 30, thence along Interstate Highway 30 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Texas-Arkansas State line to points of Rossville and Blairsville, Ga.; (260) from points in Texas on and south of a line beginning at Presidio, Tex., thence along U.S. Highway 67 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction U.S. Highway 96, thence along U.S. Highway 96 to junction Texas Highway 21, thence along Texas Highway 21 to the Texas-Louisiana State line to points in Illinois; (261) from points in Texas on and south of a line beginning at Del Rio, Tex., thence along U.S. Highway 90 to junction U.S. Highway 69, thence along U.S. Highway 69 to its terminus at Port Arthur, Tex., to Lansing, Iowa, and points in Iowa on and east of a line beginning at Ft. Madison, Iowa, thence along U.S. Highway 61 to a terminus at Dubuque, Iowa; (262) from points in Texas to points in Kentucky on, north, and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction Kentucky Highway 121, thence along Kentucky Highway 121 to a terminus at Wickliffe, Ky.; (263) from points in Texas to points in the Upper Peninsula of Michigan on and east of Interstate Highway 75 and points in the Lower Peninsula of Michigan; (264) from Texline, El Paso, and Presidio, Tex., to Corinth, Miss.;

(265) From points in Texas on and south of a line beginning at El Paso, Tex., thence along U.S. Highway 80 to junction U.S. Highway 290, thence along U.S. Highway 290 to Houston, Tex., thence along U.S. Highway 59 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Texas Highway 87, thence along Texas Highway 87 to junction Texas Highway 21, thence along Texas Highway 21 to the Louisiana-Texas State line to points in Missouri on, north, and east of a line beginning at St. Louis, Mo., thence along Interstate Highway 55 to junction U.S. Highway 61 at or near Cape Girardeau, Mo., thence along U.S. Highway 61 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Illinois-Missouri State line; (266) from points in Texas on, north, and west of a line beginning at Texarkana, Tex., thence along U.S. Highway 67 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 83, thence along U.S. Highway 83 to its terminus at Brownsville, Tex., to points in Owen, Columbia, East Greenville, and Charleston, S.C.; (267) from points in Texas to points in Tennessee on, north, and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41A to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Tennessee Highway 96, thence along Tennessee Highway 96 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Tennessee-North Carolina State line; (268) from points in Texas on, south, and east of a line beginning at Texarkana, Tex., thence along Texas Highway 59 to Houston, Tex., thence along U.S. Highway 90 to a terminus at Del Rio, Tex., to points in Wisconsin on and east of U.S. Highway 53;

(269) From points in Virginia on and south of a line beginning at the Virginia-West Virginia State line extending along U.S. Highway 250 to junction Virginia Highway 20, thence along Virginia Highway 20 to junction Virginia Highway 3, thence along Virginia Highway 3 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-Maryland State line to points in Illinois on and west of a line beginning at Alton, Ill., thence along Illinois Highway 3 to a terminus at Cairo, Ill.; (270) from points in Virginia on, south, and east of a line beginning at the Virginia-North Carolina State line extending along U.S. Highway 52 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 360, thence along U.S. Highway 360 to junction U.S. Highway 60, thence along U.S. Highway 60 to its terminus at Virginia Beach, Va., to Evansville, Ind.; (271) from points in Virginia on and south of a line beginning at the West Virginia-Virginia State line extending along U.S. Highway 460 to junction U.S. Highway 360, thence along U.S. Highway 360 to the terminus at Reedville, Va., to points in Iowa on, south, and west of a line beginning at Fort Madison, Iowa, thence along Iowa Highway 2 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 5, thence along Iowa Highway 5 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction U.S. Highway 71, thence along U.S. Highway 71 to the junction of U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line; (272) from points in Virginia to points in Kentucky on, south, and west of a line beginning at Paducah, Ky., thence along U.S. Highway 62 to junction U.S. Highway 641, thence along U.S. Highway 641 to the Kentucky-Tennessee State line;

(273) From Kelsa, Alleghany, and Monterey, Va., and points in Virginia on and north of U.S. Highway 50 to points in Louisiana; (274) from points in Vir-

ginia on and south of a line beginning at the Virginia-Kentucky State line extending along U.S. Highway 58 to a terminus at Bristol, Va., and points in Virginia on and south of a line beginning at U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 58, thence along U.S. Highway 58 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line to points in Michigan on, north, and west of a line beginning at the Michigan-Wisconsin State line extending along U.S. Highway 2 to junction Michigan Highway 28, thence along Michigan Highway 28 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Michigan Highway 26, thence along Michigan Highway 26 to junction U.S. Highway 41, thence along U.S. Highway 41 to a terminus at Fort Wilkins, Mich.; (275) from points in Virginia on and east of a line beginning at Arlington, Va., thence along U.S. Highway 1 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Virginia-North Carolina State line to points in Mississippi on and west of a line beginning at the Mississippi-Tennessee State line extending along U.S. Highway 45 to junction Mississippi Highway 30, thence along Mississippi Highway 30 to junction Mississippi Highway 7, thence along Mississippi Highway 7 to junction U.S. Highway 49E, thence along U.S. Highway 49E to junction U.S. Highway 49, thence along U.S. Highway 49 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Mississippi-Louisiana State line; (276) from points in Virginia on and south of a line beginning at the West Virginia-Virginia State line extending along U.S. Highway 60 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction Virginia Highway 20, thence along Virginia Highway 20 to junction Virginia Highway 3, thence along Virginia Highway 3 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-Maryland State line to points in Missouri;

(277) From South Boston, Va., and points in Virginia on and south of U.S. Highway 58 to points in Wisconsin on and north of a line beginning at Superior, Wis., thence along U.S. Highway 53 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Red Cliff, Wis.; (278) from points in West Virginia on, north, and west of a line beginning at the West Virginia-Ohio State line extending along U.S. Highway 50 to junction U.S. Highway 119, thence along U.S. Highway 119 to the West Virginia-Pennsylvania State line to points in Alabama on, west, and south of a line beginning at the Alabama-Tennessee State line extending along Alabama Highway 17 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Alabama Highway 69, thence along Alabama Highway 69 to junction Alabama Highway 14, thence along Alabama Highway 14 to junction Alabama Highway 61, thence along Alabama Highway 61 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Alabama Highway 41, thence along Alabama Highway 41 to junction Alabama Highway 89, thence along Alabama Highway 89 to junction Alabama Highway 28, thence along Alabama Highway 28 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction Alabama Highway 10, thence along Alabama Highway 10 to junction Alabama Highway 47, thence along Alabama Highway 47 to junction Alabama Highway 83, thence along Alabama Highway 83 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Alabama Highway 55, thence along Alabama Highway 55 to the Alabama-Florida State line; (279) from points in Ohio, Brooke, and Hancock Counties, W. Va., to points in Florida on and west of U.S. Highway 231; (280) from points in West Virginia to points in Illinois on and south of a line beginning at Chester, Ill., thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to Marion, Ill., thence along Illinois Highway 37 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Illinois-Kentucky State line;

(281) From points in West Virginia on and south of a line beginning at Huntington, W. Va., thence along U.S. Highway 60 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the West Virginia-Virginia State line to points in Iowa on, south, and west of a line beginning at Sioux City, Iowa, thence along U.S. Highway 20 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Iowa-Missouri State line; (282) from points in West Virginia to Narka, Kans., and points in Kansas on, west, and south of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 24 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line; (283) from points in West Virginia on and north of a line beginning at Parkersburg, W. Va., thence along U.S. Highway 50 to junction West Virginia Highway 20, thence along West Virginia Highway 20 to junction U.S. Highway 33, thence along U.S. Highway 33 to the West Virginia-Virginia State line to points in Kentucky on, south, and west of a line beginning at Paducah, Ky., thence along U.S. Highway 62 to junction Kentucky Highway 91, thence along Kentucky Highway 91 to junction U.S. Highway 41A, thence along U.S. Highway 41A to the Kentucky-Tennessee State line; (284) from points in West Virginia on and north of a line beginning at Williamson, W. Va., thence east and north on U.S. Highway 119 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Virginia-West Virginia State line to points in Louisiana; (285) from points in West Virginia on and north of a line beginning at Williamson, W. Va., thence along U.S. Highway 119 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the Virginia-West Virginia State line to points in Mississippi;

(286) From points in West Virginia to points in Missouri on and south of a line beginning at the Kansas-Missouri State line extending along Missouri Highway 18 to junction Missouri Highway 7, thence along Missouri Highway 7 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 32, thence along Missouri Highway 32 to a terminus at Genevieve, Mo.; and (287) from Bradshaw, W. Va., to Superior and Red Cliff, Wis. The purpose of this filing is to eliminate the gateway of the plant site of the Pittsburgh Metallurgical Company at or near Calvert City, Ky.

No. MC 123375 (Sub-No. E6), filed May 16, 1974. Applicant: KIRK TRUCKING SERVICE, INC., 3766 William Penn Highway, Monroeville, Pa. 15146. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boilers, boiler parts, economizers, water walls, headers, stokers, power house installation materials, steel and steel products, machinery, contractors' tools and equipment, office equipment, and architects' supplies*, all of which by reason of size or weight require specialized handling or rigging, between points in that part of Maryland on and west of U.S. Highway 220, on the one hand, and, on the other, points in New Jersey, those in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-Delaware State line, thence along U.S. Highway 202 to junction Pennsylvania Highway 100, thence along Pennsylvania Highway 100 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Pennsylvania Highway 29, thence along Pennsylvania Highway 29 to junction Pennsylvania Highway 309, thence along Pennsylvania Highway 309 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Pennsylvania Highway 33, thence along Pennsylvania Highway 33 to junction U.S. Highway 209, thence along U.S. Highway 209 to junction Pennsylvania Highway 402, thence along Pennsylvania Highway 402 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 191, thence along Pennsylvania Highway 191 to the Pennsylvania-New York State line, and those in that part of New York on and east of a line beginning at the Pennsylvania-New York State line,

thence along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 23, thence along New York Highway 23 to junction New York Highway 10, thence along New York Highway 10 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 3, thence along New York Highway 3 to junction New York Highway 22, thence along New York Highway 22 to the New York-Canada Boundary line. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 123681 (Sub-No. E2), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sodium chlorate*, in bulk, in tank trucks, from points in Washington, to points in California and Arizona. The purpose of this filing is to eliminate the gateway of Portland, Oreg.

No. MC 123681 (Sub-No. E5), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizer and fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, between points in California, on the one hand, and, on the other, points in Idaho in and north of Idaho County. The purpose of this filing is to eliminate the gateway of Union County, Oreg.

No. MC 123681 (Sub-No. E6), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals* (except fertilizers and fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, between points in Washington in and west of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania Counties, and in Yakima, Klickitat, Benton, Franklin, and Walla Walla Counties, on the one hand, and, on the other, points in Montana on and east of a line beginning at the United States-Canada International Boundary line and extending along Montana Highway 233 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Montana Highway 236, thence along Montana Highway 236 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Montana-Wyoming State line. The purpose of this filing is to eliminate the gateway of Union County, Oreg.

No. MC 123681 (Sub-No. E7), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Washington, to points in Utah. The purpose of this filing is to eliminate the gateway of Wallula, Wash.

No. MC 123681 (Sub-No. E8), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid acids and chemicals* (except fertilizers and fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, between points in Idaho, on the one hand, and, on the other, points in Oregon (except points in Wallowa, Baker, Grant, Malheur, Harney, Wheeler, Crook, Deschutes, Lake, and Klamath Counties). The purpose of this filing is to eliminate the gateway of Portland or Union County, Oreg.

No. MC 123681 (Sub-No. E9), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizers and fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, between points in Oregon (except points in Malheur and Wallowa Counties), on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateway of Union County, Oreg.

No. MC 123681 (Sub-No. E10), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Oregon (except points in Baker, Crook, Deschutes, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Union, Wallowa, and Wheeler Counties), to points in Utah. The purpose of this filing is to eliminate the gateway of Wallula, Wash.

No. MC 123681 (Sub-No. E11), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizer and fertilizer solutions and liquid oxygen, hydrogen and nitrogen), in bulk, in tank vehicles, from points in Washington in and west of Whatcom, Skagit, Chelan, Kittitas, Yakima, and Klickitat Counties, to points in Wyoming. The purpose of this filing is to eliminate the gateways of Missoula, Mont., and Portland or Union County, Oreg., or Tacoma, Wash.

No. MC 123681 (Sub-No. E12), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizer and fertilizer solutions and liquid oxygen, hydrogen and nitrogen), in bulk, in tank vehicles, from points in Benton, Franklin, and Walla Walla Counties, Wash., to points in Wyoming (except points in Lincoln, Uintah, Sublette, and Sweetwater Counties). The purpose of this filing is to eliminate the gateways of Missoula, Mont., and Union County, Oreg.

No. MC 123681 (Sub-No. E13), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizers and fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, from points in Benton, Linn, Lane, Douglas, Coos, Curry, Josephine, and Jackson Counties, Oreg., to points in Wyoming (except points in Teton, Fremont, Lincoln, Sublette, Uintah, Carbon, Albany, Platte, Goshen, and Laramie Counties). The purpose of this filing is to eliminate the gateways of Portland, Oreg., and Missoula, Mont.

No. MC 123681 (Sub-No. E14), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizers, fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, from points in Oregon in, north, and west of Wallowa, Union, Umatilla, Morrow, Gilliam, Sherman, Wasco, Clackamas, Marion, Linn, Lane, Douglas, and Coos Counties, to points in Colorado in and east of Jackson, Grand, Summit, Park, Fremont, Custer, Huerfano, and Costilla Counties. The purpose of this filing is to eliminate the gateways of Missoula County, Mont., and Portland or Union County, Oreg.

No. MC 123681 (Sub-No. E15), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizers

and fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, from points in Washington in and west of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Cowlitz and Clark Counties, to points in Colorado. The purpose of this filing is to eliminate the gateways of Tacoma, Wash., and Missoula County, Mont.

No. MC 123681 (Sub-No. E16), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizers, fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, from points in Washington in and west of Okanogan, Douglas, Grant, Franklin, and Walla Walla Counties, to points in Colorado in and east of Jackson, Grand, Summit, Park, Fremont, Custer, Huerfano, and Costilla Counties. The purpose of this filing is to eliminate the gateways of Missoula County, Mont., and Tacoma, Wash., or Portland or Union County, Oreg.

No. MC 123681 (Sub-No. E17), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Portland, Linnton, and Willbridge, Oreg., to points in Montana and points in Idaho north of Idaho County. The purpose of this filing is to eliminate the gateways of Garfield or Asotin Counties, Wash.

No. MC 123681 (Sub-No. E18), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank trucks, from Portland, Oreg., to points in Oregon, except Pendleton, Haines, and Malheur Counties. The purpose of this filing is to eliminate the gateway of Vancouver, Wash.

No. MC 123681 (Sub-No. E19), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank trucks, from Vancouver, Wash., to points in Montana. The purpose of this filing is to eliminate the gateways of Garfield or Asotin Counties, Wash.

No. MC 123681 (Sub-No. E20), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank trucks, from Vancouver, Wash., to points in Idaho in, north, and east of Idaho, Lehmi, Custer, Butte, Bingham, Power, and Oneida Counties. The purpose of this filing is to eliminate the gateways of Garfield or Asotin Counties, Wash.

No. MC 123681 (Sub-No. E21), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, which because of size or weight require the use of special equipment, and *related machinery parts and related contractors' materials and supplies* when their transportation is incidental to the transportation of the commodities authorized above, restricted against the transportation of boats, between points in Utah, on the one hand, and, on the other, points in Idaho, in Fayette, and Gem Counties. The purpose of this filing is to eliminate the gateway of Washington or Oregon.

No. MC 123681 (Sub-No. E22), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, which because of size or weight require the use of special equipment, and *related machinery parts and related contractors' materials and supplies* when their transportation is incidental to the transportation of the commodities authorized above, restricted against the transportation of boats, between points in Kootenai, Benewah, Latah, Nez Perce, Lewis, Adams, Washington, Fayette, Gem, Canyon, and Ada Counties, Idaho, and in Idaho County, Idaho on and west of U.S. Highway 95, on the one hand, and, on the other, points in Montana on and east of U.S. Highway 93. The purpose of this filing is to eliminate the gateway of Washington or Oregon.

No. MC 123681 (Sub-No. E23), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heavy machinery, structural and fabricated iron and steel*, and *such iron and steel articles* as are used in the construction of buildings and bridges, and *contractors' equipment and supplies*, in lots of not less than 20,000 pounds, between points in Idaho in and south of Adams, Valley, and Lehmi Counties, on the one hand, and, on the other, points in Washington in and west of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Cowlitz Counties. The purpose of this filing is to eliminate the gateway of Multnomah or Washington Counties, Oreg.

No. MC 123681 (Sub-No. E24), filed May 13, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Oreg. 97203. Applicant's representative: V. J. Eggleston (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and acids* (except fertilizers, fertilizer solutions and liquid oxygen, hydrogen, and nitrogen), in bulk, in tank vehicles, from points in Multnomah, Clackamas, Marion, Polk, Yamhill, Washington, Tillamook, Clatsop, and Columbia Counties, Oreg., to points in Wyoming (except Uintah, Lincoln, and Teton Counties). The purpose of this filing is to eliminate the gateways of Portland, Oreg., and Missoula County, Mont.

No. MC 123744 (Sub-No. E5) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER June 30, 1975. Republished July 30, 1975. Applicant: BUTLER TRUCKING COMPANY, P.O. Box 88, Woodland, Pa. 16881. Applicant's representative: E. Steward Butler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractories* (except in bulk) from the facilities of Kaiser Refractories at Frostburg, Md., to points in Indiana north of U.S. Highway 30, and points in Illinois, Missouri, Michigan, and Wisconsin. The purpose of this filing is to eliminate the gateway of Clearfield, Pa., and points within 25 miles thereof. The purpose of this correction is to include Illinois as a destination.

No. MC 124211 (Sub-E87), filed March 6, 1975. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Recreational motor vehicles* for off-highway use, *Motorcycles and motorbikes, and motor vehicle parts, supplies, and accessories* (except commodities which, because of their size or weight, require the use of special equipment and commodities in bulk), from Los Angeles, Gardena, Wilmington, and Santa Clara, Calif., to points in Kentucky (except Louisville, Ky., and those in Kentucky within the Cincinnati, Ohio commercial zone as defined by the Commission), Virginia, North Carolina, South Carolina, Georgia (except those south of U.S. Highway 82 and west of U.S. Highway 19), Tennessee, Florida (except those west of Interstate Highway 75), those in Alabama and Mississippi on and north of U.S. Highway 78, those in Nebraska on and east of U.S. Highway 281, and Kansas City, Mo. (B) *Motor vehicle parts, supplies and accessories* (except commodities in bulk, and commodities which, because of their size or weight, require the use of special equipment): (1) Between those points in California on, north, and west of a line

beginning at the California-Nevada State line, and extending along Interstate Highway 15 to San Bernadino, thence along California Highway 90 to junction California Highway 55, thence along California Highway 55 to the Pacific Ocean, on the one hand, and, on the other, those points in Alabama (except those south of U.S. Highway 78), Florida (except those west of Interstate Highway 75), Georgia (except those south of U.S. Highway 82 and west of U.S. Highway 19), Kentucky (except Louisville, Ky., and those in Kentucky within the Cincinnati, Ohio Commercial zone as defined by the Commission), Mississippi (except those south of U.S. Highway 78), North Carolina, South Carolina, Tennessee, and Virginia, and Kansas City, Mo.;

(2) Between those points in Nebraska on and north of a line beginning at the Nebraska-Colorado State line, and extending along U.S. Highway 6 to Lincoln, thence along Nebraska Highway 2 to the Nebraska-Iowa State line, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Kentucky (except Louisville, Ky., and those in Kentucky within the Cincinnati, Ohio commercial zone as defined by the Commission), Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia; (3) between those points in Nebraska on and east of U.S. Highway 77 and north of Nebraska Highway 2, on the one hand, and, on the other, points in Arizona, California, New Mexico, and Texas, and those points in Oklahoma on and south of Interstate Highway 40; (4) between those points in Nebraska on and north of a line beginning at the Nebraska-Iowa State line, and extending along U.S. Highway 6 to Grand Island, thence along Interstate Highway 80 to the Nebraska-Wyoming State line, on the one hand, and, on the other, points in Arkansas and Kansas City, Mo.; (5) from Flint, Mich., to points in Arizona, California, Nebraska, New Mexico, those in Oklahoma and Texas on and west of U.S. Highway 75, and Kansas City, Mo.; (6) from Toledo, Ohio, to points in Arizona, California, Nebraska, New Mexico, those in Oklahoma and Texas on and west of Interstate Highway 35, and Kansas City, Mo.; restricted in (B) above against traffic originating at Phenix City, Ala., Marianna, Ark., Cleveland, Miss., Cushing, Okla., and Lynchburg and Radford, Va., and from Columbus, and Rushville, Nebr., to points in California. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa.

No. MC 124692 (Sub-No. E3), filed May 13, 1974. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, Mont. 59801. Applicant's representative: Johnson & Houland, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: (1) *Wood product building materials and lumber products;* (a) from points in Idaho in and north of Idaho County (except those in Boundary County north of U.S. Highway 2) to points in (1) Minnesota that are on, east, and south of the following line: From Climax, Minn., on U.S. Highway 75 to junction U.S. Highway 2, thence along U.S. Highway 2 to Grand Rapids, Minn., thence along U.S. Highway 169 to junction Minnesota Highway 169, thence along Minnesota Highway 169 to Ely, thence along Minnesota Highway 1 to junction U.S. Highway 61, and (2) South Dakota; (b) from points in Idaho in and north of Idaho County (except points north of Idaho Highway 200) to the Minot Air Force Base near Minot, N. Dak., and points in North Dakota that are on and east of the following lines: From the South Dakota-North Dakota State line on North Dakota Highway 22 to Killdeer, thence along North Dakota Highway 200 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada International Boundary line; (c) from points in Boundary County, Idaho, on and south of U.S. Highway 2, to points in North Dakota that are on and south of the following line: From the Montana-North Dakota State line on Interstate Highway 94 to Jamestown, thence along North Dakota Highway 20 to Glenfield, thence along North Dakota Highway 200 to the Minnesota-North Dakota State line;

(II) *Lumber* and *lumber products* (except commodities in bulk), (a) from points in Montana in Lewis and Clark County and those points east of the Continental Divide and south of U.S. Highway 12 (except those in Custer, Fallon, Powder River, and Carter Counties) to points in Minnesota (except those north of U.S. Highway 2 from East Grand Forks to Bemidji, thence along U.S. Highway 71 to Blackduck, thence along Minnesota Highway 72 to the United States-Canada International Boundary line), (b) from points in Montana east of the Continental Divide, north of U.S. Highway 12 and west of a line beginning at Sweetgrass over U.S. Highway 91 to Great Falls, thence along U.S. Highway 87 to junction U.S. Highway 12 to Duluth, Minn., and points in Minnesota south of Minnesota Highway 210, (c) from points in Montana east and south of the Continental Divide lying in or south of Lewis and Clark, Broadwater, Gallatin, Park, Sweetgrass, Carbon, Big Horn, Rosebud south of U.S. Highway 10, Powder River, and Carter Counties to points in North Dakota on and east of U.S. Highway 83 and those on and east of North Dakota Highway 49 and south of North Dakota Highway 200, (d) from points in Yellowstone County, Mont., to points in Barnes County, N. Dak., and those on and east of North Dakota Highway 32, and those on and east of North Dakota Highway 3 on and south of North Dakota Highway 46, (e) from points in Glacier, Pondera, Teton, Cascade, and Toocle Counties, Mont., to points in Logan, McIntosh, LaMoure, Dickey, Ransom, Sargent, and Richland Counties, N. Dak., (f) from Lewistown, Mont., and points in Montana east of the Continental Divide on, west, and south of a line from Sweetgrass on U.S. Highway 91 to Great Falls, thence along U.S. Highway 87 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 212, thence along U.S. Highway 212 to the Montana-Wyoming State line to points in South Dakota (except those north of South Dakota Highway 20 and west of U.S. Highway 83);

(III) *Woodproduct building materials, and lumber products* (a) from points in Pend Oreille, Stevens, Spokane, Whitman, and Asotin Counties, Wash., to points in (1) Minnesota, (2) North Dakota (except points in Divide, Williams, and Burke Counties), and (3) South Dakota, (b) from points in Silver Bow County, Mont., to points in (1) North Dakota (except those in that part of North Dakota bounded on the east by North Dakota Highway 3 and on the south of North Dakota Highway 200 and those points west of U.S. Highway 85), (2) Minnesota and (3) South Dakota (except those in Butte, Harding, Perkins, and Corson Counties), (c) from Creston, Kalispell, and Somers, Mont., to points in North Dakota on and south of Interstate Highway 94 and on and east of North Dakota Highway 1, (d) from points in Flathead County, Mont. (except points in Glacier National Park) to points in Minnesota on, south, and east of a line beginning at Breckenridge, Minn., thence along Minnesota Highway 210 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Minnesota Highway 34, thence along Minnesota Highway 34 to junction Minnesota Highway 200, thence along Minnesota Highway 200 to junction U.S. Highway 2, thence along U.S. Highway 2 to Duluth, Minn., (e) from points in Flathead County, Mont. (except points in Glacier National Park) to points in South Dakota on, south, and east of a line from the Wyoming-South Dakota State line over U.S. Highway 212 to junction South Dakota Highway 65, thence along South Dakota Highway 65 to junction South Dakota Highway 20, thence along South Dakota Highway 20 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-South Dakota State line, (f) from Missoula and Bonner, Mont., to points in North Dakota on and east of a line beginning on North Dakota Highway 49 at the South Dakota-North Dakota State line, thence along North Dakota Highway 49 to junction North Dakota Highway 20, thence along North Dakota Highway 20 to junction North Dakota Highway 3, thence along North Dakota Highway 3 to the United States-Canada International Boundary line (except those in Rolette, Towner, Cavalier, and Pembina Counties), and points in Minnesota and South Dakota (points in Wyoming)*;

(IV) *Lumber* and *wood products building materials*, (a) from points in Lemhi County, Idaho, on U.S. Highway 93 at and north of Salmon, Idaho, to points in California (except Imperial County), (b) from points in Idaho in and north of Kootenai and Shoshone Counties to points in California in and south of El Dorado, Amador, San Joaquin, Stanislaus, Merced, San Benito, Fresno, and San Luis Obispo Counties, (c) from

points in Idaho in Bonner and Boundary Counties to points in Sacramento, Solano, Contra Costa, Alameda, Santa Clara, San Mateo, Santa Cruz, and Monterey Counties, Calif. (Missoula, Mont.)*; (V) *Wood product building materials,* from points in Oregon and Washington (except those in Pend Oreille, Stevens, Spokane, Whitman, and Asotin Counties), to points in North Dakota, South Dakota, and Minnesota (points in Big Horn County, Wyo.)*; (VI) *Lumber and wood product building materials,* from Meagher County, Mont., to points in Kansas and Nebraska (points in Big Horn County, Wyo.)*; and (VII) *Lumber products* (except commodities in bulk), from Silver Bow County, Mont., to points in Butte, Harding, Perkins, and Corson Counties, S. Dak. (points in Wyoming)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 125996 (Sub-No. E1), filed May 10, 1974. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: George Bacon (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and animal and poultry feed ingredients* (except commodities in bulk, and except beet pulp and beet pulp pellets), (a) from points in Illinois on and north of a line beginning at the Iowa-Illinois State line and extending along U.S. Highway 34 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line (except Quincy, Ill., and points in its Commercial Zone), to points in California on and west of Interstate Highway 5, and (b) from points in Illinois (except Quincy, Ill., and points in its Commercial Zone), to points in Oregon and Washington. The purpose of this filing is to eliminate the gateway of Buhl, Idaho.

No. MC 125996 (Sub-No. E2), filed May 10, 1974. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: George Bacon (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Animal feed and animal feed ingredients* (except commodities in bulk, in tank vehicles, and except salt and salt compounds, crushed and ground oyster shells, animal feed grade sugar, and molasses, in bulk), from points in that part of Kansas on, north, and east of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 81 to Wichita, thence along Interstate Highway 35 to Emporia, and thence along U.S. Highway 50 to Kansas City (except Muncie), to points in that part of Colorado on and north of a line beginning at the Nebraska-Colorado State line and extending along Interstate Highway 80S to Denver, and thence along U.S. Highway 6 to the Colorado-Utah State line; (2) *animal and poultry feed and feed ingredients* (except salt and salt compounds, crushed and ground oyster shells, animal feed grade sugar, and molasses, in bulk), from points in Kansas (except Muncie), to points in Washington and Oregon (except Ontario); (3) *animal and poultry feed and animal and poultry feed ingredients* (except commodities in bulk, in tank vehicles, and also except salt and salt compounds, crushed and ground oyster shells, animal feed grade sugar, and molasses, in bulk), from points in that part of Kansas on, east, and north of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 81 to Wichita, thence along Interstate Highway 35 to Emporia, and thence along U.S. Highway 50 to Kansas City (except Muncie), to points in that part of California on, north, and west of a line beginning at the Arizona-California State line and extending along Interstate Highway 10 to junction California Highway 60, thence along California Highway 60 to junction U.S. Highway 395, thence along U.S. Highway 395 to San Diego, and points in Nevada; and (4) *animal and poultry feed and feed ingredients* (except salt and salt compounds, crushed and ground oyster shells, animal feed grade sugar, and molasses, in bulk), from points in Kansas (except Muncie), to points in Idaho. The purpose of this filing is to eliminate the gateway of points in Nebraska.

No. MC 125996 (Sub-No. E3), filed May 10, 1974. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: George Bacon (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Animal feed ingredients* (except liquid commodities in bulk), (a) from Sioux Falls, S. Dak., and points in its Commercial Zone, to points in Colorado on and north of U.S. Highway 24, and points in Oregon on and west of Interstate Highway 5, and (b) from Huron and Sioux Falls, S. Dak., to points in Arizona, California, and points in Nevada on and south of a line beginning at the Utah-Nevada State line and extending along U.S. Highway 50 to Fallon, thence along Alternate U.S. Highway 95 to junction Interstate Highway 80 to the Nevada-California State line. The purpose of this filing is to eliminate the gateway of the facilities of Allen Products Co., Inc., at Crete, Nebr.

No. MC 126034 (Sub-No. E1), filed June 3, 1974. Applicant: BUCKS COUNTY CONSTRUCTION COMPANY, P.O. Box 196, Penndel, Pa. 19047. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Such machinery* (including pumps, condensers, dynamos, motors, and parts) as would be embraced within lime, fence materials, and building materials, from Wilmington, Del., to unincorporated points in Bucks County, Pa. The purpose of this filing is to eliminate the gateway of any point in the Philadelphia, Pa., commercial zone that is in New Jersey.

No. MC 126034 (Sub-No. E2), filed June 3, 1974. Applicant: BUCKS COUNTY CONSTRUCTION COMPANY, P.O. Box 196, Penndel, Pa. 19047. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Such machinery* (including pumps, condensers, dynamos, motors, and parts) as would be embraced within machinery and boilers, and factory equipment, together with stocks and supplies when part of the movement of a factory: (1) between Philadelphia, Pa., on the one hand, and, on the other, points in New York, Connecticut, Massachusetts, Washington, D.C., Aberdeen, Md., points in Pennsylvania on and east of the Susquehanna River, Sayre and Erie, Pa., and Martinsburg, W. Va.; (2) between Wilmington, Del., on the one hand, and, on the other, points in New York, Connecticut, Massachusetts, Erie and Sayre, Pa., and points in Pennsylvania on and east of the Susquehanna River; and (3) between Wilmington, Del., on the one hand, and, on the other, points in New Jersey north of a line beginning at the Delaware River on Mantua Creek near Woodbury, N.J., extending along Mantua Creek to junction New Jersey Highway 47, thence along New Jersey Highway 47 to junction U.S. Highway 322, thence along U.S. Highway 322 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateways of (1) New Jersey, (2) points in the Philadelphia, Pa. comermcial zone which are in New Jersey, and (3) points in the Philadelphia, Pa. commercial zone which are on and east of the Susquehanna River.

No. MC 126034 (Sub-No. E3), filed June 3, 1974. Applicant: BUCKS COUNTY CONSTRUCTION COMPANY, P.O. Box 196, Penndel, Pa. 19047. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Such machinery* (including pumps, condensers, dynamos, motors, and parts) as would be embraced within construction machinery and equipment: (1) between Philadelphia, Pa., on the one hand, and, on the other, points in Pennsylvania and Delaware within a 40 mile radius of Philadelphia, Pa., including Philadelphia, and (2) between Wilmington, Del., on the one hand, and, on the other, points in Delaware, Pennsylvania within 40 miles of Philadelphia, Pa., including Philadelphia, and points in New Jersey that are within 40 miles of Philadelphia and on and north of a line beginning at the Delaware River on Mantua Creek near Woodbury, N.J., extending along Mantua Creek to junction New Jersey Highway 47, thence along New Jersey Highway 47 to junction U.S. Highway 322, thence along U.S. Highway 322 to Weymouth, N.J. The purpose of this filing is to eliminate the gateways of

(1) Wilmington, Del., or points in New Jersey within 40 miles of Philadelphia, Pa., and (2) Philadelphia, Pa., or points in New Jersey that are in the Philadelphia commercial zone.

No. MC 136166 (Sub-No. E72), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Oreg. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resin*, in tank vehicles, from those points in Riverside, Imperial, and San Bernardino Counties, Calif., on and west of a line beginning at the United States-Mexico International Boundary line and extending along California Highway 111 to junction California Highway 195, thence along California Highway 195 to junction unnumbered highway near Shavers Wells, to junction California Highway 62 at Twentynine Palms, to junction unnumbered highway near Dale Lake (Dry), to junction U.S. Highway 66 at Amboy, to junction unnumbered highway at Ludlow, to junction Interstate Highway 15, to junction California Highway 127, to the San Bernardino County line to Helena, Mont. The purpose of this filing is to eliminate the gateway of Maywood, Calif.

By the Commission.

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

[FR Doc.75-23676 Filed 9-4-75;8:45 am]

[AB 3; sub-No. 7]

MISSOURI PACIFIC RAILROAD CO.

Abandonment of Service

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Washington, County, on or before September 17, 1975, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the Federal Register.

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

By the Commission, Commissioner Brown.

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

The Interstate Commerce Commission hereby gives notice that by order dated August 25, 1975, it has been determined that the proposed abandonment by the Missouri Pacific Railroad Company of its line of railroad between Greenleaf and Washington, Kans., a distance of 6.9 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1939 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because of the low volume of traffic involved and the absence of any major historic, safety or ecological impacts associated with the proposed action.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before September 22, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-23672 Filed 9-4-75;8:45 am]

[AB 57; sub-No. 1]

SOO LINE RAILROAD CO.

Abandonment of Service

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Alger and Delta Counties, Mich., on or before September 17, 1975, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

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

By the Commission, Commissioner Brown.

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

The Interstate Commerce Commission hereby gives notice that by order dated August 25, 1975, it has been determined that the proposed abandonment by the Soo Line Railroad Company of its line of railroad between Rapid River and Eben Junction, Mich., a distance of 32.50 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332 (2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because area environmental quality will only be degraded slightly due to increased air pollution and energy consumption resulting from diversion of rail traffic to motor carrier transport. Sale of the right-of-way to a public agency would ensure availability of the land in the right-of-way for future use as a transportation or other public use corridor, and would be consistent with current interest in recreational trail development.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Washington, D.C., 20423, on or before September 22, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

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

[FR Doc.75-23674 Filed 9-4-75;8:45 am]

[Notice No. 69]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

SEPTEMBER 5, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission

pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before September 26, 1975. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76011. By order entered August 29, 1975, the Motor Carrier Board approved the transfer to Star Trucking Company, Inc., Monahans, Tex., of Certificate of Registration No. MC-58856 (Sub-No. 2), issued May 12, 1964, to Roy M. Griffin, (Winona Griffin, Heir-at-Law), doing business as Star Trucking, Odessa, Tex., evidencing a right to engage in transportation, in interstate or foreign commerce, of various specified commodities, between points in Texas. George Fowler, 115 West 5th, Odessa, Tex. 79761, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-23669 Filed 9-4-75;8:45 am]

[I.C.C. Order No. 139 Under Rev. S.O. No. 994; Amdt. 1]

ASSOCIATION OF AMERICAN RAILROADS AND AMERICAN SHORT LINE RAILROAD ASSOCIATION

Rerouting of Traffic

Upon further consideration of I.C.C. Order No. 139, and good cause appearing therefor:

It is ordered, That:

I.C.C. Order No. 139 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., February 29, 1976, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., August 31, 1975, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 26, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.75-23671 Filed 9-4-75;8:45 am]

federal register

FRIDAY, SEPTEMBER 5, 1975

PART II:

ENVIRONMENTAL PROTECTION AGENCY

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NAVIGABLE WATERS

Discharge of Dredged or Fill Material

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 424–1]

PART 230—NAVIGABLE WATERS

Discharge of Dredged or Fill Material

The Administrator of the Environmental Protection Agency (EPA) on May 6, 1975, proposed guidelines, pursuant to section 404(b) of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92–500 (hereinafter, "the Act"), for the purpose of providing guidance to be applied in evaluating proposed discharge of dredged or fill material in navigable waters. The guidelines were developed in conjunction with the Army pursuant to section 404(b) of the Act.

Written comments were to be submitted to the Environmental Protection Agency by June 6, 1975. This date was extended to June 30 and consideration has been given to all comments received.

The guidelines are applicable to all activities involving the discharge of dredged or fill material in navigable waters, defined in the Act to mean "the waters of the United States, including the territorial seas." Such discharges are unlawful except in compliance with permits issued by the Secretary of the Army, acting through the Chief of Engineers, after notice and opportunity for public hearings (see 33 CFR 209.120, "Permits for Activities in Navigable Waters or Ocean Waters," published by the Corps of Engineers in the FEDERAL REGISTER on July 25, 1975). These guidelines are applicable to all Federal projects or activities, just as they are applicable to any other project or activity involving a discharge of dredged or fill materials.

Interim final guidelines are being published in order to provide immediate guidance in the implementation of the permit program under section 404 of the Act. While these guidelines become effective upon publication, there will be an additional comment period of 90 days in order that the public may comment further on any of its provisions. Thereafter, these comments will be reviewed and the guidelines modified if necessary.

The development of a permit program to regulate the discharge of dredged material and fill material in all waters of the United States has been the subject of intensive discussions between the Environmental Protection Agency and the Corps of Engineers, as well as other Federal and State agencies and the public. We have worked together in an effort to develop a program that is manageable, responsive to the concerns of protecting vital national water resources from destruction through irresponsible and irreversible decisions, and sensitive to the often conflicting needs and desires of people who utilize these resources. We have attempted to create a program that recognizes the need to interweave all concerns of the public in the decision-making process; that recognizes that present limitations on manpower preclude its immediate implementation throughout the country; and that we believe to be responsive to the overall objectives and needs of the Federal Water Pollution Control Act.

Section 230.1 summarizes the purpose and scope of the guidelines. Section 230.2 and Appendix A contain definitions to be used in the application of the guidelines in the program under section 404 of the Act.

The procedures for evaluating the discharge of dredged or fill material are outlined in § 230.3. This section is intended to emphasize that each provision of §§ 230.4 and 230.5 must be applied in reaching one of the following determinations: (1) Allowing the proposed discharge with appropriate discharge conditions to minimize unacceptable effects on the aquatic environment; (2) denying the proposed discharge when the discharge will have an unacceptable effect on the aquatic environment; or (3) requesting additional information where necessary to ensure a sound decision.

Section 230.4 presents general approaches for technical evaluation of discharges of dredged or fill material. Section 230.4–1 describes the types of ecological effects that may result from the discharge of dredged or fill material and technical approaches which are available to evaluate such effects where appropriate. Section 230.4–2 explains the considerations that will be given to water quality standards.

Section 230.5 presents objectives and considerations for evaluating proposed sites and for conditioning discharges so as to minimize harmful effects when the disposal site can be approved. All proposed discharges will be analyzed by application of each provision presented.

Section 230.6 provides guidance on the use of general permits for categories of discharge activities that will have only minimal effect on the aquatic environment. Section 230.7 encourages advanced study of aquatic areas to identify those areas of critical ecological concern and those areas that are less sensitive. It is expected that, where practicable, advanced identification of such areas will facilitate planning and improve evaluation of individual and general permits. State and local implementation of advanced planning through mechanisms such as Coastal Zone Management Programs will significantly contribute to the success of these studies.

The following analysis summarizes key comments received on various sections of the proposed guidelines and presents a rationale for the changes made:

(1) Several commenters suggested that the guidelines lack a strong committment to the spirit of the law by failing to place strict controls on the discretionary power given to the District Engineers. The nationwide application of a single set of guidelines to a variety of discharge activities in a myriad of different aquatic systems, requires that the permitting agency retain the discretion to adapt the approaches and considerations in the guidelines to local conditions. However, many of the approaches and considerations have been rewritten to clarify that discharges will not be allowed if it is determined that the proposed discharge will result in unacceptable harm to the aquatic system.

(2) Several comments indicated confusion over the organization of the guidelines. The guidelines have been reorganized, renumbered and retitled to provide greater clarity and utility.

(3) Many commenters objected to the execution of raw material extraction from the section 404 permit system. The Corps of Engineers regulations and the guidelines now recognize that the discharge of material extracted and processed on shipboard is included in the section 404 program, while discharges from land-based processing are included in the National Pollutant Discharge Elimination System under section 402 of the Act.

(4) Most of the comments concerned technical analytical procedures, the adequacy of using the results as a description of constituents actually contained in sediments, whether constituents measured are actually available to aquatic organisms and humans, and the criteria for evaluating technical analyses. In addition to the comments volunteered by the interested public, we sought opinions of experts in each of the above areas of concern. All comments indicated that at this time none of the tests specified in the proposed guidelines can be used on a nationwide basis to examine all sediments thought to contain toxic substances. However, each of the technical evaluations specified in the proposed guidelines can be used meaningfully under some disposal conditions. Since there is no single technical evaluation available for nationwide use, additional physical analysis, bioassays, and biological evaluations have been added. Technical evaluations should be required only when a case-by-case review indicates that the results will provide information necessary to reach a final decision. When used carefully, the results of an appropriate technical evaluation in a given case will serve as one of many factors involved in the decision-making process. The Environmental Protection Agency, in conjunction with the Corps of Engineers will publish a procedures manual to provide details on technical evaluations. Interim technical guidance is available from the District Engineers.

(5) A number of commenters criticized the apparent lack of State participation in the permit program. It has never been the intention of this Agency or the Corps of Engineers to exclude the States from this program.

First, since each discharge of dredged or fill material into a navigable water is, in effect, the discharge of a pollutant into the water, a State water quality certification is required under section 401 of the Act before that discharge can be lawfully undertaken. Provision has therefore been made in the Corps of Engineers regulations (see 40 CFR 209.120(f)(3)) to indicate this legal requirement. Thus, any State may cause the denial of a section 404 permit if it chooses to deny a water quality certification. Similar situations also exist in those States with approved

Coastal Zone Management Programs: An individual in States with such programs must also certify that his activity will comply with the approved plan. On the other hand, where the State does not have such a certification program or delays the processing of its certification, the Corps of Engineers will still begin to process the section 404 permit. In absence of a timely response from the State, the section 404 permit will be processed to a conclusion.

Second, we are aware that some States have existing permit programs to regulate the same types of activities that will be regulated through section 404 of the Act by the Corps of Engineers. To the extent possible, it is our desire to support the State in its decision. Thus, where a State denies a permit, the Corps will not issue a section 404 permit. On the other hand, if a State issues a permit, the Corps would not deny its permit unless there are overriding environmental factors as reflected in these guidelines. We believe that conflicting decisions will be minimized if State permit programs include the policies, procedures, goals, requirements, and objectives embodied in the Corps permit program (see 40 CFR 209.120(f)(3)) and the national legislation which molded and supports it. This would include, for example, the concerns and requirements of the National Environmental Policy Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the Coastal Zone Management Act, and the FWPCA.

Finally provision has been made in the Corps regulations (see 40 CFR 209.120 (f)(3)) to allow the District Engineer to enter into an agreement with those States having ongoing permit programs which would enable joint processing of the Department of the Army and the State permit application to an independent conclusion by each entity. This would include joint public notices, joint public hearings, and the joint development, review, and analysis of information which leads to the final decision on a permit application. We strongly encourage States to work with District Engineers in this effort as this is a valuable mechanism for avoiding unnecessary duplication of effort.

Accordingly, having considered the comments received and other relevant information, the Administrator hereby adopts these guidelines as interim final, effective upon publication as guidance for evaluating all proposed discharges of dredged or fill material into the navigable waters, and also allowing 90 additional days for public comment after which time the guidelines may be modified if necessary.

All comments should be submitted to Eckardt C. Beck, Deputy Assistant Administrator for Water Planning and Standards, Office of Water and Hazardous Materials (WH-451), EPA, 401 M Street, S.W., Washington, D.C. 20460. All comments received on or before December 4, 1975 will be considered.

Dated: August 28, 1975.

RUSSELL E. TRAIN,
Administrator.

Interim final Part 230 is added to read as follows:

Sec.
230.1 Purpose and scope.
230-2 Definitions.
230.3 Evaluation procedures.
230.4 General approaches for technical evaluation.
230.4-1 Physical and chemical-biological interactive effects and approaches for evaluation.
230.4-2 Water quality considerations.
230.5 Selection of disposal sites and conditioning of discharges of dredged or fill material.
230.6 General or categorical permits.
230.7 Advanced identification of dredged material disposal areas.
230.8 Revision.

APPENDIX A.

AUTHORITY: Sec. 404(b) Federal Water Pollution Control Act of 1972; Pub. L. 92-500.

§ 230.1 Purpose and scope.

(a) *Purpose.* The guidelines contained herein have been developed by the Administrator, Environmental Protection Agency in conjunction with the Secretary of the Army pursuant to section 404(b) of the Federal Water Pollution Control Act (33 USC 1344).

(1) These guidelines are required by section 404 of the Act to be applied in the issuance of permits for the discharge of dredged or fill material at specified disposal sites. In the event the District Engineer's application of the guidelines would preclude the discharge of dredged or fill material, the District Engineer in making the decision will also evaluate the economic impact on navigation and anchorage which will occur by failing to utilize the proposed disposal site.

(2) In addition, under section 404(c) of the Act, no discharge of dredged or fill material will occur at a proposed disposal site in a navigable water if the Administrator of EPA determines, after notice and opportunity for a public hearing and consultation with the Secretary of the Army, that such discharge will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife or recreational areas.

(b) *Applicability.* These guidelines are applicable to all activities involving the discharge of dredged or fill material in navigable waters. They will be applied by the Corps of Engineers in the review of proposed discharges of dredged or fill material into navigable waters which lie inside the baseline from which the territorial sea is measured or the discharge of fill material into the territorial sea pursuant to the procedures specified in 33 CFR 209.120 and 33 CFR 209.145.

(1) The discharge of dredge material into the territorial sea is governed by the Marine Protection, Research, and Sanctuaries Act of 1972, Pub. L. 92-532, and regulations and criteria issued pursuant thereto. (See 33 CFR 209.120, "Permits for Activities in Navigable Waters or Ocean Waters" and 33 CFR 209.145, "Federal Projects Involving the Disposal of Dredged Material in Navigable and Ocean Waters", and 40 CFR 227, "Ocean Dumping Final Regulations and Criteria".)

(2) These guidelines apply in a like manner to all discharges of dredged or fill material into navigable waters proposed to be undertaken by members of the general public and Federal Agencies including those Corps of Engineers operations that will result in such discharges.

§ 230.2 Definitions.

For purposes of this subpart 230, the following terms shall have the meanings indicated:

(a) The term "Act" means the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500, 33 USC 1251 et seq.).

(b) The definitions set forth in 33 CFR 209.120(d) are incorporated herein by reference. These cover: navigable waters, dredged material, discharge of dredged material, fill material, and discharge of fill material. A copy of these definitions is appended hereto.

(c) The term "Regional Administrator" means the EPA Regional Administrator for the particular EPA Region in which dredged or fill material is proposed to be discharged.

(d) The term "District Engineer" means the District Engineer for the U.S. Army Corps of Engineers District in which dredged or fill material is proposed to be discharged or such other individual as may be designated by the Secretary of the Army to issue or deny permits under section 404 of the Act.

(e) The term "territorial sea" means the belt of the sea measured from the baseline as determined in accordance with the Convention on the Territorial Sea and the Contiguous Zone and extending seaward a distance of three miles.

(f) The term "disposal site" means the location within fixed geographic boundaries in which a discharge of dredged or fill material is proposed or has been undertaken, and includes the volume of water and the substrate over which such water volume lies, where applicable.

(g) The term "constituents" means the chemical substances, the solids, and the organisms associated with dredged or fill material.

§ 230.3 Evaluation procedures.

(a) All proposed discharges of dredged or fill material will be processed and evaluated in accordance with these guidelines and with applicable Corps of Engineers regulations (33 CFR 209.120 and 33 CFR 209.145).

(b) Upon issuance of the public notice required by 33 CFR 209.120(j) and 209.145(g) the District Engineer shall send a copy of the public notice to the Regional Administrator.

(c) The role of the Regional Administrator shall include consultation with the District Engineer on the interpretation of the guidelines, review and comment to the District Engineer on permit applications, and implementation of section 404(c) in appropriate cases.

(d) The District Engineer shall utilize these guidelines by making an eco-

logical evaluation following the guidance in § 230.4, including technical evaluation where appropriate, in conjunction with the evaluation considerations specified in § 230.5. This evaluation shall be utilized by the District Engineer in making one of the following determinations pursuant to section 404(b)(1) of the Act:

(1) Allowing the proposed discharge with appropriate discharge conditions to minimize unacceptable effects on the aquatic environment;

(2) Denying the proposed discharge when the discharge will have an unacceptable effect on the aquatic environment;

(3) Requesting additional information where necessary to ensure a sound decision.

(e) The District Engineer shall make use of the following approaches where practicable: Short form application procedures as may be subsequently developed by the Chief of Engineers for minor activities with minimal environmental effects; use of general permit procedures (see § 230.6); and advance identification of disposal areas (see § 230.7). Evaluation of the proposed discharge will also be made based on information contained in Environmental Impact Assessments, Environmental Impact Statements if required, Coastal Zone Management Programs, and River Basin Plans.

§ 230.4 General approaches for technical evaluation.

The effects of discharges of dredged or fill material on aquatic organisms and human uses of navigable waters may range from insignificant disruption to irreversible change at the disposal site. Section 230.4–1 describes the types of ecological effects that may result from the discharge of dredged or fill material and technical approaches to evaluate such effects. Ecological impact from dredged or fill material discharges can be divided into two main categories: (a) physical effects; and (b) chemical-biological interactive effects.

§ 230.4–1 Physical and chemical-biological interactive effects and approaches for evaluation.

No single test or approach can be applied in all cases to evaluate the effects of proposed discharges of dredged or fill material. Evaluation of the significance of physical effects often may be made without laboratory tests by examining the character of the dredged or fill material proposed for discharge and the discharge area with particular emphasis on the principles given in § 230.5. The chemical changes in water quality may best be simulated by use of an elutriate test. To the extent permitted by the state of the art, expected effects such as toxicity, stimulation, inhibition or bioaccumulation may best be estimated by appropriate bioassays. Suitability of the proposed disposal sites may be evaluated by the use, where appropriate, of sediment analysis or bioevaluation. In order to avoid unreasonable burdens on applicants in regard to the amounts and types of data to be provided, consideration will be given by the District Engineer to the economic cost of performing the evaluation, the utility of the data to be provided, and the nature and magnitude of any potential environmental effect. EPA in conjunction with the Corps of Engineers will publish a procedures manual that will cover summary and description of tests, definitions, sample collection and preservation, procedures, calculations, and references. Interim guidance to applicants concerning the applicability of specific approaches or procedures will be furnished by the District Engineer.

(a) *Physical Effects.* Physical effects on the aquatic environment include the potential destruction of wetlands, impairment of the water column, and the covering of benthic communities. Other physical effects include changes in bottom geometry and substrate composition that cause subsequent alterations in water circulation, salinity gradients and the exchange of constituents between sediments and overlying water with subsequent alterations of biological communities. (See § 230.5 of these guidelines.)

(1) From a national perspective, the degradation or destruction of aquatic resources by filling operations in wetlands is considered the most severe environmental impact covered by these guidelines. Evaluation procedures for determining the environmental effects of fill operations in wetlands are relatively straight forward. The guiding principle should be that destruction of highly productive wetlands may represent an irreversible loss of a valuable aquatic resource. (See 33 CFR 209.120(g)(3) and 230.5 of these guidelines.) Wetlands considered to perform important functions include but are not limited to the following:

(i) Wetlands that serve important natural biological functions, including food chain production, general habitat, and nesting, spawning, rearing and resting sites for aquatic or land species;

(ii) Wetlands set aside for study of the aquatic environment or as sanctuaries of refuges;

(iii) Wetlands contiguous to areas listed in paragraphs (a)(1)(i) and (ii) of this section, the destruction or alteration of which would affect detrimentally the natural drainage characteristics, sedimentation patterns, salinity distribution, flushing characteristics, current patterns, or other environmental characteristics of the above areas;

(iv) Wetlands that are significant in shielding other areas from wave action, erosion or storm damage. Such wetlands often include barrier beaches, islands, reefs and bars;

(v) Wetlands that serve as valuable storage areas for storm and flood waters; and

(vi) Wetlands that are prime natural recharge areas. Prime recharge areas are locations where surface and ground water are directly interconnected.

(2) Effects on the water column are principally those associated with a reduction in light transmission, aesthetic values, and direct destructive effects on nektonic and planktonic populations. The significance of water column physical effects are not readily predicted by current technical approaches.

(3) The effect on benthos is essentially the covering of benthic communities with a subsequent change in community structure or function. It has been noted that the benthic community often will reestablish, although sometimes of a somewhat different ecological structure. Evaluation of the significance of the effect on the benthic community can be estimated prior to the discharge activity from a knowledge of the hydrodynamics of the disposal site, mode of discharge, volume of materials, particle size distribution and types of dredged or fill material, and from a knowledge of the benthic community.

(b) Chemical-biological interactive effects. Ecological perturbation caused by chemical-biological interactive effects resulting from discharges of dredged or fill material is very difficult to predict. Research performed to date has not clearly demonstrated the extent of chemical-biological interactive effects resulting from contaminants present in the dredged or fill material. The principal concerns of open water discharge of dredged or fill material that contain chemical contaminants are the potential effects on the water column or on benthic communities.

(1) *Evaluation of chemical-biological interactive effects.* Dredged or fill material may be excluded from the evaluation procedures specified in paragraphs (b)(2) and (3) of this section if any of the conditions specified in paragraphs (b)(1)(i), (ii) or (iii) of this section are determined to exist, unless the District Engineer, after evaluating and considering any comments received from the Regional Administrator, determines that these approaches and procedures are necessary. The Regional Administrator may require, on a case-by-case basis, testing approaches and procedures by stating what additional information is needed through further analyses and how the results of the analysis will be of value in evaluating potential environmental effects. Dredged or fill material may be excluded from this evaluation, if:

(i) Dredged or fill material is composed predominantly of sand, gravel, or any other naturally occurring sedimentary material with particle sizes larger than silt, characteristic of and generally found in areas of high current or wave energy such as streams with large bed loads or coastal areas with shifting bars and channels;

(ii) Dredged or fill material is for beach nourishment or restoration and is composed predominantly of sand, gravel or shell with particle sizes compatible with material on receiving shores; or

(iii) When:

(*a*) The material proposed for discharge is substantially the same as the substrate at the proposed disposal site; and

(*b*) The site from which the material proposed for discharge is to be taken is

sufficiently removed from sources of pollution to provide reasonable assurance that such material has not been contaminated by such pollution; and

(c) Adequate terms and conditions are imposed on the discharge of dredged or fill material to provide reasonable assurance that the material proposed for discharge will not be moved by currents or otherwise in a manner that is damaging to the environment outside the disposal site.

(2) *Water column effects.* Sediments normally contain constituents that exist in different chemical forms and are found in various concentrations in several locations within the sediment. The potentially bioavailable fraction of a sediment is dissolved in the sediment interstitial water or in a loosely bound form that is present in the sediment. In order to predict the effect on water quality due to release of contaminants from the sediment to the water column, an elutriate test may be used. The elutriate is the supernatant resulting from the vigorous 30-minute shaking of one part bottom sediment from the dredging site with four parts water (vol./vol.) collected from the dredging site followed by one-hour settling time and appropriate centrifugation and a 0.45u filtration. Major constituents to be analyzed in the elutriate are those deemed critical by the District Engineer, after evaluating and considering any comments received from the Regional Administrator, and considering known sources of discharges in the area and known characteristics of the extraction and disposal sites. Elutriate concentrations should be used in conjunction with the same constituents in disposal site water and other data which describe the volume and rate of the intended discharge, the type of discharge, the hydrodynamic regime at the disposal site, and other available information that aids in the evaluation of impact on water quality (see § 230.5 of these guidelines). The District Engineer may specify bioassays when he determines that such procedures will be of value. In reaching this determination, dilution and dispersion effects subsequent to the discharge at the disposal site will be considered.

(3) *Effects on benthos.* Evaluation of the significance of chemical-biological interactive effects on benthic organisms resulting from the discharge of dredged or fill material is extremely complex and demands procedures which are at the forefront of the current state of the art. Although research has shown that benthic species can ingest contaminated sediment particles, it has not been determined to what degree the contaminants are dissociated from the sediment and incorporated into benthic body tissues thereby gaining entry to the food web. The District Engineer may use an appropriate benthic bioassay when such procedures will be of value in assessing ecological effect and in establishing discharge conditions.

(c) *Procedure for comparison of sites.* (1) When an inventory of the total concentration of chemical constituents deemed critical by the District Engineer would be of value in comparing sediment at the dredging site with sediment at the disposal site, he may require a total sediment chemical analysis. Total sediment analysis is accomplished by concentrated strong acid digestion or solvent extraction for inorganic and organic constituents respectively. Markedly different concentrations of critical constituents between the excavation and disposal sites may aid in making an environmental assessment of the proposed disposal operation.

(2) When an analysis of biological community structure will be of value to assess the potential for adverse environmental impact at the proposed disposal site, a comparison of the biological characteristics between the excavation and disposal sites may be required by the District Engineer. Biological indicator species may be useful in evaluating the existing degree of stress at both sites. Sensitive species representing community components colonizing various substrate types within the sites should be identified as possible bioassay organisms if tests for toxicity are required. Community structure studies are expensive and time consuming, and therefore should be performed only when they will be of value in determining discharge conditions. This is particularly applicable to large quantities of dredged material known to contain adverse quantities of toxic materials. Community studies should include benthic organisms such as microbiota and harvestable shellfish and finfish. Abundance, diversity, and distribution should be documented and correlated with substrate type and other appropriate physical and chemical environmental characteristics.

§ 230.4–2 Water quality considerations.

After application of the approaches presented in § 230.4, the District Engineer will compare the concentrations of appropriate constituents to applicable narrative and numerical guidance contained in such water quality standards as are applicable by law. In the event that such discharge would cause a violation of such appropriate and legally applicable standards at the perimeter of the disposal site after consideration of the mixing zone (see § 230.5(e)) discharge shall be prohibited.

§ 230.5 Selection of disposal sites and conditioning of discharges of dredged or fill material.

(a) *General considerations and objectives.* In evaluating whether to permit a proposed discharge of dredged or fill material into navigable waters, consideration shall be given to the need for the proposed activity (see 33 CFR 209.120 and 33 CFR 209.145), the availability of alternate sites and methods of disposal that are less damaging to the environment, and such water quality standards as are appropriate and applicable by law. The following objectives shall be considered in making a determination on any proposed discharge:

(1) Avoid discharge activities that significantly disrupt the chemical, physical and biological integrity of the aquatic ecosystem, of which aquatic biota, the substrate, and the normal fluctuations of water level are integral components;

(2) Avoid discharge activities that significantly disrupt the food chain including alterations or decrease in diversity of plant and animal species;

(3) Avoid discharge activities that inhibit the movement of fauna especially their movement into and out of feeding, spawning, breeding and nursery areas;

(4) Avoid discharge activities that will destroy wetland areas having significant functions in maintenance of water quality;

(5) Recognize that discharge activities might destroy or isolate areas that serve the function of retaining natural high waters or flood waters;

(6) Minimize, where practicable, adverse turbidity levels resulting from the discharge of material;

(7) Minimize discharge activities that will degrade aesthetic, recreational, and economic values;

(8) Avoid degradation of water quality as determined through application of § 230.4, 230.5 (c) and (d).

(b) *Considerations relating to degradation of water uses at proposed disposal sites*—(1) *Municipal water supply intakes.* No disposal site may be designated in the proximity of a public water supply intake. The District Engineer and the Regional Administrator will determine the acceptable location of the disposal site in such cases.

(2) *Shellfish.* (i) Disposal sites for dredged or fill material shall not be designated in areas of concentrated shellfish production. In the case of widely dispersed shellfish populations where it is demonstrated by the applicant that the avoidance of shellfish population areas is impossible the disposal site may be located within such areas, but should be situated so as to cause the least impact on the shellfish population with particular reference to the burial of living forms and maintenance of a suitable substrate.

(ii) Disposal sites should be located to minimize or prevent the possible movement of pollutants by currents or wave action into productive shellfish beds.

(iii) Banks formed by dredged or fill material should be located and oriented to prevent undesirable changes in current patterns, salinity patterns and flushing rates which may affect shellfish.

(iv) The disposal operation should be scheduled to avoid interference with reproductive processes and avoid undue stress to juvenile forms of shellfish.

(3) *Fisheries.* (i) Significant disruptions of fish spawning and nursery areas should be avoided.

(ii) Dredging and disposal operations should be scheduled to avoid interference with fish spawning cycles and to minimize interference with migration patterns and routes.

(iii) Consideration shall be given to preservation of submersed and emergent vegetation.

(4) *Wildlife.* Disposal sites will be designated so as to minimize the impact

on habitat, the food chain, community structures of wildlife, and marine or aquatic sanctuaries.

(5) *Recreation activities.* In evaluating proposed discharges of dredged or fill material in or near recreational areas, the following factors should be considered:

(i) Reasonable methods should be employed to minimize any increase in amount and duration of turbidity which would reduce the numbers and diversity of fish or cause a significant aesthetically displeasing change in the color, taste, or odor of the water.

(ii) Release of nutrients from dredged or fill material should be minimized in or to prevent eutrophication, the degradation of aesthetic values, and impairment of recreation uses.

(iii) No material that will result in unacceptable levels of pathogenic organisms shall be discharged in areas used for recreation involving physical contact with the water.

(iv) No material shall be discharged which will release oil and grease in harmful quantities as defined in 40 CFR 110.

(6) *Threatened and endangered species.* No discharge will be allowed that will jeopardize the continued existence of threatened or endangered species or destroy or modify the habitat of those species determined critical in accordance with the Endangered Species Act.

(7) *Benthic life.* Disposal sites should be areas where benthic life which might be damaged by the discharge is minimal recognizing that enhancement may also occur. Use of existing disposal sites is generally desirable.

(8) *Wetlands.* (i) Discharge of dredged material in wetlands may be permitted only when it can be demonstrated that the site selected is the least environmentally damaging alternative; provided, however, that the wetlands disposal site may be permitted if the applicant is able to demonstrate that other alternatives are not practicable and that the wetlands disposal will not have an unacceptable adverse impact on the aquatic resources. Where the discharge is part of an approved Federal program which will protect or enhance the value of the wetlands to the ecosystem, the site may be permitted.

(ii) Discharge of fill material in wetlands shall not be permitted unless the applicant clearly demonstrates the following:

(*a*) the activity associated with the fill must have direct access or proximity to, or be located in, the water resources in order to fulfill its basic purpose, or that other site or construction alternatives are not practicable; and

(*b*) that the proposed fill and the activity associated with it will not cause a permanent unacceptable disruption to the beneficial water quality uses of the affected aquatic ecosystem, or that the discharge is part of an approved Federal program which will protect or enhance the value of the wetlands to the ecosystem.

(9) *Submersed Vegetation.* Disposal sites shall be located to minimize the impact on submersed grassflats (for example *Thalassia* and *Zostera* beds) and other areas containing submersed vegetation of significant biological productivity.

(10) *Size of disposal site.* The specified disposal site shall be confined to the smallest practicable area consistent with the type of dispersion determined to be appropriate by the application of these guidelines. Although the impact of the particular discharge may constitute a minor change, the cumulative effect of numerous such piecemeal changes often results in a major impairment of the water resource and interferes with the productivity and water quality processes of existing environmental systems. Thus, the particular disposal site will be evaluated with the recognition that it is part of a complete and interrelated ecosystem. The District Engineer may undertake reviews of particular areas in response to new applications, and in consultation with the appropriate Regional Director of the Fish and Wildlife Service, the Regional Director of the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration, the Regional Administrator of the Environmental Protection Agency, the State Conservationist of the Soil Conservation Service of the Department of Agriculture, and the head of the appropriate State agencies, including the State Director of an approved Coastal Zone Management Program, to assess the cumulative effect of activities in such areas.

(c) The following may also be considered in determining the site and disposal conditions to minimize the possibility of harmful effects:

(1) Appropriate scientific literature, such as the National Water Quality Criteria developed by the Administrator, pursuant to section 304(a)(1) of the Act;

(2) Alternatives to open water disposal such as upland or confined disposal;

(3) Disposal sites where physical environmental characteristics are most amenable to the type of dispersion desired;

(4) Disposal seaward of the baseline of the territorial sea;

(5) Covering contaminated dredged material with cleaner material;

(6) Conditions to minimize the effect of runoff from confined areas on the aquatic environment; and

(7) The Regional Administrator may specify appropriate monitoring conditions in proximity of disposal sites where necessary to control and minimize water quality degradation, pursuant to Section 308 of the Act.

(d) *Contaminated fill material restrictions.* The discharge of fill material originating from a land source shall not be allowed when the District Engineer determines that the material contains unacceptable quantities, concentrations or forms of the constituents deemed critical by the District Engineer or the Regional Administrator for the proposed disposal site, unless such material is effectively confined to prevent the discharge, leaching, or erosion of the material outside the confined area. Appropriate approaches in 230.4 may be used in making this determination.

(e) *Mixing zone determination.* The mixing zone shall be the smallest practicable mixing zone within each specified disposal site, consistent with the objectives of these guidelines, in which desired concentrations of constituents must be achieved.

The District Engineer and the Regional Administrator shall consider the following factors in determining the acceptability of a proposed mixing zone:

(1) Surface area, shape and volume of the discharge site;

(2) Current velocity, direction and consistency at the discharge site;

(3) Degree of turbulence;

(4) Stratification attributable to causes which include without limitation salinity, obstructions, and specific gravity;

(5) Any on-site studies or mathematical models which have been developed with respect to mixing patterns at the discharge site; and

(6) Such other factors prevailing at the discharge site that affect rates and patterns of mixing.

§ 230.6 General or categorical permits.

(a) The District Engineer upon compliance with the procedures of 33 CFR 209.120 may issue a general permit for a clearly described category of discharge activities if he determines that the category meets the following conditions:

(1) The activities included in the category are substantially similar in nature; and

(2) The activities included in the category have substantially similar impact on water quality and the aquatic system, and the adverse impact on water quality and the aquatic system is minimal for each discharge activity; and

(3) The cumulative impact of the total number of activities predicted to occur during the period authorized by the permit, is expected to have only minimal adverse effect on water quality and the aquatic system.

(b) The District Engineer, may condition general permits to require dischargers to submit the following information at least 45 days prior to commencement of the discharge of dredged or fill material:

(1) The name and address of the discharger.

(2) The location of the contemplated activity including the name and general description of the receiving waters, including wetlands, and the size of the area to be filled.

(3) A brief description of the proposed activity, its purpose and intended use, including a description of the type of structures, if any, to be erected on fills.

(4) A description of the type, composition, and quantity of materials to be discharged and means of conveyance.

(5) A copy of other Federal, State, and local government authorizations obtained including a State water-quality

certification under Section 401 of the Federal Water Pollution Control Act and, where applicable, a certification of compliance with an approved State Coastal Zone Management Program pursuant to Section 307(c)(3) of the Coastal Zone Management Act.

(c) If reporting is required the District Engineer shall record the individual disposal site as authorized and authorization will occur automatically 30 days after receipt of notification unless the applicant is otherwise notified by the District Engineer.

(d) A general permit may be revoked completely or partially by the District Engineer independently or on the advice of the Regional Administrator, if he determines that the discharges of dredged or fill material authorized by it or the cumulative effects thereof will have an adverse impact on water quality and the aquatic sytem. Following revocation, any discharges of dredged or fill material in areas formerly covered by the general permit shall be processed as individual permits under this regulation.

§ 230.7 Advanced identification of dredged material disposal areas.

(a) The District Engineer and the Regional Administrator, after consultation with the affected State or States, may at their discretion and consistent with the guidelines, identify areas which will be considered as:

(1) Possible future disposal sites; or

(2) Areas which will not be available for disposal site specification.

(b) The identification of any area as a possible future disposal site shall not be deemed to constitute a permit for the discharge of dredged or fill material within such areas, but may be used in evaluating individual or general permit applications.

(c) A record of areas so identified shall be maintained at the offices of the District Engineer and the Regional Administrator.

(d) To provide the basis for advanced identification of disposal areas and of areas not available for disposal, the Regional Administrator and the District Engineer should assess waterbodies to determine those areas which are of critical ecological concern, those which are of environmental concern, and nonsensitive areas. To facilitate this analysis, they should assemble water resource management data including such data as may be available from the other Federal and State agencies listed in § 230.5(b)(10) and information from approved Coastal Zone Management Programs and River Basin Plans.

§ 230.8 Revision.

The provisions of these guidelines will be periodically reviewed by the Administrator in conjunction with the Secretary of the Army pursuant to section 404(b)(1) of the Act. The guidelines may not be modified without approval of the Secretary of the Army and the Administrator. Any proposed revisions, or notice that a review has been completed and no revisions are proposed, will be published in the FEDERAL REGISTER within three years of the date of this initial promulgation or earlier as determined by research results and affirmed by the Administrator in conjunction with the Secretary of the Army.

APPENDIX A

DEFINITIONS FROM 33 CFR 209.120, "PERMITS FOR WORK IN NAVIGABLE WATERS OR OCEAN WATERS"

(1) "Navigable waters of the United States." The term, "navigable waters of the United States," is administratively defined to mean waters that have been used in the past, are now used, or are susceptible to use as a means to transport interstate commerce landward to their ordinary high water mark and up to the head of navigation as determined by the Chief of Engineers, and also waters that are subject to the ebb and flow of the tide shoreward to their mean high water mark (mean higher high water mark on the Pacific Coast). See 33 CFR 209.260 (ER 1165-2-302) for a more definitive explanation of this term.

(2) "Navigable waters". (i) The term, "navigable waters," as used herein for purposes of Section 404 of the Federal Water Pollution Control Act, is administratively defined to mean waters of the United States including the territorial seas with respect to the disposal of fill material and excluding the territorial sea with respect to the disposal of dredged material and shall include the following waters:

(a) Coastal waters that are navigable waters of the United States subject to the ebb and flow of the tide, shoreward to their mean high water mark (mean higher high water mark on the Pacific coast);

(b) All coastal wetlands, mudflats, swamps, and similar areas that are contiguous or adjacent to other navigable waters. "Coastal wetlands" includes marshes and shallows and means those areas periodically inundated by saline or brackish waters and that are normally characterized by the prevalence of salt or brackish water vegetation capable of growth and reproduction;

(c) Rivers, lakes, streams, and artificial water bodies that are navigable waters of the United States up to their headwaters and landward to their ordinary high water mark;

(d) All artificially created channels and canals used for recreational or other navigational purposes that are connected to other navigable waters, landward to their ordinary high water mark;

(e) All tributaries of navigable waters of the United States up to their headwaters and landward to their ordinary high water mark;

(f) Interstate waters landward to their ordinary high water mark and up to their headwaters;

(g) Intrastate lakes, rivers and streams landward to their ordinary high water mark and up to their headwaters that are utilized:

(1) By interstate travelers for water-related recreational purposes;

(2) For the removal of fish that are sold in interstate commerce;

(3) For industrial purposes by industries in interstate commerce; or

(4) In the production of agricultural commodities sold or transported in interstate commerce;

(h) Freshwater wetlands including marshes, shallows, swamps and, similar areas that are contiguous or adjacent to other navigable waters and that support freshwater vegetation. "Freshwater wetlands" means those areas that are periodically inundated and that are normally characterized by the prevalence of vegetation that requires saturated soil conditions for growth and reproduction; and

(i) those other waters which the District Engineer determines necessitate regulation for the protection of water quality as expressed in the guidelines (40 CFR 230). For example, in the case of intermittent rivers, streams, tributaries, and perched wetlands that are not contiguous or adjacent to navigable waters identified in paragraphs (a)-(h) a decision on jurisdiction shall be made by the District Engineer.

(ii) The followng additional terms are defined as follows:

(a) "Ordinary high water mark" with respect to inland fresh water means the line on the shore established by analysis of all daily high waters. It is established as that point on the shore that is inundated 25% of the time and is derived by a flow-duration curve for the particular water body that is based on available water stage data. It may also be estimated by erosion or easily recognized characteristics such as shelving, change in the character of the soil, destruction of terrestrial vegetation or its inability to grow, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area;

(b) "Mean high water mark" with respect to ocean and coastal waters means the line on the shore established by the average of all high tides (all higher high tides on the Pacific Coast). It is established by survey based on available tidal data (preferably averaged over a period of 18.6 years because of the variations in tide). In the absence of such data, less precise methods to determine the mean high water mark may be used, such as physical markings or comparison of the area in question with an area having similar physical characteristics for which tidal data are already available;

(c) "Lakes" means natural bodies of water greater than five acres in surface area and all bodies of standing water created by the impounding of navigable waters identified in paragraphs (a)-(h), above. Stock watering ponds and settling basins that are not created by such impoundments are not included;

(d) "Headwaters" means the point on the stream above which the flow is normally less han 5 cubic feet per second; provided, however, the volume of flow, point and nonpoint source discharge characteristics of the watershed, and other factors that may impact on the water quality of waters of the United States will be considered in determining this upstream limit; and

(e) "Primary tributaries" means the main stems of tributaries directly connecting to navigable waters of the United States up to their headwaters and does not include any additional tributaries extending off of the main stems of these tributaries.

(3) "Ocean waters". The term "ocean waters," as defined in the Marine Protection, Research, and Sanctuaries Act of 1972 (Pub. L. 92-532), 86 Stat. 1052), means those waters of the open seas lying seaward of the base line from which the territorial sea is measured as provided for in the Convention on the Territorial Sea and the Contiguous Zone (15 UST 1606; TIAS 5639).

(4) "Dredged material". The term "dredged material" means material that is excavated or dredged from navigable waters. The term does not include material resulting from normal farming, silviculture, and ranching activities, such as plowing, cultivating, seeding, and harvesting, for production of food, fiber, and forest products.

(5) "Discharge of dredged material". The term "discharge of dredged material" means any addition of dredged material, in excess of one cubic yard when used in a single or incidental operation, into navigable waters. The term includes, without limitation, the addition of dredged material to a specified disposal site located in navigable waters and the runoff or overflow from a contained land or water disposal area. Discharges of pollutants into navigable waters resulting from the onshore subsequent processing of dredged material that is extracted for any commercial use (other than fill) are not included within this term and are subject to section 402 of the Federal Water Pollution Control Act even though the extraction of such material may require a permit from the Corps of Engineers under section 10 of the River and Harbor Act of 1899.

(6) "Fill material." The term "fill material" means any pollutant used to create fill in the traditional sense of replacing an aquatic area with dry land or of changing the bottom elevation of a water body for any purpose. "Fill material" does not include the following:

(i) Material resulting from normal farming, silviculture, and ranching activities, such as plowing, cultivating, seeding, and harvesting, for the production of food, fiber, and forest products;

(ii) Material placed for the purpose of maintenance, including emergency reconstruction of recently damaged parts of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, and bridge abutments or approaches, and transportation structures;

(iii) Additions to these categories of activities that are not "fill" will be considered periodically and these regulations amended accordingly.

(7) "Discharge of fill material." The term "discharge of fill material" means the addition of fill material into navigable waters for the purpose of creating fastlands, elevations of land beneath navigable waters, or for impoundments of water. The term generally includes, without limitation, the following activities in a navigable water: placement of fill that is necessary to the construction of any structure; the building of any structure or impoundment requiring rock, sand, dirt, or other pollutants for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; dams and dikes; artificial islands, property protection and/or reclamation devices such as riprap, groins, seawalls, breakwalls, and bulkheads and fills; beach nourishment; levees; sanitary landfills; fill for structures such as sewage treatment facilities, intake and outfall pipes associated with power plants, and subaqueous utility lines; and artificial reefs.

[FR Doc.75-23351 Filed 9-4-75;8:45 am]

federal register

FRIDAY, SEPTEMBER 5, 1975

PART III:

ENVIRONMENTAL PROTECTION AGENCY

■

PULP, PAPER AND PAPERBOARD POINT SOURCE CATEGORY

Advance Notice of Proposed Rulemaking

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 430]

[FRL 425-4]

EFFLUENT LIMITATIONS AND GUIDELINES FOR EXISTING SOURCES AND STANDARDS OF PERFORMANCE AND PRETREATMENT STANDARDS FOR NEW SOURCES FOR THE BLEACHED KRAFT, GROUNDWOOD, SULFITE, SODA, DEINK AND NON-INTEGRATED PAPER MILLS SEGMENT OF THE PULP, PAPER, AND PAPERBOARD POINT SOURCE CATEGORY

Advanced Notice of Proposed or Promulgated Rule Making

The Environmental Protection Agency (EPA) is hereby giving advance notice of intent to propose or promulgate effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources set forth in tentative form below. On May 29, 1974, EPA promulgated a regulation adding Part 430 to Chapter 40 of the Code of Federal Regulations (39 FR 18742). That regulation established effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources for the pulp, paper, and paperboard point source category. The regulation set forth below when promulgated will amend 40 CFR 430—pulp, paper, and paperboard point source category by adding thereto the dissolving kraft subcategory (Subpart F); the market kraft subcategory (Subpart G); the BCT kraft subcategory (Subpart H); the fine kraft subcategory (Subpart I); the papergrade sulfite subcategory (Subpart J); the dissolving sulfite subcategory (Subpart K); the GW-chemi-mechanical subcategory (Subpart L); the GW-thermo-mechanical subcategory (Subpart M); the GW-CMN papers subcategory (Subpart N); the GW-fine papers subcategory (Subport O); the soda subcategory (Subpart P); the deink subcategory (Subpart Q); the NI fine papers subcategory (Subpart R); the NI tissue papers subcategory (Subpart S); and the NI tissue (FWP) subcategory (Subpart T) pursuant to sections 301, 304 (b) and (c), 306(b), 307(c), and 501(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316(b) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act).

This advance notice of proposed or promulgated rulemaking is being issued pursuant to EPA's policy of providing the interested public the greatest possible opportunity for review and comment. In developing the requisite data to support effluent limitations guidelines and standards, EPA commissioned a study and report entitled "Draft Development Document for Effluent Limitations Guidelines and Standards of Performance—Pulp, Paper, and Paperboard Industry" prepared by WAPORA, Inc. dated July, 1974. Copies of the contractor's reports have been circulated among industry representatives, government agencies, public interest groups, and other interested persons, and comments have been received thereon. In light of these comments, as well as its own review of the reports, EPA presently intends to establish regulations which differ in some material respects from the recommendations contained in the contractor's report. The purpose, therefore, in giving this advance notice is to apprise interested persons of EPA's expected course of action, and to provide such interested persons with an opportunity to submit comments thereon.

In addition, this advance notice is given so as to obtain the aforesaid comments in sufficient time to enable EPA to promulgate effluent limitations and guidelines by December 15, 1975, in accordance with the order of the United States District Court for the District of Columbia in *Natural Resources Defense Council, Inc. v. Russell E. Train et al.* (Civil Action No. 1609-73; order entered April 24, 1975, modifying previous order of November 1, 1974).

(a) Legal Authority.

(1) Existing point sources.

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The advance notice regulation herein when promulgated will set forth effluent limitations guidelines, pursuant to sections 301 and 304(b) of the Act, for the dissolving kraft subcategory (Subpart F); the market kraft subcategory (Subpart G); the BCT kraft subcategory (Subpart H); the fine kraft subcategory (Subpart I); the papergrade sulfite subcategory (Subpart J); the dissolving sulfite subcategory (Subpart K); the GW - chemi - mechanical subcategory (Subpart L); the GW-thermo-mechanical subcategory (Subpart M); the GW-CMN papers subcategory (Subpart N); the GW-fine papers subcategory (Subpart O); the soda subcategory (Subpart P); the deink subcategory (Subpart Q); the NI fine papers subcategory (Subpart R); the NI tissue papers subcategory (Subpart S); and the NI tissue (FWP) subcategory (Subpart T) of the pulp, paper, and paperboard point source category.

(2) New sources.

Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306(b)(1)(B) of the Act requires the Administrator to propose regulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306(b)(1)(A) of the Act. The Administrator published in the FEDERAL REGISTER of January 16, 1973, (38 FR 1624) a list of 27 source categories, including the pulp, paper, and paperboard category. The advanced notice regulations herein set forth the standards of performance applicable to new sources for the dissolving kraft subcategory (Subpart F); the market kraft subcategory (Subpart G); the BCT kraft subcategory (Subpart H); the fine kraft subcategory (Subpart I); the papergrade sulfite subcategory (Subpart J); the dissolving sulfite subcategory (Subpart K); the GW-chemi-mechanical subcategory (Subpart L); the GW-thermo-mechanical subcategory (Subpart M); the GW-CMN papers subcategory (Subpart N); the GW-fine papers subcategory (Subpart O); the soda subcategory (Subpart P); the deink subcategory (Subpart Q); the NI fine papers subcategory (Subpart R); the NI tissue papers subcategory (Subpart S); and the NI tissue (FWP) subcategory (Subpart T) of the pulp, paper, and paperboard point source category.

Section 307(c) of the Act requires the Administrator to promulgate pretreatment standards for new sources at the same time that standards of performance for new sources are promulgated pursuant to section 306. Sections 430.66, 430.76, 430.86, 430.96, 430.106, 430.116, 430.126, 430.136, 430.146, 430.156, 430.166, 430.176, 430.186, 430.196 and 430.206, below, provide advanced notice pretreatment standards for new sources within dissolving the kraft subcategory (Subpart F); the market kraft subcategory (Subpart G); the BCT kraft subcategory (Subpart H); the fine kraft subcategory (Subpart I); the papergrade sulfite subcategory (Subpart J); the dissolving sulfite subcategory (Subpart K); the GW-chemi-mechanical subcategory (Subpart L); the GW-thermo-mechanical subcategory (Subpart M); the GW-CMN papers subcategory (Subpart N); the GW-fine papers subcategory (Subpart O); the soda subcategory (Subpart P);

the deink subcategory (Subpart Q); the NI fine papers subcategory (Subpart R); the NI tissue papers subcategory (Subpart S); and the NI tissue (FWP) subcategory (Subpart T) of the pulp, paper, and paperboard point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The report or "Development Document" referred to below provides, pursuant to section 304(c) of the Act, information on such processes, procedures or operating methods.

(b) Summary and Basis of Advanced Notice Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources.

(1) General methodology.

The advanced notice effluent limitations guidelines, standards of performance, and pretreatment standards proposed herein were developed in the following manner. The point source category was first studied for the purpose of determining whether separate limitations and standards are appropriate for different segments within the category. This analysis included a determination of whether differences in raw material used, product produced, manufacturing process employed, age, size, waste water constituents and other factors require development of separate limitations and standards for different segments of the point source category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste and waste waters in the operation and the constituents of all waste water. The constituents of the waste waters which should be subject to effluent limitations guidelines and standards of performance were identified.

The control and treatment technologies existing within each segment were identified. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which is existent or capable of being designed for each segment. It also included an identification of, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants, the effluent level resulting from the application of each of the technologies. The problems, limitations and reliability of each treatment and control technology were also identified. In addition, the nonwater quality environmental impact, such as the effects of the application of such technologies upon other pollution problems, including air, solid waste, noise and radiation were identified. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

The information, as outlined above, was then evaluated in order to determine what levels of technology constitute the "best practicable control technology currently available," "best available technology economically achievable" and the "best available demonstrated control technology, processes, operating methods, or other alternatives." In identifying such technologies, various factors were considered. These included the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, nonwater quality environmental impact (including energy requirements) and other factors.

The data upon which the above analysis was performed included EPA permit applications, EPA sampling and inspections, consultant reports, and industry submissions.

The advanced notice of pretreatment standards herein is intended to be complementary to the pretreatment standards proposed for existing sources under 40 CFR 128. The basis for such standards is set forth in the FEDERAL REGISTER of July 19, 1973, 38 F.R. 19236. The provisions of Part 128 are equally applicable to sources which would constitute "new sources," under section 306 if they were to discharge pollutants directly to navigable waters, except for section 128.133. That section provides a pretreatment standard for "incompatible pollutants" which requires application of the "best practicable control technology currently available," subject to an adjustment for amounts of pollutants removed by the publicly owned treatment works. Since the advanced notice pretreatment standards herein apply to new sources, §§ 430.66, 430.76, 430.86, 430.96, 430.106, 430.116, 430.126, 430.136, 430.146, 430.156, 430.166, 430.176, 430.186, 430.196 and 430.206 below amend § 128.133 to specify the application of the standard of performance for new sources rather than the "best practicable" standard applicable to existing sources under sections 301 and 304(b) of the Act.

(2) Summary of conclusions with respect to the dissolving kraft subcategory (Subpart F); the market kraft subcategory (Subpart G); the BCT kraft subcategory (Subpart H); the fine kraft subcategory (Subpart I); the papergrade sulfite subcategory (Subpart J); the dissolving sulfite subcategory (Subpart K); the GW-chemi-mechanical subcategory (Subpart L); the GW-thermo-mechanical subcategory (Subpart M); the GW-CMN papers subcategory (Subpart N); the GW-fine papers subcategory (Subpart O); the soda subcategory (Subpart P); the deink subcategory (Subpart Q); the NI fine papers subcategory (Subpart R); the NI tissue papers subcategory (Subpart S); and the NI tissue (FWP) subcategory (Subpart T) of the pulp, paper, and paperboard point source category.

(i) Categorization.

For the purpose of studying waste treatment and effluent limitations, the bleached kraft, groundwood, sulfite, soda, deink and non-integrated paper mills segment of the pulp, paper and paperboard manufacturing industry category were divided into fifteen discrete subcategories, primarily based on a consideration of the raw materials utilized, production processes employed, products produced, size and age of mills, waste water characteristics and treatability, and geographical location as outlined in the report entitled, "Development Document for Advance Notice of Proposed or Promulgated Rulemaking for the Bleached Kraft, Groundwood, Sulfite, Soda, Deink and Non-Integrated Paper Mills Segment of the Pulp, Paper and Paperboard Point Source Category". When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

(1) Subpart F—Dissolving Kraft Subcategory. This subcategory includes mills which produce a highly bleached pulp by a "full cook" process, utilizing a highly alkaline sodium hydroxide and sodium sulfide cooking liquor. Included in the manufacturing process is a "pre-cook" operation termed pre-hydrolysis. The principal product made by this process is a highly bleached and purified dissolving pulp used principally for the manufacture of rayon and other products requiring the virtual absence of lignin and a very high alpha cellulose content.

(2) Subpart G—Market Kraft Subcategory. This subcategory includes mills which produce a bleached pulp by a "full cook" process utilizing a highly alkaline sodium hydroxide and sodium sulfide cooking liquor. The principal product made by this process is papergrade market pulp.

(3) Subpart H—BCT Kraft Subcategory. This subcategory includes mills which produce a bleached pulp by a "full cook" process utilizing a highly alkaline sodium hydroxide and sodium sulfide cooking liquor. The principal product made by this process is papers with clays and filler contents less than eight percent, including paperboard, coarse papers, and tissue papers.

(4) Subpart I—Fine Kraft Subcategory. This subcategory includes mills which produce a bleached pulp by a "full cook" process utilizing a highly alkaline sodium hydroxide and sodium sulfide cooking liquor. The principal product made by this process is fine papers which contain eight percent clays and filler or above.

(5) Subpart J—Papergrade Sulfite Subcategory. This subcategory includes mills which produce pulp, usually bleached, by a "full cook" process using an acidic cooking liquor of bisulfites of calcium, magnesium, ammonia, or sodium containing an excess of free sulfite dioxide. The principal products made by this process are tissue and fine papers.

(6) Subpart K—Dissolving Sulfite Subcategory. This subcategory includes mills which produce a highly bleached and purified pulp by a "full cook" process using very strong solutions of bisulfites of calcium, magnesium, ammonia, or sodium containing an excess of free sulfur dioxide. The principal product made by this process is rayon and other products requiring the virtual absence of lignin and a very high alpha cellulose content.

(7) Subpart L—Groundwood Chemi-Mechancial Subcategory. This subcategory includes mills which produce a pulp, with or without brightening, utilizing a chemical cooking liquor to partially cook the wood followed by mechanical defibration by refining at atmospheric pressure. The principal products made by this process are fine papers, newsprint, and molded fiber products.

(8) Subpart M—Groundwood Thermo-Mechanical Subcategory. This subcategory includes mills which produce a pulp, with or without brightening, by a brief cook utilizing steam, with or without the addition of cooking chemicals such as sodium sulfite, followed by mechanical defibration by refiners which are under pressure. The principal products of this process are fine papers, newsprint, and tissue products.

(9) Subpart N—Groundwood-CMN Papers Subcategory. This subcategory includes mills which produce pulp, with or without brightening, utilizing only mechanical defibration by either stone grinders or refiners. The principal products made by this process are coarse papers, molded fiber products, and newsprint which include papers with clay and filler contents less than eight percent.

(10) Subpart O—Groundwood Fine Papers Subcategory. This subcategory includes mills which produce pulp, with or without brightening, utilizing only mechanical defibration by either stone grinders or refiners. The principal product made by this process is fine papers which contain eight percent or more clays and fillers.

(11) Subpart P—Soda Subcategory. This subcategory includes mills which produce a bleached pulp by a "full cook" process utilizing a highly alkaline sodium hydroxide cooking liquor. The principal products made by this process are printing and writing papers.

(12) Subpart Q—De-ink Subcategory. This subcategory includes mills which produce a pulp usually brightened or bleached from recycled waste papers in which an alkaline treatment is utilized to remove contaminants such as ink and coating pigments. The principal products of this process are printing paper, tissue, and newsprint.

(13) Subpart R—Non-Integrated Fine Subcategory. This subcategory includes mills which produce fine papers from wood pulp or deinked pulp prepared at another site. The principal products of this process are printing, writing, and technical grade papers.

(14) Subpart S—Non-Integrated Tissue Paper Subcategory. This subcategory includes mills which produce tissue papers from wood pulp or deinked pulp prepared at another site. The principal products of this process include facial and toilet papers, glassine, paper diapers, and paper towels.

(15) Subpart T—Non-Integrated Tissue Papers (FWP) Subcategory. This subcategory include mills which produce tissue papers from recycled waste papers. The principal products made by this process include facial and toilet papers, glassine, paper diapers, and paper towels.

(ii) Waste characteristics.

The significant pollutant parameters in waste waters resulting from the dissolving kraft subcategory, market kraft subcategory, BCT kraft subcategory, fine kraft subcategory, papergrade sulfite subcategory, dissolving sulfite subcategory, GW-chemi-mechanical subcategory, GW-thermo-mechanical subcategory, GW-CMN papers subcategory, GW-fine papers subcategory, soda subcategory, deink subcategory, NI fine papers subcategory, NI tissue papers subcategory, and the NI tissue (FWP) subcategory of the pulp, paper and paperboard manufacturing category includes five day biochemical oxygen demand (BOD5), total suspended non-filterable solids (TSS), pH, color (for bleached kraft and soda subcategories) and zinc (for groundwood subcategories).

Advanced notice effluent limitation guidelines and standards of performance are established below to control each of the above pollutants. No limitations have been established for several other waste water pollutants which are considered to be of lesser importance because (a) available data has indicated these pollutants are normally removed when BOD5 or TSS are removed, (b) they occur in insignificant quantities, or (c) technology is not available to control the pollutant discharges.

(iii) Origin of waste water pollutants.

The origin of waste water pollutants in the dissolving kraft, market kraft, BCT kraft, fine kraft, papergrade sulfite, dissolving sulfite, GW-chemi-mechanical, GW - thermo - mechanical, GW-CMN papers, GW-fine papers, soda, deink, NI fine papers, NI tissue papers, and the NI tissue (FWP) subcategories result from the following applicable operations: woodyard, digestion, and pulp washing, chemical recovery, cooking liquor preparation, pulp screening, bleaching, and papermaking. The primary continuous sources of waste water pollutants are (a) the white water from the paper machine, (b) evaporator and digester condensates, (c) pulp washing and screening operations, and (d) bleaching operations. Major intermittent sources of waste water pollutants are (e) spills from cooking liquor preparation areas, (f) spills of spent cooking liquor from the evaporator and recovery systems, (g) papermaking system spills and washups.

(iv) Treatment and control technology.

Waste water treatment and control technologies have been studied for each subcategory of the industry to determine what is (a) the best practicable control technology currently available, (b) the best available technology economically achievable, and (c) the best available demonstrated control technology, processes, operating methods or other alternatives.

In-plant procedures to control pollution include strict management control over housekeeping and water use practices, minimization of the intake of water by re-use and recirculation of waste waters.

"End-of-process" waste water treatment processes include preliminary screening, primary sedimentation, biological treatment, and some physical-chemical treatment.

Best practicable control technology currently available for all subcategories except for NI tissue includes biological treatment.

The most commonly employed biological treatment systems presently used by mills within all of the subcategories include (1) aerated stabilization basins and (2) activated sludge treatment systems.

Reduction of pollutant parameters levels by either can achieve the best practicable control technology currently available effluent limitations guidelines. A specific level of effluent quality can generally be achieved by either aerated stabilization basins or activated sludge depending upon the design and operation of the treatment system.

Best available control technology economically achievable for all subcategories includes biological treatment and mixed media filtration with, if necessary, chemical addition and coagulation. In addition, color may be removed from mill effluents within the bleached kraft and soda subcategories by lime treatment.

Treatment required to achieve the best available demonstrated control technology, processes, operating methods or other alternatives for new sources is the same as the best available control technology economically achievable except that color removal for the subcategories of bleached kraft and soda is not required, and mixed media filtration is not required for any of the subcategories.

Best practicable control technology and best available control technology as they are known today, require disposal of the pollutants removed from waste waters in this industry in the form of solid wastes and liquid concentrates. In most cases these are nonhazardous substances requiring only minimal custodial care. However, some constituents may be hazardous and may require special consideration. In order to insure long-term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent horizontal and vertical migration of these contaminants to ground or surface waters. In cases where geological conditions may not reasonably ensure this, adequate legal and mechanical precautions (e.g. impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate,

the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of legal jurisdictions.

(v) Cost estimates for control of waste water pollutants.

Pollution control costs have been estimated for each subcategory for one to four plant sizes. Both aerated stabilization basins (ASB) and activated sludge treatment systems (A) were examined for EPCTCA, BATEA, and NSPS. Costs for the largest model mill in each subcategory are presented as cumulative costs and are as follows:

BPCTCA

Mill	Total investment costs (MM)		Total annual costs [1] (in thousands of kilograms	
	ASB	A	ASB	A
Dissolving kraft, 907 kkg/d	$21.6	$27.2	$15.2	$19.0
Market kraft, 645 kkg/d	14.7	18.3	13.9	17.4
BCT kraft, 1,179 kkg/d	21.2	26.1	10.5	13.0
Fine kraft, 1,179 kkg/d	19.0	22.9	9.8	12.0
Papergrade sulfite, 481 kkg/d	18.1	21.9	20.1	25.1
Dissolving sulfite, 499 kkg/d	17.6	21.6	22.6	27.8
GW chem.-mechanical, 544 kkg/d	10.0	11.6	10.8	13.2
GW thermo-mechanical, 544 kkg/d	7.5	8.9	8.0	10.0
GW CMN papers, 454 kkg/d	8.5	9.9	10.8	12.9
GW fine papers, 499 kkg/d	8.8	10.1	10.0	11.8
Soda, 644 kkg/d	15.0	17.5	14.4	17.1
Deink, 454 kkg/d	11.6	13.5	16.6	18.6
NI fine papers, 254 kkg/d	3.0	3.0	6.7	6.7
NI tissue papers, 408 kkg/d	5.2	5.2	7.1	7.1
NI tissue (FWP), 408 kkg/d	7.2	9.1	9.9	12.6

[1] Multiply by 0.907 to convert to dollars per ton.

BATEA

Mill	Total investment costs (MM)		Total annual costs [1] (in thousands of kilograms)	
	ASB	A	ASB	A
Dissolving kraft, 907 kkg/d	$31.4	$37.0	$23.1	$28.9
Market kraft, 645 kkg/d	21.2	24.8	22.8	24.8
BCT kraft, 1,179 kkg/d	30.5	35.5	15.5	18.1
Fine kraft, 1,179 kkg/d	28.0	31.9	14.8	16.9
Papergrade sulfite, 481 kkg/d	22.8	26.7	26.1	31.1
Dissolving sulfite, 499 kkg/d	22.9	27.0	30.0	35.2
GW chem.-mechanical, 544 kkg/d	13.0	14.6	14.3	16.8
GW thermo-mechanical, 544 kkg/d	10.0	11.4	10.8	12.7
GW CMN papers, 454 kkg/d	11.1	12.6	14.4	16.6
GW fine papers, 499 kkg/d	11.5	12.9	13.6	15.2
Soda, 644 kkg/d	20.8	23.3	20.0	22.7
Deink, 454 kkg/d	13.3	15.2	19.8	21.6
NI fine papers, 254 kkg/d	4.5	5.5	10.7	12.8
NI tissue papers, 408 kkg/d	7.4	9.2	10.8	13.0
NI tissue (FWP), 408 kkg/d	8.8	10.6	12.7	15.3

[1] Multiply by 0.907 to convert to dollars per ton.

NSPS

Mill	Total investment costs (MM)		Total annual costs [1] (in thousands of kilograms)	
	ASB	A	ASB	A
Dissolving kraft, 907 kkg/d	$23.0	$27.6	$13.4	$19.6
Market kraft, 644 kkg/d	15.5	14.2	14.5	14.0
BCT kraft, 1,179 kkg/d	27.8	28.3	13.7	13.5
Fine kraft, 1,179 kkg/d	25.7	24.5	12.8	12.6
Papergrade sulfite, 481 kkg/d	19.8	18.1	24.7	24.5
Dissolving sulfite, 499 kkg/d	22.9	21.7	30.1	30.5
GW chem.-mechanical, 544 kkg/d	13.0	12.0	13.9	13.8
GW thermo-mechanical, 544 kkg/d	9.0	10.4	9.3	11.0
GW CMN papers, 454 kkg/d	10.9	9.8	14.1	12.9
GW fine papers 499 kkg/d	11.7	10.5	12.4	12.5
Soda 644 kkg/d	17.9	16.2	16.3	15.0
Deink, 454 kkg/d	13.7	12.7	18.6	19.4
NI fine papers, 254 kkg/d	5.0	4.6	11.1	10.7
NI tissue papers, 408 kkg/d	7.5	7.5	11.6	10.4
NI tissue (FWP), 408 kkg/d	8.9	8.2	12.3	11.9

[1] Multiply by 0.907 to convert to dollars per ton.

(vi) Energy requirements and non-water quality environmental impacts.

Non water quality impacts of the pollution control systems were analyzed and found to be of little consequence. Energy requirements of the industry are relatively low: power required to operate the internal controls and the mechanically aerated biological systems will increase consumption on an average of 2.5 percent. Solid wastes from treatment sludges and some odor from treatment systems are encountered, but no substantial impact can be identified.

(vii) Economic impact analysis.

A study of the economic impact of these advanced notice regulations is under way and will be reported separately in the near future as a separate report.

The report entitled "Development Document for Advanced Notice of Proposed or Promulgated Rulemaking for Effluent Limitations Guidelines and New Source Performance Standards for the Bleached Kraft, Groundwood, Sulfite, Soda, Deink and Non-Integrated Paper Mills Segment of the Pulp Paper, and Paperboard Point Source Category" details the analysis undertaken in support of the advanced notice regulation herein and is available for inspection in the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, Washington, D.C., at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the proposed regulation will be available for inspection at these locations at a later date. Copies of both of these documents will be sent to persons or institutions affected by the advanced notice regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies are available. Persons wishing to obtain a copy may write the EPA Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Attention: Ms. Ruth Brown, A-107.

On June 14, 1973, the Agency published procedures designed to insure that, when certain major standards, regulations, and guidelines are proposed, an explanation of their basis, purpose and environmental effects is made available to the public (38 FR 15653). The procedures are applicable to major standards, regulations and guidelines which are proposed on or after December 31, 1973, and which prescribe national standards of environmental quality or require national emission, effluent or performance standards and limitations.

The Agency determined to implement these procedures in order to insure that the public was apprised of the environmental effects of its major standards setting actions and was provided with detailed background information to assist it in commenting on the merits of a proposed action. In brief, the procedures call for the Agency to make public the information available to it, delineating the major nonenvironmental factors affecting the decision, and to explain the viable options available to it and the reasons for the option selected.

The procedures contemplate publication of this information in the FEDERAL REGISTER, where this is practicable. They provide, however, that where, because of the length of these materials, such publication is impracticable, the material may be made available in an alternate format.

The report entitled "Development Document for Advanced Notice of Proposed or Promulgated Rulemaking for Effluent Limitations Guidelines and New Source Performance Standards for the Bleached Kraft, Groundwood, Sulfite, Soda, Deink and Non-Integrated Paper Mills Segment of the Pulp, Paper, and Paperboard Industry Point Source Category" contains information available to the Agency concerning the major environmental effects of the advanced notice regulation below, including:

(1) the pollutants presently discharged into the Nation's waterways by manufacturers of pulp, paper, and paperboard and the degree of pollution reduction obtainable from implementation of the proposed guidelines and standards (see particularly Sections IV, V, VI, VII, IX, X, and XI);

(2) the anticipated effects of the advanced notice regulation on other aspects of the environment including air, solid waste disposal and land use, and noise (see particularly Section VIII); and

(3) options available to the Agency in developing the advanced notice regulatory system and the reasons for its selecting the particular levels of effluent reduction (see particularly Sections VI, VII, and VIII).

The supplementary economic report will contain an estimate of the cost of pollution control requirements and an analysis of the possible effects of the advanced notice regulation on prices, production levels, employment, communities in which pulp, paper, and paperboard manufacturing plants are located, and international trade. In addition, the Development Document describes, in Section VIII, the cost and energy consumption implications of the advanced notice regulations.

The two reports described above in the aggregate exceed 1000 pages in length and contain a substantial number of charts, diagrams, and tables. It is clearly impracticable to publish the material contained in these documents in the FEDERAL REGISTER. To the extent possible, significant aspects of the material have been presented in summary form in foregoing portions of this preamble. Additional discussion is contained in the following analysis of comments received and the Agency's response to them. As has been indicated, both documents will be available for inspection at the Agency's Washington, D.C. and regional offices and at State water pollution control agency offices. Copies of each have been distributed to persons and institutions affected by the advanced notice regulations or who have placed themselves on a mailing list for this purpose. Finally, so long as the supply remains available, additional copies may be obtained from the Agency as described above.

When this regulation is promulgated, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the Economic Analysis will be available through the National Technical Information Service, Springfield, Virginia 22151.

(c) Summary of public participation. Prior to this publication, agencies and groups were consulted and given an opportunity to participate in the development of advanced notice effluent limitations, guidelines and standards for the pulp, paper, and paperboard manufacturing category. All participating agencies and groups have been informed of project developments. An initial draft of the Development Document was sent to all participants and comments were solicited on that report.

The following responded with comments: Nicolet Paper Co.; National Council of the Paper Industry for Air and Stream Improvement, Inc.; Kimberly-Clark Corp.; State of Michigan; Mead Corp.; Crown Zellerbach Corp.; International Paper Corp.; The Buckeye Cellulose Corp.; Scott Paper Co.; Hammermill Paper Co.; State of North Carolina; State of Wisconsin; State of New York; State of Idaho; The Procter & Gamble Co.; Newton Falls Paper Mill, Inc.; State of Illinois; Eastex Inc.; ESWQIAC; Weyerhauser Corp.; American Paper Institute; and IVL (Sweden).

The primary issues raised in the development of the advanced notice effluent limitations guidelines and standards of performance and the treatment of these issues herein are as follows:

(1) A large number of comments were received that stated that special allowances should be established for mills subject to climatological extremes (i.e. temperature).

The effects of temperature upon biological treatment efficiencies should be accounted for in the design and operation of biological treatment systems (i.e. short term detention time biological treatment systems such as activated sludge are much less affected by climatic conditions than are long term detention time systems such as aerated stabilization basins). See the Development Document. (Section VII).

(2) Comments were received which stated that two stage biological treatment systems in use by many pulp and paper mills should be considered as BATEA and not BPCTCA. The external treatment at these mills includes two-stage biological systems which include aerated stabilization basins followed by storage ponds. The commenters argued that these two-stage systems represent BATEA since the storage ponds primary purpose is to control the discharge according to the receiving water quality.

The Agency agrees that one of the purposes of the storage ponds is for controlling the discharge to meet receiving water requirements. However, further reductions in BOD5 and TSS generally occur in the storage ponds, as these ponds are frequently described as storage oxidation ponds. The two-stage biological system represents BPCTCA at these mills. The design and operation of the aerated stabilization basins are such that the storage oxidation ponds are relied upon to remove BOD5 and TSS. Thus, the aerated stabilization basins at these particular mills cannot be specified as BPCTCA. Therefore, the final effluent data from these particular mills was utilized in developing the limitations.

(3) A few commenters felt that the effluent limitations should be influenced by receiving water assimilative capacities at each particular site.

Under the Act, it is not necessary that a showing be made regarding the effect of the pollution discharge upon the quality of the receiving water. Under sections 301, 304 (b) and (c), 306 (b) and (c), and 307(c), the principal means of control is through the adoption of effluent limitations directly applicable to the discharge itself. The effluent limitations are to be based upon defined levels of technology which are specified in the Act. Nevertheless, water quality standards are retained as a secondary means of control and will have their principal applicability in those instances where effluent limitations are not stringent enough to provide for the achievement of water quality standards.

(4) One commenter said that there was no real analysis of the costs of air and water pollution control and the benefits derived.

The limitations, as mandated by the "Act" are technologically based, and benefits are expressed in terms of effluent reduction. Although air pollution control costs were not quantified, consideration is being given to this factor for the current economic impact analysis.

(5) Many comments were received that stated that the costs of achieving BPCTCA limitations presented in the draft Development Document were unsupported by the information presented in the report and impossible to determine the individual costs of internal and external controls used in the aggregate costs. The commenters also felt that the methodology used to determine the costs of achieving BATEA limitations and the NSPS were unsupported and inadequate.

The Agency has totally revised the costs contained in the Development Document to reflect changes in methodology, technologies identified as BPCTCA, BATEA, and BADT, and the expanded data base. Specific technologies included in BPCTCA, BATEA, and BADT have been identified and costs have been developed and presented in the Development Document. Two sets of treatment costs are presented including both the costs of aerated stabilization basins and activated sludge systems. Extensive information and data has been added to the Development Document in order to fully support and document the costs, some of which includes the following: (1) Description of internal and external controls, (2) basic schematic drawings and design parameters of identified technologies, (3) cost curves for each subcategory relating mill size to costs, and (4) a specific sample calculation for one subcategory presenting the compilation of the costs into the aggregate cost figure.

(6) Several comments were received that stated that effluent limitations and standards should be established for zinc for groundwood mills. It was stated that high levels of zinc are discharged from groundwood mills which use zinc hydrosulfite as a brightening agent and that use of an alternate brightening agent, such as sodium hydrosulfite, should reduce the zinc in groundwood mill effluents to presently acceptable levels.

The Agency concurs that high levels of zinc in groundwood mill effluents are unacceptable and zinc effluents limitations and standards have been established.

(7) Several commenters suggested an approach to developing BPCTCA limitations. Essentially, the approach involved determining average BOD5 raw waste loads for the industry and applying 85% reduction which was said to be representative of biological treatment.

The BPCTCA limitations are based upon mills which treat their waste waters by technologies representing BPCTCA. Thus, mill operating data is

the basis for the limitations and not the application of an assumed pollutant reduction efficiency.

(8) Several comments were received which stated that the total suspended solids concentrations resulting from testing methods utilizing filter paper (nonstandard methods) should be accounted for in the development of the effluent limitations and standards. A conversion factor for nonstandard methods to standard methods of 3 to 1 was suggested for use in the evaluation of data.

The TSS analytical measurement techniques are discussed in the Development Document, and data for mills utilizing nonstandard methods was not used in development of the limitations. Conversion factors for nonstandard methods to standard methods range from less than 2 to more than 10 depending upon the effluent stream sampled. Thus, the Agency feels that use of a conversion factor is not applicable.

(9) One commenter felt that additional subcategories should be added for small mills. Suggestions were provided for what constitutes a small mill and how the limitations should be increased for small mills.

In developing the subcategories, many factors were evaluated as possible bases for establishing subcategories. One of these factors was the size of mills. The Agency concluded that size of mills was not a significant factor for subcategorization because the waste water characteristics and control technologies are independent of plant size.

(10) It was alleged that the limitations for color removal do not appear to be workable since there is no direct linear relationship between color units and color mass.

The Agency concurs that there is no direct linear relationship between color units and color mass. However, in order for the color limitations to be related to mill production, the Agency defined, for purposes of implementing the color limitations, the following standard relationship used by several other countries: 1 mg/l equals 1 color unit.

(11) Several comments were made that the variabilities of raw waste load were not considered in the development of the limitations.

The limitations are based upon actual mill operating data including both raw waste and final effluent data. The Agency determined that any effects of variations in raw waste load are upon the treatment system and the quality of the final effluent. Thus, the effects of raw waste variability were considered in the development of the limitations through consideration of variations in final effluent quality.

(12) Many commenters stated that the limitations for TSS should be removed or replaced by a settleable solids limitation as the suspended solids in the final effluent from pulp and paper mill biological treatment systems are biological organisms generated during treatment for the removal of BOD and not the fibrous materials contained in mill raw wastes. It was argued that the fibrous materials in the raw waste are removed by primary treatment and that the biological suspended solids in the final effluent from the biological treatment system characteristically do not settle. It was stated that the biological solids do not settle and cause problems of sludge beds in receiving waters and that no harm is caused to the environment other than an exertion of BOD which is regulated by the BOD5 limitations.

The Agency believes that the TSS in final effluents from pulp and paper mill biological treatment systems are harmful to aquatic environments. The Agency concurs that the fibrous materials in the raw waste should settle out in a well designed and operated primary treatment system. As discussed in Section VI of the Development Document, the Agency believes that the TSS from pulp and paper mill biological treatment systems have the following detrimental effects upon receiving water environments: (1) increases in the turbidity of the receiving water resulting in reduced light transmission and accompanying effects, such as reduced photosynthesis, (2) aesthetic effects, (3) settling of suspended solids to the bottom of receiving waters, and (4) exertion of BOD by the biological suspended solids. Limiting just settleable solids would exclude a portion of the total suspended solids which should be controlled, and therefore the TSS limitation was not removed from the regulation.

(13) Comments were received that stated that BPCTCA limitations will require mills to install both internal and external controls. It was argued that, in effect, this pushes the 1983 limitations up to 1977 because the intent of the Act was to emphasize external treatment to meet the 1977 limitations and to emphasize internal controls in 1983. It was also suggested that since the 1983 internal technologies are essentially being required in 1977, the costs of achieving BPCTCA limitations will be substantially higher and the economic impact may be significant.

It is the opinion of the Agency that the Act does not preclude considering some in-plant control changes as part of BPCTCA. Section 304(b)(1)(B) includes consideration of "the process employed" and "process changes" as part of the determination of BPCTCA. Where an in-plant change can be implemented by 1977 and meets the other requirements of Section 304(b)(1), there is no reason to differentiate such control measure from any other control measure or practice imposed as part of BPCTCA. The in-plant changes which have been identified as available in 1977 are practices which are in common use in the industry.

(14) It was suggested by several commenters that the color limitation should be removed from the regulations as color has not been established as a pollutant and its inclusion for BATEA is not justified.

As discussed in Section VI of the Development Document, the Agency believes that color is a major pollutant parameter and has the following detrimental effects: (1) color in receiving waters retards sunlight transmission and interferes with photosynthesis thereby reducing productivity of the aquatic community; (2) color alters the natural stream color and is thereby aesthetically displeasing; (3) color has a detrimental effect upon downstream municipal and industrial water users, as color, even when not visually apparent (i.e. turbid streams), must be removed before use in municipal and industrial water supplies; (4) color bodies complex with metal ions, such as iron or copper, forming tar-like residues which remove metals from the stock available to stream organisms for normal metabolism, and the complexes can have direct inhibitory effects on some of the lower scale organisms in the aquatic community; (5) color is an indicator of potentially inhibitory compounds discharged to the aquatic environment; and (6) color in receiving waters affects fish productivity and fish movements. Therefore, the limitations for color for BATEA were not removed from the regulations as the Agency believes that color is a major pollutant parameter.

(15) Two commenters stated that the limitations should be written as net pollutants and mills should be given credit for pollutants in their raw water supply.

The effluent limitations have generally been developed on a gross or absolute basis. However, the Agency recognizes that in certain instances pollutants will be present in navigable waters which supply a plant's intake water in significant concentrations which may not be removed to the levels specified in the limitations by the application of treatment technology contemplated by BPCTCA.

Accordingly, the Agency has promulgated amendments to its NPDES permit regulations (40 CFR 29850, July 16, 1975) which specify the situations in which the Regional Administrator may allow a credit for such pollutants.

(16) Several commenters stated that the Agency should provide a range of effluent limitations instead of a single limitation, as the range would allow the Regional Administrators to determine the appropriate limitation for each mill depending upon the specific conditions at the mills.

The present limitations take differences within an industry into account through subcategorization, rather than by use of ranges of numbers to be varied at the discretion of the office issuing permits. The 28 industries noted in Section 306 of the Act, for example, have already broken some of the broad industrial groups into subgroups such as the chemical industry into inorganic chemicals, organic chemicals, plastics and synthetics, petrochemicals, soaps and detergents, fertilizers, and rubber. The pulp and paper industry has been broken into 5 initial subcategories in the first segments of the industry and 15 subcategories which are covered by these regulations.

(17) Several commenters stated that the costs for pollution control presented

in the draft report are expressed in 1973 dollars and that these 1973 costs do not reflect the actual costs to the industry in 1977 or 1983.

The costs presented in the Development Document have been updated to represent 1974 costs. The economic analysis has assumed that the cost of pollution control will increase at a rate similar to the general inflation rate. Therefore, the annual cost of pollution control as a percent of sales, or the capital cost as a percent of plant investment, is expected to be relatively stable. As a result, the economic analysis used these relatively stable parameters for assessing economic impact in 1977 and 1983.

(18) Many commenters stated that allowances should be established for mills with woodyard operations which use large quantities of water in preparation of logs prior to chipping.

The Agency agrees that the wood preparation operations are part of the manufacturing process and in certain cases additional waste loads are discharged from these operations. As discussed in the Development Document, woodyard operations are similar between mills in all wood pulping subcategories and thereby, any waste loads generated by the woodyard operation were not used as a basis for subcategorization. Instead, additional allowances for BOD5 and TSS were established for mills in any subcategory using specific woodyard operations which result in additional waste loads. The additional allowance is only included for BPCTCA effluent limitations as technology is presently available to essentially eliminate the water use within woodyard operations and is included as BATEA and best available demonstrated technology (BADT). It should be emphasized that additional data is being solicited on raw waste loads (flow, BOD5, and TSS) generated by woodyard operations including the following: (1) debarking (hydraulic, drum), (2) flumes for transporting or defreezing, and (3) log ponds for defreezing.

(19) A number of commenters stated that the list of mills in each subcategory was inaccurate and several mills were misplaced in the wrong subcategory.

The list of mills in the Appendix of the Draft Development Document should not be interpreted as a placement of a mill in a subcategory but should only be used as a reference.

(20) Several comments stated that the subcategorization was inadequate and specifically that separate subcategories for dissolving bleached kraft and market bleached kraft mills should be established.

In response, the Agency has established a total of 15 subcategories based upon the greatly expanded data base, and separate subcategories for dissolving bleached kraft mills and market bleached kraft mills have been established. In addition, two groups of mills within the non-integrated paper mills segment have been excluded from these regulations due to what the Agency feels is inadequate data on which to subcategorize and establish effluent limitations and standards. These mills include those non-integrated paper mills producing coarse papers and specialty papers. Effluent limitations and standards will be developed for these mills at a later date.

(21) One commenter felt that the limitations and standards for bleached kraft mills producing market pulp should be more stringent than for bleached kraft mills producing paper products.

The available data shows that raw waste loads generated by bleached kraft market pulp mills are generally higher than bleached kraft mills producing paper products. This apparent anomaly can be attributed to the higher degree of cooking and bleaching which is usually practiced by bleached kraft market pulp mills. Effluent limitations and standards for bleached kraft market pulp mills were thereby established more stringent than for bleached kraft mills producing paper products.

(22) Several commenters stated that the data base was inadequate.

The original data base included information and data collected by on-site surveys of approximately 105 mills. Since the original survey efforts, information and data has been collected from approximately 70 additional mills and approximately 30 mills have been recontacted for supplementary or revised information and data. Efforts are continuing to be made in collecting information and data from both surveyed and non-surveyed mills and as such, any information or data which is relevant to the development of these regulations is being solicited. The present data base includes extensive information and data for over 50% of the mills covered by these regulations.

(23) Several comments were received that stated that the methodologies used for data analysis and in determining the effluent limitations and standards were inadequate.

The effluent limitations and standards were completely revised based upon modifications in the methodologies used in the data and variability analyses as well as upon the expanded data base. The general methodology used to establish BPCTCA limitations was to use the average flow for each subcategory with the capabilities of the identified external treatment systems. The maximum 30 day and maximum daily limitations were then determined by multiplication by variability factors which reflected the normal variability associated with the identified treatment technologies.

(24) Several commenters felt that the exclusion of some of the higher data points in the data analysis was not justified and had the effect of lowering the effluent limitations and standards.

Analysis of the data from the 105 mills sometimes showed excursions in the data which were not considered to be normal operation of a particular plant. These data points were only excluded after extensive investigations into the cause of the excursion. The Agency believes that normal variability should be included in the data base upon which effluent limitations and standards are based; however, conditions not representative of normal practice or BPCTCA should not be included as part of the data base.

(25) Several commenters stated that non-integrated specialty mills should not be included in the non-integrated coarse papers subcategory.

The Agency concurs that coarse papers are distinctly different from specialty papers and that manufacture of specialty papers generally results in higher raw waste loads than manufacture of coarse papers. The original subcategorization included a subcategory entitled "Non-Integrated - Coarse Papers" which included both coarse and specialty papers. The effluent limitations and standards were actually based upon mills producing specialty papers, and coarse paper mills would thereby have been given a slight advantage. However, review of the available data for non-integrated paper mills producing coarse or specialty papers resulted in excluding these mills from these regulations for reasons cited previously.

(26) One commenter stated that the discussion of energy requirements of pollution control was inadequate.

The Agency has made extensive efforts to update and revise the estimates of energy requirements of the treatment technologies identified for BPCTCA, BATEA, and BADT. The Development Document presents revised and updated energy values for all 15 subcategories.

(27) Several comments were received that stated that BPCTCA for the sulfite subcategory should include (1) spent sulfite liquor (SSL) recovery, (2) secondary (aerated stabilization basins or activated sludge) treatment, and (3) reasonable in plant pollution control measures.

The Agency agrees with these comments and the effluent limitations for 1977 for sulfite mills have been developed based upon (1) SSL recovery, (2) biological treatment, and (3) in plant control measures as normally practiced within the industry.

(28) A number of commenters stated that the TSS in biological treatment system effluents are not related to the mill raw waste TSS and should be recognized as biological TSS in the Development Document.

The three general types of TSS occurring in biological treatment system effluents include (1) cellulose fiber, (2) mineral materials, and (3) biological TSS. Fibers and, for many mills, mineral type TSS are lost during the manufacturing process into the process waste waters. Most of the raw waste load TSS should be removed by primary treatment with most of the remaining TSS removed by secondary treatment. The majority of the TSS in the final effluents from well designed and operated secondary treatment systems should be biological TSS which were created in oxidizing the soluble BOD5 in the waste water. Mills with inadequately designed or operated primary treatment facilities generally have high TSS levels in the effluent from their secondary treatment facilities. The rela-

tive proportions of the fiber, mineral, and biological TSS in secondary treatment effluents can be considered as an indicator of the design and operation of the primary treatment as well as the secondary treatment facilities. Thus, effluents from well designed and operated primary and secondary treatment facilities should contain mostly biological TSS with only some fiber and mineral TSS. The Development Document was revised to reflect that the TSS in secondary treatment effluents are mostly biological TSS and as such are more related to the raw waste BOD5 than raw waste TSS.

(29) Two comments were received that stated that the raw waste load used in establishing BPCTCA effluent limitations for sulfite mills should be the raw waste load generated prior to SSL recovery. The rationale presented by the commenters was that SSL recovery is not economical as is liquor recovery in kraft mills.

The BPCTCA effluent limitations for sulfite mills were based upon raw waste loads from mills practicing SSL recovery. SSL recovery is an internal pollution control measure and since it is commonly practiced by the large majority of sulfite mills (18 of 22 papergrade sulfite mills have SSL recovery systems), it is included in BPCTCA. SSL recovery may not be economical at the present time, but internal pollution control measures are not necessarily economical. Internal measures which control pollution and have a net return on the investment are normally considered to be integral parts of the manufacturing process, such as liquor recovery by kraft mills. Thus, BPCTCA for sulfite mills includes commonly used internal controls (i.e. SSL recovery) and secondary treatment (i.e. biological treatment).

(30) A large number of comments were received that stated that BATEA effluent limitations and the New Source Performance Standards were based upon unproven and undocumented assumptions regarding raw waste load reductions and increases in external treatment effectiveness.

In response the Agency has completely revised BATEA effluent limitations and New Source Performance Standards. In most cases, the actual limitations and standards are based upon raw waste loads presently being achieved by the best mill or mills within each subcategory. The internal controls in use by these mills were thoroughly evaluated, and estimates were made of raw waste load reductions possible by use of identified BATEA or BADT internal controls not presently in use by these mills. The effluent reduction capabilities of the identified BATEA and BADT external treatment was then estimated and used in conjunction with the raw waste load to establish the limitations and standards. The estimates of the external treatment reduction capabilities were based upon actual mill data in each subcategory.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown, A-107. Comments on all aspects of the advanced notice regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing an effluent limitations guideline or standard of performance, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304(b), 306 and 307 of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, 401 M Street, S.W., Washington, D.C. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before October 7, 1975 will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202).

Dated: August 27, 1975.

JAMES L. AGEE,
Assistant Administrator for Water and Hazardous Materials.

PART 430—EFFLUENT LIMITATIONS GUIDELINES FOR EXISTING SOURCES AND STANDARDS OF PERFORMANCE AND PRETREATMENT STANDARDS FOR NEW SOURCES FOR THE BLEACHED KRAFT, GROUNDWOOD, SULFITE, SODA, DEINK, AND NON-INTEGRATED PAPER MILLS SEGMENT OF THE PULP, PAPER AND PAPERBOARD POINT SOURCE CATEGORY

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Subpart F—Dissolving Kraft Subcategory

§ 430.60 Applicability; description of the dissolving kraft subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp by dissolving kraft mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.61 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Color shall mean that color as measured by the testing method presented in the National Council for Air and Stream Improvement, (Inc.) "Technical Bulletin 253," December 1971. Color units are to be assumed equal to mg/l.

(c) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(d) Production shall be defined as the annual average off the machine (air-dry tons).

(e) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	21.05	12.05
TSS	34.05	15.55
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	43.9	25.9
TSS	68.1	31.1
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	11.25	5.45
TSS	7.0	3.45
Color	250	125
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	22.5	10.9
TSS	15.2	6.9
Color	500	250
pH	Within the range 6.0 to 9.0.	

§ 430.64 [Reserved]

§ 430.65 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	11.25	5.45
TSS	15.35	7.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	22.5	10.9
TSS	30.7	14.0
pH	Within the range 6.0 to 9.0.	

§ 430.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the dissolving kraft subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No Limitation	
TSS	do.	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No Limitation	
TSS	do.	
pH	Within the range 6.0 to 9.0.	

Subpart G—Market Kraft

§ 430.70 Applicability; description of the market kraft subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp by market kraft mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations ap-

plicable to the total production covered by each subcategory.

§ 430.71 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Color shall mean that color as measured by the testing method presented in the National Council for Air and Stream Improvement, (Inc.) "Technical Bulletin 253," December 1971. Color units are to be assumed equal to mg/l.

(c) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(d) Production shall be defined as the annual average off the machine (air-dry tons).

(e) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	12.05	7.1
TSS	22.6	10.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	24.1	14.2
TSS	45.2	20.6
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	6.9	3.35
TSS	4.05	2.25
Color	180	95
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	13.8	6.7
TSS	9.0	4.5
Color	360	190
pH	Within the range 6.0 to 9.0.	

§ 430.74 [Reserved]

§ 430.75 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.8	1.85
TSS	5.65	2.8
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	7.6	3.7
TSS	11.3	5.6
pH	Within the range 6.0 to 9.0.	

§ 430.76 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the market kraft subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No Limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No Limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

Subpart H—BCT Kraft Subcategory

§ 430.80 Applicability; description of the BCT kraft subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of paper board, coarse paper, and tissue paper by bleached kraft mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitations shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.81 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Color shall mean that color as measured by the testing method presented in the National Council for Air and Stream Improvement, (Inc.) "Technical Bulletin 253," December 1971. Color units are to be assumed equal to mg/l.

(c) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(d) Production shall be defined as the annual average off the machine (air-dry tons).

(e) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	10.75	6.35
TSS	22.6	10.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	21.5	12.7
TSS	45.2	20.6
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.9	2.85
TSS	4.05	1.85
Color	130	65
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	11.8	5.7
TSS	8.1	3.7
Color	260	130
pH	Within the range 6.0 to 9.0.	

§ 430.84 [Reserved]

§ 430.85 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.9	2.85
TSS	7.95	3.6
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	11.8	5.7
TSS	15.9	7.2
pH	Within the range 6.0 to 9.0.	

§ 430.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the BCT kraft subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do.	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No Limitation	
TSS	do.	
pH	Within the range 6.0 to 9.0.	

Subpart I—Fine Kraft Subcategory

§ 430.90 Applicability; description of the fine kraft subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and fine paper by bleached kraft mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.91 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Color shall mean that color as measured by the testing method presented in the National Council for Air and Stream Improvement, (Inc.) "Technical Bulletin 253," December 1971. Color units are to be assumed equal to mg/l.

(c) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(d) Production shall be defined as the annual average off the machine (air-dry tons).

(e) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking:

§ 430.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	7.9	4.7
TSS	10.05	7.35
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	15.8	9.4
TSS	32.1	14.7
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.0	1.9
TSS	3.35	1.55
Color	130	65
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.0	3.8
TSS	6.7	3.1
Color	260	130
pH	Within the range 6.0 to 9.0.	

§ 430.94 [Reserved]

§ 430.95 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values or 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.0	1.9
TSS	6.7	3.05
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.0	3.8
TSS	13.4	6.1
pH	Within the range 6.0 to 9.0.	

§ 430.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the fine kraft subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do.	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do.	
pH	Within the range 6.0 to 9.0.	

Subpart J—Papergrade Sulfite Subcategory

§ 430.100 Applicability; description of the papergrade sulfite subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and paper by papergrade sulfite mills. When a plant is subject to effluent limitations covering more than one subcategory the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.101 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

(d) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	23.75	15.2
TSS	40.4	21.15
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	51.5	20.4
TSS	92.8	42.3
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that proportion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	13.3	6.45
TSS	6.9	3.15
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	26.6	12.9
TSS	13.8	6.3
pH	Within the range 6.0 to 9.0.	

§ 430.104 [Reserved]

§ 430.105 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	8.5	4.1
TSS	8.65	3.95
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	17.0	8.2
TSS	17.3	7.9
pH	Within the range 6.0 to 9.0.	

§ 430.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the papergrade sulfite subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No Limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No Limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

Subpart K—Dissolving Sulfite Subcategory

§ 430.110 Applicability; description of the dissolving sulfite subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp by dissolving sulfite mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

(d) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	38.5	22.7
TSS	57.55	26.25
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	77.0	45.4
TSS	115.1	52.5
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for and 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	17.3	8.35
TSS	8.85	4.05
pH	Within the range 6.0 to 9.0.	

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(English units) lb/ton of product		
BOD5	34.0	16.7
TSS	17.7	8.1
pH	Within the range 6.0 to 9.0.	

§ 430.114 [Reserved]

§ 430.115 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	17.3	8.35
TSS	17.05	8.05
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	34.6	16.7
TSS	35.3	16.1
pH	Within the range 6.0 to 9.0.	

§ 430.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the dissolving sulfite subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No Limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English unit) lb/ton of product		
BOD5	No Limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

Subpart L—GW-Chemi-Mechanical Subcategory

§ 430.120 Applicability; description of the GW-chemi-mechanical subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and paper by groundwood chemi-mechanical mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

(d) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An indi-

vidual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.95	3.5
TSS	12.9	5.9
Zinc	0.25	0.125
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	11.9	7.0
TSS	25.8	11.8
Zinc	0.50	0.25
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that proportion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.6	1.25
TSS	2.65	1.2
Zinc	0.23	0.115
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	5.2	2.5
TSS	5.3	2.4
Zinc	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 430.124 [Reserved]

§ 430.125 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.6	1.23
TSS	5.3	2.4
Zinc	0.23	0.115
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	5.2	2.5
TSS	10.6	4.8
Zinc	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 430.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the GW-Chemi-Mechanical subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
Zinc	0.25	0.125
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
Zinc	0.50	0.25
pH	Within the range 6.0 to 9.0.	

Subpart M—GW-Thermo-Mechanical Subcategory

§ 430.130 Applicability; description of the GW-thermo-mechanical subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and paper by groundwood thermo-mechanical mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall means TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

(d) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations much be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.4	2.0
TSS	9.7	4.45
Zinc	0.19	0.085
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.8	4.2
TSS	19.4	8.9
Zinc	0.38	0.19
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.25	1.1
TSS	1.4	0.65
Zinc	0.13	0.065
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	4.5	2.2
TSS	2.8	1.3
Zinc	0.26	0.13
pH	Within the range 6.0 to 9.0.	

§ 430.134 [Reserved]

§ 430.135 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.35	2.6
TSS	4.4	2.0
Zinc	0.13	0.065
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	10.7	5.2
TSS	8.8	4.0
Zinc	0.26	0.13
pH	Within the range 6.0 to 9.0.	

§ 430.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the GW-thermo-mechanical subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standards as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40

CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
Zinc	0.19	0.095
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
Zinc	0.38	0.19
pH	Within the range 6.0 to 9.0.	

Subpart N—GW–CMN Papers Subcategory

§ 430.140 Applicability; description of the GW–CMN papers subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of coarse paper, molded pulp products, and newspaper by groundwood mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.141 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

(d) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	7.1	4.2
TSS	15.35	7.0
Zinc	0.30	0.15
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	14.2	8.4
TSS	30.7	14.0
Zinc	0.60	0.30
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.65	1.75
TSS	2.8	1.3
Zinc	0.24	0.12
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	7.3	3.5
TSS	5.6	2.0
Zinc	0.48	0.24
pH	Within the range 6.0 to 9.0.	

§ 430.144 [Reserved]

§ 430.145 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	3.65	1.75
TSS	5.65	2.6
Zinc	0.24	0.12
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD_5	7.3	3.5
TSS	11.3	5.2
Zinc	0.48	0.24
pH	Within the range 6.0 to 9.0.	

§ 430.146 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the GW–CMN papers subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters) shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	No limitation	
TSS	do	
Zinc	0.30	0.15
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD_5	No limitation	
TSS	do	
Zinc	0.60	0.30
pH	Within the range 6.0 to 9.0.	

Subpart O—GW Fine Papers Subcategory

§ 430.150 Applicability; description of the GW fine papers subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and fine paper by groundwood mills. When a plan is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.151 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

(d) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information; the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	6.35	3.75
TSS	14.1	6.45
Zinc	0.27	0.135
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD_5	12.7	7.5
TSS	28.2	12.9
Zinc	0.54	0.27
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that proportion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD_5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.45	1.65
TSS	1.0	1.2
Zinc	0.23	0.115
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	6.9	3.3
TSS	2.0	2.4
Zinc	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 430.154 [Reserved]

§ 430.155 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.45	1.65
TSS	5.3	2.4
Zinc	0.23	0.115
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	6.9	3.3
TSS	10.6	4.8
Zinc	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 430.156 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the GW fine papers subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
Zinc	0.27	0.135
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
Zinc	0.54	0.27
pH	Within the range 6.0 to 9.0.	

Subpart P—Soda Subcategory

§ 430.160 Applicability; description of the soda subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and paper by soda mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.161 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Color shall mean that color as measured by the testing method presented in the National Council for Air and Stream Improvement, (Inc.) "Technical Bulletin 263." December 1971. Color units are to be assumed equal to mg/l.

(c) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(d) Production shall be defined as the annual average off the machine (air dry tons).

(e) Wet woodyard operations shall mean: (1) log ponds used for defreezing logs prior to processing; (2) log transport and defreeze flumes; (3) log washing; and (4) wet debarking.

§ 430.162 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	9.75	5.75
TSS	18.2	8.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	19.5	11.5
TSS	36.4	16.6
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section and attributable to that portion of the total mills production due to the use of logs from wet woodyard operations, which may be discharged by a point source subject to the provisions of this subpart, in addition to the limitations set forth by paragraph (a) of this section:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.9	0.5
TSS	1.6	0.75
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	1.8	1.0
TSS	3.2	1.5
pH	Within the range 6.0 to 9.0.	

§ 430.163 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.0	2.4
TSS	3.35	1.55
Color	130	65.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	10.0	4.8
TSS	6.7	3.1
Color	260	130
pH	Within the range 6.0 to 9.0.	

§ 430.164 [Reserved]

§ 430.165 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.0	2.4
TSS	6.7	3.05
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	10.0	4.8
TSS	13.4	6.1
pH	Within the range 6.0 to 9.0.	

§ 430.166 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the soda subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

Subpart Q—Deink Subcategory

§ 430.170 Applicability; description of the deink subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of pulp and paper by deink mills. When a plant is subject to effluent limitations covering more than one subcategory the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.171 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the techniques utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

§ 430.172 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such funda-

mentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	11.9	7.0
TSS	27.7	12.65
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	23.8	14.0
TSS	55.4	25.3
pH	Within the range 6.0 to 9.0.	

§ 430.173 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	5.2	2.5
TSS	5.3	2.4
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	10.4	5.0
TSS	10.6	4.8
pH	Within the range 6.0 to 9.0.	

§ 430.175 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	7.8	3.75
TSS	7.05	3.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	15.6	7.5
TSS	15.9	7.2
pH	Within the range 6.0 to 9.0.	

§ 430.176 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the deink subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

Subpart R—NI Fine Papers Subcategory

§ 430.180 Applicability; description of the NI fine papers subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of fine paper by non-integrated mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.181 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

§ 430.182 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may

approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	7.1	4.2
TSS	9.25	4.25
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	14.2	8.4
TSS	18.7	8.5
pH	Within the range 6.0 to 9.0.	

§ 430.183 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.6	1.25
TSS	1.4	0.65
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	5.2	2.5
TSS	2.8	1.3
pH	Within the range 6.0 to 9.0.	

§ 430.184 [Reserved]

§ 430.185 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.6	1.25
TSS	2.65	1.2
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	5.2	2.5
TSS	5.3	2.4
pH	Within the range 6.0 to 9.0.	

§ 430.186 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the NI fine papers subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation.	
TSS	do.	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation.	
TSS	do.	
pH	Within the range 6.0 to 9.0.	

Subpart S—NI Tissue Papers Subcategory

§ 430.190 Applicability; description of the NI tissue papers subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of tissue papers by non-integrated mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.191 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

§ 430.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	7.9	4.7
TSS	10.25	4.65
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	15.8	9.4
TSS	20.5	9.3
pH	Within the range 6.0 to 9.0.	

§ 430.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.15	2.0
TSS	2.1	0.95
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.3	4.0
TSS	4.2	1.9
pH	Within the range 6.0 to 9.0.	

§ 430.194 [Reserved]

§ 430.195 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.15	2.0
TSS	4.25	1.85
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.3	4.0
TSS	8.5	3.7
pH	Within the range 6.0 to 9.0.	

§ 430.196 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the NI tissue subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 18.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

Subpart T—NI Tissue (FWP)

§ 430.200 Applicability; description of the NI tissue (FWP) subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of tissue paper from waste paper by non-integrated mills. When a plant is subject to effluent limitations covering more than one subcategory, the discharge limitation shall be the aggregate of the limitations applicable to the total production covered by each subcategory.

§ 430.201 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Total suspended solids (TSS) shall mean TSS as measured by the technique utilizing glass fiber disks as specified in "Standard Methods for the Examination of Water and Wastewater" (13th Edition).

(c) Production shall be defined as the annual average off the machine (air-dry tons).

§ 430.202 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Devel-

opment Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	7.9	4.7
TSS	10.25	4.05
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	15.8	9.4
TSS	20.5	9.3
pH	Within the range 6.0 to 9.0.	

§ 430.203 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.15	2.0
TSS	2.1	0.95
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.3	4.0
TSS	4.2	1.9
pH	Within the range 6.0 to 9.0.	

§ 430.204 [Reserved]

§ 430.205 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.15	2.0
TSS	4.25	1.85
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	8.3	4.0
TSS	8.5	3.7
pH	Within the range 6.0 to 9.0.	

§ 430.206 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the NI tissue (FWP) subcategory, which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. In addition to the prohibitions set out in 40 CFR 128.131, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	
(English units) lb/ton of product		
BOD5	No limitation	
TSS	do	
pH	Within the range 6.0 to 9.0.	

[FR Doc.75-23357 Filed 9-4-75;8:45 am]

federal register

FRIDAY, SEPTEMBER 5, 1975

PART IV:

DEPARTMENT OF JUSTICE

Parole Board

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PAROLE, RELEASE, SUPERVISION AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Revised Rules

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

PART 2—PAROLE, RELEASE, SUPERVISION AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Parole Board

(A) *Background.* On December 31, 1974, the United States Board of Parole published in the FEDERAL REGISTER at 39 FR 45296 a notice of proposed rulemaking setting forth the rules proposed for publication at Part 2, Title 28, of the Code of Federal Regulations governing parole, release, supervision, and recommitment of prisoners, youth offenders, and juvenile delinquents. A deadline of March 3, 1975, was established for the submission of written statements or comments on the proposed regulations. On March 10, 1975, the deadline was extended to May 4, 1975, (40 FR 10996) and on May 2, 1975, was again extended by 60 days to July 3, 1975, (40 FR 19204). Copies of the proposed rules were placed in Federal institutions throughout the country to facilitate prisoner comment. The full text of the proposed rules may be found at 40 FR 10973 (March 10, 1975).

Prior to December 31, 1974, the Board of Parole published its regulations in the Code of Federal Regulations without providing opportunity for public comment as provided in the Administrative Procedure Act, 5 U.S.C. § 553(b)(3). In so doing, the Board was acting on the assumption that even if it was an agency within the meaning of that statute, its regulations fell, in any event, within the exemptions provided at 5 U.S.C. § 553(b)(3) for interpretative and procedural rules, and statements of general policy.

Subsequent litigation in *Pickus* v. *United States Board of Parole,* 507 F. 2d 1101 (D.C. Cir. 1974) resulted in a ruling that the Board of Parole was an agency as defined by the Administrative Procedure Act and held that the Board was required to comply with the notice and comment section, 5 U.S.C. § 555(b)(3). The court expressly held that its decision did not touch upon the substantive validity of the Board's regulations.

The Board, therefore, republished its rules on an emergency basis at 39 FR 45223 (December 31, 1974), with notice of proposed rule-making as described above. These rules were later amended at 40 FR 5357 (February 5, 1975) and at 40 FR 10973 (March 10, 1975).

Written statements and comments were received from 18 different sources: five from attorneys, seven from individual prisoners, three from committees of prisoners, one from a parolee, one from a Bureau of Prisons employee, and one from a public interest group (The Institute for Public Interest Representation, Georgetown University Law Center). All of these comments were carefully considered by the Board prior to the Board's quarterly meeting held July 30–31, 1975, in Atlanta, Georgia.

(B) *Rule changes.* As finally adopted and set forth below, these regulations contain a number of substantive changes from the March 10, 1975, publication (40 FR 10973). The changes made will be discussed in this section, together with those comments found relevant to the changes. Other comments are evaluated and discussed in the following section.

The changes made are as follows: (a) Section 2.14(b). (*Review Hearings*) was changed to provide that a prisoner sentenced under the Youth Corrections Act, Federal Juvenile Delinquency Act, or under 18 U.S.C. § 4208(a)(2), or 924(a) shall not be continued past one-third of his maximum sentence without a further, in-person hearing upon completion of one-third of his maximum sentence. This practice became effective for prisoners who complete one-third of their maximum sentences after August 1, 1975. Prior to this change, § 2.14(b) provided for a review on the record with a current institutional progress report, rather than an in-person hearing. This rule provoked considerable criticism, and a number of comments urged the change presently adopted. While the Board does not believe that constitutional due process or the statutes concerned require this result (see *Grasso* v. *Norton,* —— F. 2d ——, No. 74–1222 [2d Cir., decided June 23, 1975]), it was concluded that the better course would be to modify this rule as adopted.

(b) A number of rules were amended to reflect existing practices of the Board and the Bureau of Prisons concerning the prisoner's opportunities to review the information in his official records, and to correct errors of fact appearing therein. The Board has amended its former regulations that emphasized confidentiality as the general rule, in order to conform to applicable laws governing disclosure of federal records. These changes are discussed below:

(1) Section 2.11(d) (*Application for Parole*), has been changed to provide that prisoners shall be furnished with an Inmate Background Statement (Parole Form I–32) for completion prior to the initial hearing. This form permits the prisoner to present his version of the factors which make up his salient factor score. Completion of this form with the assistance of the prisoner's case worker will provide for a more meaningful hearing on the salient factor score, and will serve to point up immediately areas of disagreement on the facts. This rule change reflects present policy and was urged by several comments.

(2) Section 2.13(a) (*Initial Hearing*) has been changed to provide that the examiner panel at an initial hearing shall discuss with the prisoner his offense severity rating and salient factor score as described in § 2.20(c), his institutional conduct, and, in addition, any other matters the panel may deem relevant. This requirement codifies the present practice and ensures that the prisoner will be afforded the opportunity to respond at the hearing to those assumptions of fact upon which the panel relies in computing the offense severity rating and salient factor score.

(3) Section 2.57 (*Disclosure of Records*), paragraphs (a) through (c) have been changed to provide for access by the prisoner to factual reports.

This rule incorporates a procedure recently implemented by the Bureau of Prisons which provides for disclosure of the central file maintained at the institution in which the prisoner is confined. See Bureau of Prisons Policy Statement No. 2211.3, *Inmate Review of Central Files,* dated June 12, 1975. The central file is the file from which the initial parole hearing and all subsequent review hearings are conducted. At the time of the prisoner's initial classification, his central file is assembled and a duplicate file of the basic documents is prepared for the later use of the Board of Parole. After the initial hearing, the duplicate, or parole-file, is sent to the appropriate Board of Parole regional office and is thereafter the repository of all Board of Parole internal memoranda and administrative records concerning the prisoner, as well as updated material duplicated from the central file.

The procedure employed by the Bureau of Prisons is to segregate material exempt from disclosure under the Freedom of Information Act, 5 U.S.C. § 552(b), at the time of the initial classification. The prisoner may thereafter make an appointment with his case worker to review the non-exempt documents and obtain copies thereof. Documents withheld may be sought through written request to the Bureau of Prisons, under applicable statutes and regulations governing disclosure of government documents.

The retention of four narrowly drawn exemptions to disclosure in § 2.57(a) was found necessary to protect vital interests, both of the government, and of private persons whose names or identities appear in the prisoner's file. These exemptions parallel those contained in the Freedom of Information Act, 5 U.S.C. § 552(b), and the Federal Rules of Criminal Procedure, Rule 32, dealing with disclosure of the Presentence Investigation Report.

With regard to Presentence Investigation Reports furnished to the Bureau of Prisons and Board of Parole, the Board has been advised by the Administrative Office of the United States Courts that this report does not become a document of the Bureau of Prisons or Board of Parole upon receipt from the U.S. Probation Office, which can be disclosed under applicable statutes governing disclosure of government documents. The sentencing court retains the sole authority to disclose the report. *Cook* v. *Willingham,* 400 F. 2d 885 (10th Cir. 1968). The regulation at Subparagraph (c), places the responsibility for seeking disclosure of the Presentence Report upon the prisoner, as a matter to be resolved between the prisoner and his sentencing court. However, it should be borne in mind that each prisoner will have been afforded the opportunity to review that report, prior to sentencing, to the extent required by Rule 32, Federal Rules of Criminal Procedure, as amended August 1, 1975.

The above changes will operate in conjunction with a number of related provisions. The principal provision is that

contained in § 2.13, which provides for reasons in the case of parole denial. The reasons given indicate the number of months in custody, the salient factor score, offense severity rating with reasons for the rating if not apparent from the conviction, the guideline range indicated, reasons for going outside the range (where such a decision is made) and any other reason supporting the decision. The salient factor scoresheet, showing each point given or withheld for each of the nine salient factor score items, is furnished to the prisoner as a part of the reasons given.

Prisoners are also afforded a two-level administrative appeal procedure in §§ 2.25 and 2.26. Written statements may be submitted on appeal to the Regional Director under § 2.25, and to the National Appellate Board under § 2.26.

Section 2.57(d) was added to notify prisoners and other persons of their rights to make written requests for disclosure of documents in Board of Parole files, pursuant to the Privacy Act of 1974 and the Freedom of Information Act, by complying with the applicable Department of Justice regulations.

While the Board maintains the position that properly framed reasons for parole denial afford the prisoner a sufficient basis for an effective exercise of his rights to appeal (see *Fisher* v. *United States*, 382 F. Supp. 241 (D. Conn. 1974)), it recognizes that prisoners often seek to obtain copies of the tape recordings of their parole hearings and the Hearing Examiner's Summary (Parole Form H-1). Copies of tape recordings are furnished to prisoners upon request. The Bureau of Prisons provides recording equipment which enables prisoners to listen to these tapes. Technical difficulties with recording equipment sometimes result in inaudible or garbled recordings. Thus, the Board is not in a position to guarantee an accurate recording of every hearing. Hearing Summaries, which are prepared for the convenience of the examiners and the Board Members participating in the decision-making process, are disclosed subject to exemptions provided by law.

Section 2.12(b) (*Application for Parole*) was changed to delete a provision relating to confidentiality of parole records in order to avoid possible conflict with the disclosure provisions described above. It is nonetheless the Board's policy to avail itself of statutory exemptions to disclosure where appropriate, for example, in order to prevent clearly unwarranted invasions of the personal privacy of prisoners, ex-convicts, and persons communicating with the Board on the assumption of confidentiality.

(c) Section 2.20(c) (*Paroling Policy Guidelines*) has been changed in a number of specific instances.

(1) The severity of Firearms Act violations was felt to be greater than the severity categories (low-moderate and moderate) to which such offenses were formerly assigned. Thus, the possession, purchase, or sale of a single weapon (not a sawed-off shotgun or machine gun) was placed in the moderate severity category of offenses, and the possession, purchase, or sale of a sawed-off shotgun, machine gun, or multiple weapons, was placed in the high severity category of offenses. This change does not preclude decisions below the guideline range indicated when circumstances mitigating the seriousness of the offense are presented to the Board. Sawed-off shotguns were expressly included in this rule change since the possession of such a weapon indicates the unlikelihood of an innocent purpose in the violation. A sawed-off shotgun is generally a weapon purposefully altered to facilitate criminal concealment, and its use presents an unusually grave threat to the personal safety of the victim or innocent bystanders.

(2) In the moderate severity category of offenses, smuggling of aliens was changed to include the smuggling or transporting of aliens, since the Board felt that the individual who transports an alien who has been smuggled into the country, as part of the general scheme to complete the smuggling offense, has committed a crime which cannot, for this purpose, be rationally differentiated from the act of smuggling itself.

(3) It is further concluded the offense of possession of hard drugs with intent to distribute or sell, in order to support a drug habit, should be consolidated with possession/sale for profit in the very high severity category. The Board found that the factor of drug addiction is no more consistent or valid a mitigating circumstance than any other which might be found, and that the serious consequences inherent in this offense could not justify the severity category to which it had previously been assigned. Thus, the Board has determined that offenses involving the possession of hard drugs with intent to distribute or sell warrant a very high severity rating, with the exception of those involving a prior conviction for the same offense, to which the greatest severity rating is presently assigned. However, mitigating or aggravating circumstances may warrant a decision above or below the guideline range indicated.

(4) In relation to the offense of counterfeiting currency, the Board amended the offense behavior description in the high category to read counterfeiting currency, Passing/Possession ($20,000–$100,000) making it consistent with other property related offenses in that category.

(5) One item in the salient factor score was changed. Cocaine or barbituate dependence was found to be a somewhat less reliable predictive factor in general than heroin (opiate) dependence, and was, therefore, deleted from Item F. That item now reads: "no history of heroin or opiate dependence." This does not, however, preclude the Board from considering abuse of the drugs noted or other drugs as a negative indicant on an individual basis.

(6) The definition of Item G, High School Graduate or GED Completed was clarified to refer to such completion prior to the prisoner's present commitment. Completion of a GED during the present commitment (found to be a weaker predictive item) is appropriately considered in relation to institutional program achievement.

(d) Section 2.32 (*Committed Fines*) has been changed to reflect more clearly the operation and effect of the governing statute, 18 U.S.C. § 3569. The regulation as amended places the responsibility for resolving questions involving payment or discharge of prisoners' committed fines upon the chief executive officer of the institution, as provided by statute. One comment called attention to the need for this change.

(e) Section 2.58 (*Special Parole Term*) was revised to provide guidance as to the operation of the special parole term required for certain drug offenses. 21 U.S.C. §§ 8801–966.

(f) Section 2.13(d) (*Initial Hearing*) was changed to provide that notice to the prisoner of the examiner panel's tentative decision shall be mailed within 15 working days, except in emergencies, in order to conform to present practice.

(C) *Evaluation of other comments received.* The comments received by the Board following publication of its proposed rule-making on December 31, 1974, raised a number of difficult issues regarding paroling policy. Many of these issues are valid concerns, even though the specific proposals offered by the writers were not acceptable to the Board at this time. These issues will continue to be given serious attention in the future.

(1) *The paroling policy guidelines.* Nearly every comment received referred to some aspect of the Board's Paroling Policy Guidelines at § 2.20.

Generally, the guidelines were criticized for failing to consider with sufficient emphasis, rehabilitation or institutional progress. However, one comment stated that although prison performance is relevant to the parole decision, the Board's guidelines correctly de-emphasize rehabilitative factors which social science suggests can neither be detected nor measured.

> We support the development of detailed guidelines for decision-making not only because of the Board's stated goals, but also because § 2.20 as applied by the Board serves other commendable purposes. First, by its choice of criteria, the Board has made clear that it has de-emphasized rehabilitative factors as a condition of release. Extensive social science research strongly suggests that rehabilitation can neither be observed, detected or measured. An inmate's institutional behavior and performance should be relevant to the parole decision, however, and we support the Board rule allowing this factor to justify decisions outside the range indicated by the guidelines. Second, to a large degree the guidelines remove inmate uncertainty as to how much time they will have to serve. Because the release criteria in § 2.20 are based almost exclusively upon data fixed at the time of conviction, when he first enters prison, an inmate can calculate with great accuracy the average time he will have to serve . . .
>
> (Statement submitted by the Institute for Public Interest Representation, Georgetown University Law Center, dated May 2, 1975, at Page 3-4).

It should be noted, however, that the Board's guidelines do not totally exclude consideration of institutional, discipline or program achievement. First, the guidelines are predicated upon good institutional performance. Secondly, exceptionally good or poor institutional performance may be considered as a reason for a decision above or below the guidelines.

There were also several specific proposals. One comment urged the Board to set parole dates early in a prisoner's term to remove uncertainty. This proposal is presently being put into practice by one state parole board (California), and the United States Board of Parole will study the results of that policy. In the Federal system, a prisoner continued for an institutional review hearing (when that continuance is not limited by Board policy) will frequently be paroled at that date, absent institutional misconduct.

Several comments suggested that sentence length play some role in the guideline evaluation. While this factor is listed at § 2.19(a)(2), the Board has rejected the proposal that sentence length in itself be included in the guidelines. Such a course would defeat one of the primary benefits of the Board's guidelines, which is to reduce sentence disparity, an important goal endorsed in comments received by the Board. Of course, facts which may have persuaded the sentencing court to impose a shorter or longer than average sentence will be presented to the Board in the Presentence Investigation Report, and may influence the Board to render a decision above or below the guideline range indicated. Moreover, the sentencing courts specific recommendations regarding parole will be considered, in addition to other relevant information, by the Board.

Several comments singled out Item I of the Salient Factor Score as discriminating against unmarried individuals. This item is, however, a strong indicator of parole prognosis. In addition, it should be pointed out that only nine of the 11 possible points on the salient factor score are required in order to achieve the most favorable parole prognosis category.

Regarding the offense severity categories, one comment suggested that all ratings be based on offense of conviction only. A corollary suggestion was that all Federal statutory offense descriptions be listed on the severity scale. The Board presently considers the total circumstances of the offense committed (offense behavior) and exercises its best judgment as to the correct rating in each case. Rigidly codifying offenses by statutory section would preclude objective assessment of the actual offense behavior, and would place excessive reliance on convictions obtained more often by negotiation of pleas than by trial of the facts. Neither justice nor uniformity of treatment could be achieved with such a system, and the Board has, therefore, found the proposal unacceptable.

Another comment urged that the severity ratings be empirically validated (i.e., based on a poll of community opinion), citing Rossi, The Seriousness of Crime, 39 Am. Soc. Ref. 224 (April, 1974). While this proposal does not account for Congressional delegation of authority to the Board in 18 U.S.C. § 4203 to consider "the welfare of society," the type of research suggested by the proposal could be useful to the Board, on a long term basis, in the exercise of this authority. Serious consideration will be given to future studies in this field.

Regarding the factual basis for computing the guideline evaluation, one comment suggested that the Board require, by amended regulation at § 2.9 (*Study prior to sentencing*) that the United States Probation Officers include a guideline evaluation in preparation of the Presentence Investigation Report. For the Board's purposes, the factual basis for the guideline evaluation is presently included in these reports. Moreover, as noted above the prisoner provides information regarding his salient factor score in his background statement. The preparation of the determinative guideline evaluation is properly the task of a Board of Parole hearing examiner panel, and must be accomplished at a parole hearing pursuant to § 2.13 of the Board's regulations.

However, the preparation of a prospective guideline evaluation by probation officers could be an aid in the sentencing process if it is used to inform the court of the manner in which the Parole Board will exercise its discretion, rather than as a predetermination of the Board's final evaluation.

The Board notes that United States Probation Officers in the Southern District of New York, and other Probation Officers at the request of individual judges in other districts, currently prepare guideline evaluations for the benefit of the sentencing court.

(2) *Hearing Procedure.* Various aspects of the hearing procedure at § 2.12 were criticized. Two comments were made that the rule of representatives should be expanded to provide for their participation throughout the hearing. This proposal is not acceptable because the parole hearing is not an adversary proceeding, but an evaluative interview. The present regulation provides that the prisoner's representatives may offer a statement at the conclusion of the hearing and respond to questions of the examiner panel during the course of the hearing. There is no restriction in the present rule against the appearance of a lawyer as the prisoner's representative.

Another comment suggested that written notice of the hearing be given 30 days in advance. The Board's regulation at § 2.12(a) provides for written notice prior to a hearing.

However, a rigid 30 day notice requirement would not account for those prisoners transferring into an institution and who are placed on the next hearing docket on short notice. (Hearing examiner panels regularly visit each institution at two month intervals). If a prisoner at initial hearing believes that the notice given is inadequate to allow for preparation for the hearing or for the attendance of his representative, he may request the examiner panel to postpone his hearing until the next docket.

With regard to prisoners serving concurrent state and local sentences in state, local, or territorial institutions, two comments proposed that in-person parole hearings be granted by the Board. The present regulation at § 2.16(b) provides for reviews on the record for such prisoners. These prisoners are heard by the state or territorial parole authorities having jurisdiction over them. Upon a grant of parole from such authority, the Board will review its record to determine whether or not to grant parole at that time if it has not previously granted parole to that prisoner upon a record review. If the Board does not grant parole, the prisoner is returned to a Federal institution, and if he has not previously received an in-person parole hearing from the Board, and is otherwise eligible for parole, he will be scheduled for a hearing on the next docket following his transfer to the institution.

(3) *Appellate procedure.* Comments regarding the Board's appellate procedure generally emphasized the possibility for delays inherent in the absence of a time limit for rendering appeal decisions. While the Board has succeeded in rendering timely appeal decisions in most cases, it will continue to study means of expediting appeals as it evaluates the progress of the regional system which opened in 1974.

One comment pointed out the apparent futility of an appeal under § 2.25 to a Regional Director who has previously referred the examiner panel decision to the National Directors for decision under § 2.24. It was considered necessary to require this appeal since prisoner appeals may contain new or corrected information following receipt of the notice of action (reasons) and the salient factor scoresheet. As a matter of administrative policy, new information should be presented first at the regional level, rather than the national level, to allow the Regional Director full consideration of the case.

(4) *Mental competency hearing procedure.* One comment advanced the position that a § 2.35 mental competency hearing is an adversary proceeding requiring written notice, representation by counsel, and the opportunity to present favorable psychiatric testimony. The competency hearing, however, is an inquiry only into the prisoner's ability to understand the nature of and participate in the parole or parole revocation hearing. Implicit in the regulation is the understanding that the Board of Parole and the Bureau of Prisons will attempt to hold the parole or parole revocation hearing if at all possible, or at the earliest opportunity, in order to achieve a speedy resolution of the merits of the case.

(D) *Conclusion.* Accordingly, pursuant to the authority of 28 CFR Chapter 1, Part 0, Subpart I, and 18 U.S.C. 4201–

4210 and 5005–5037, 28 CFR Chapter 1, Part 2, is amended as set forth below, effective October 6, 1975.

Approved: August 29, 1975.

Dated: August 29, 1975.

MAURICE H. SIGLER,
Chairman,
United States Board of Parole.

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AUTHORITY: 18 U.S.C. 42101–4210, 5001–5037; 28 CFR Part O, Subpart V.

§ 2.1 Definitions.

(a) For the purpose of this part, the term "Board" means the United States Board of Parole; and the terms "Youth Correction Division" and "Division" each mean the Youth Correction Division of the Board.

(b) As used in this part, the term "National Appellate Board" means the Chairman, Vice Chairman, and at least one member of the Board, all of whom also serve as National Appellate Board members in the headquarters office, i.e., Washington, D.C.

(c) All other terms used in this part shall be deemed to have the same meaning as identical or comparable terms have when those term are used in Chapter 311 of Part IV of Title 18 of the United States Code or Chapter I, Part O, Subpart V of Title 28 of the Code of Federal Regulations.

§ 2.2 Eligibility for parole, regular adult sentences.

Except as set out in the following sections, a federal prisoner wherever confined and serving a definite term or terms of over one hundred and eighty days may, in accordance with the regulations prescribed in this part, be released on parole after serving one-third of such term or terms or after fifteen years of a life sentence or a sentence of over forty-five years (18 U.S.C. 4202).

§ 2.3 Same; adult indeterminate sentences.

A Federal prisoner, other than a juvenile delinquent or a committed youth offender, who has been sentenced to a maximum term of imprisonment in excess of one year may, if the court has designated a minimum term to be served, which term may be less than, but not more than, one-third of the maximum sentence imposed, be released on parole after serving the minimum term. In cases in which a court imposes a maximum sentence of imprisonment upon a prisoner and specifies that the prisoner may become eligible for parole at such times as the Board may determine, the prisoner may be released on parole at any time in the discretion of the Board (18 U.S.C. 4208(a)).

§ 2.4 Same; juvenile delinquents.

The Board of Parole shall release from custody, on such conditions as it deems necessary, each juvenile delinquent who has been committed, as soon as the Board is satisfied that he is likely to remain at liberty without violating the law and when such release would be in the interest of justice (18 U.S.C. 5041).

§ 2.5 Same; committed youth offenders.

The Youth Correction Division may at any time, after reasonable notice to the Director of the Bureau of Prisons, release conditionally under supervision a committed youth offender. A youth offender committed under section 5010(b) of title 18 of the United States Code to a maximum six year term shall be released conditionally under supervision on or before the expiration of four years from the date of his conviction. A youth offender committed under section 5010 (c) of title 18 of the United States Code to a maximum term which is more than six years shall be released conditionally under supervision not later than two years before the expiration of the term imposed by the court (18 U.S.C. 5017).

§ 2.6 Same; sentences under the Narcotic Addict Rehabilitation Act.

The Narcotic Addict Rehabilitation Act provides for sentence to a maximum term for treatment as a narcotic addict. Parole may be ordered by the Board after at least six months in treatment, not including any period of time for "study" prior to final judgment of the court. Before parole is ordered by the Board, the Surgeon General or his designated representative must certify that the prisoner has made sufficient progress to warrant his release and the Attorney General or his designated representative must also report to the Board whether the prisoner should be released. Recertification by the Surgeon General prior to reparole consideration is not required (18 U.S.C. 4254).

§ 2.7 Same; sentences under the gun control statute.

A Federal prisoner sentenced under 18 U.S.C. 924(a) for violation of Federal gun control laws is considered eligible for parole at such time as the Board may determine. Prisoners sentenced under this provision are considered for parole in the same manner as if they had been sentenced under 18 U.S.C. 4208(a)(2).

§ 2.8 Same; sentences of six months or less followed by probation.

A Federal prisoner sentenced under 18 U.S.C. 3651 to serve a period of six months or less in a jail type or treatment institution, with a period of probation to follow, is not eligible for parole.

§ 2.9 Study prior to sentencing.

(a) When an adult Federal offender has been committed to an institution by the sentencing court for observation and study prior to sentencing under the provisions of 18 U.S.C. 4208(b), the report to the sentencing court is prepared and submitted directly by the United States Bureau of Prisons.

(b) The court may order a youth to be committed to the custody of the Attorney General for observation and study at an appropriate classification center or agency. Within sixty days from the date of the order, or such additional period as the court may grant, the

Youth Correction Division shall report its findings to the court (18 U.S.C. 5010(e)).

§ 2.10 Date service of sentence commences.

(a) Service of a sentence of imprisonment commences to run on the date on which the person is received at the penitentiary, reformatory, or jail for service of the sentence: *Provided, however,* That any such person shall be allowed credit toward the service of his sentence for any days spent in custody in connection with the offense or acts for which sentence was imposed.

(b) Service of the sentence of any person who is committed to a jail or other place of detention to await transportation to the place at which his sentence is to be served shall commence to run from the date on which he is received at such jail or other place of detention.

(c) Service of the sentence of a committed youth offender or a person committed under the Narcotic Addict Rehabilitation Act commences to run and continues to run uninterruptedly from the date of conviction, except when such offender is on bail pending appeal or is in escape status.

§ 2.11 Application for parole.

(a) A prisoner, other than a juvenile delinquent, a committed youth offender, or an offender committed under the Narcotic Addict Rehabilitation Act, desiring to apply for parole shall execute such application forms as may be prescribed by the Board. Such forms shall be available at each Federal institution and shall be provided to prisoners eligible for parole. Such prisoners may waive parole consideration on a form provided for that purpose. If such a prisoner waives parole consideration, he may later supply for parole and may be heard during the next visit of the Board to the institution where he is confined, provided he has applied prior to 45 days from the first scheduled date of this visit. A prisoner who receives an initial hearing may not waive any subsequent review hearing scheduled by the Board except as provided in § 2.16(c). New parole applications are not necessary for such review hearings.

(b) A prisoner who is required to apply before receiving a parole hearing but who fails to submit either an application or a waiver form shall be referred to the Board's representatives by the chief executive officer of the institution. The prisoner shall then receive an explanation of his right to apply for parole at a later date.

(c) Prisoners committed under the Federal Juvenile Delinquency Act. The Youth Correction Act, and the Narcotic Addict Rehabilitation Act shall be considered for parole without application and may not waive parole consideration.

(d) Notwithstanding the above provisions relating to parole application, all prisoners prior to initial hearing shall be provided with an inmate background statement by the Bureau of Prisons for completion by the prisoner.

§ 2.12 Hearing procedure.

(a) Prisoners shall be given written notice of the time and place of the hearing described in §§ 2.13 and 2.14. Prisoners may be represented at hearings by a person of their choice. The function of the prisoner's representative shall be to offer a statement at the conclusion of the interview of the prisoner by the examiner panel, and to provide such additional information as the examiner panel shall request. Interested parties who oppose parole may select a representative to appear and offer a statement. The presiding hearing examiner shall limit or exclude any irrelevant or repetitious statement.

(b) No interviews with the Board, or any representative thereof, shall be granted to a prisoner unless his name is docketed for a hearing in accordance with Board procedures. Hearings shall not be open to the public, and the records

§ 2.13 Initial hearing.

(a) An initial hearing shall be conducted by a panel of two hearing examiners designated by the Board. The examiner panel shall discuss with the prisoner his offense severity rating and salient factor score as described in § 2.20, his institutional conduct, and, in addition, any other matter the panel may deem relevant. At the conclusion of the hearing, the examiner panel shall inform the prisoner of its tentative decision, and, if parole is denied, of the reasons therefor.

(b) In accordance with § 2.18 the reasons for parole denial may include, but are not limited to, the following reasons, with further specification where appropriate:

(1) Release at this time would depreciate the seriousness of the offense committed and would thus be incompatible with the welfare of society.

(2) There does not appear to be a reasonable probability at this time that the prisoner would live and remain at liberty without violating the law.

(3) The prisoner has (a serious) (repeated) disciplinary infraction(s) in the institution.

(4) Additional institutional treatment is required to enhance the prisoner's capacity to lead a law-abiding life.

(c) In lieu of or in combination with the reasons in paragraph (b) (1) and (2) of this section the prisoner after initial hearings shall be furnished a guideline evaluation statement which includes the prisoner's salient factor score and offense severity rating as described in § 2.20, as well as the reasons for a decision to continue the prisoner for a period outside the range indicated by the guidelines.

(d) Written notification of the decision or referral under § 2.17 or § 2.24 shall be mailed or transmitted to the prisoner within fifteen working days of the date of the hearing except in emergencies. If parole is denied, the prisoner shall also receive in writing as a part of the decision, the reasons therefor.

§ 2.14 Review hearings.

All hearings subsequent to the initial hearing shall be considered as review hearings. Review hearings by examiners designated by the Board shall be scheduled for each Federal institution, and prisoners shall appear for such hearings in person, except for the following cases:

(a) During the month preceding a regularly scheduled review hearing, a case may be reviewed on the record by an examiner panel (including a current institutional progress report). If the decision is to grant parole, no hearing shall be conducted.

(b) A prisoner sentenced under the Youth Corrections Act or Federal Juvenile Delinquency Act or a prisoner sentenced to a maximum term of more than 18 months under 18 U.S.C. 4208(a)(2) or 924(a) shall not be continued past one-third of his maximum sentence at an initial hearing without further hearing upon completion of one-third of his maximum sentence.

(c) Notification of review decisions shall be given as set forth in § 2.13(d). No prisoner shall be continued for more than three years from the time of last hearing without further review.

§ 2.15 Petition for consideration of parole prior to date set at hearing.

When a prisoner has met the minimum time of imprisonment required by law, the Bureau of Prisons may petition the responsible Regional Director for reopening the case under § 2.28 and consideration of parole prior to the date set by the Board at the initial or review hearing. The petition must show cause why it should be granted, i.e., an emergency, hardship, or the existence of other extraordinary circumstances that would warrant consideration of early parole.

§ 2.16 Parole of prisoner in state or territorial institution.

(a) Any person who has been convicted of any offense against the United States which is punishable by imprisonment but who is confined therefor in a state reformatory or other state or territorial institution, shall be eligible for parole by the Board on the same terms and conditions by the same authority, and subject to recommittal for the violation of such parole, as though he were confined in a Federal penitentiary, reformatory, or other correctional institution.

(b) Federal prisoners serving concurrent state and Federal sentences in state, local, or territorial institutions shall be furnished upon request parole application forms. Upon receipt of the application and any supplementary classification material submitted by the institution, the parole decision shall be made by an examiner panel of the appropriate region on the record only.

(c) Prisoners who are serving federal sentences exclusively but who are being boarded in state, local or territorial institutions may be considered for parole on the record only, provided they sign a waiver of their right to a personal hearing. If such a prisoner does not waive a personal hearing, he may be transferred by the Bureau of Prisons to a Federal institution where he will be considered for

parole at the next visit by an examiner panel of the Board.

§ 2.17 Original jurisdiction cases.

(a) A Regional Director may designate certain cases as original jurisdiction cases. The Regional Director shall then forward the case with his vote, and any additional comments he may deem germane, to the National Directors for decision. Decisions shall be based upon the concurrence of three votes with the appropriate Regional Director and each National Director having one vote. Additional votes, if required, shall be cast by the other Regional Directors on a rotating basis as established by the Chairman of the Board.

(b) The following criteria will be used in designating cases as original jurisdiction cases:

(1) Prisoners who have committed serious crimes against the security of the Nation, e.g., espionage, or aggravated subversive activity.

(2) Prisoners whose offense behavior (A) involved an unusual degree of sophistication or planning or (B) was part of a large scale criminal conspiracy or a continuing criminal enterprise.

(3) Prisoners who have received national or unusual attention because of the nature of the crime, arrest, trial, or prisoner status, or because of the community status of the offender or his victim.

(4) *Long-term sentences.* Prisoners sentenced to a maximum term of forty-five years (or more) or prisoners serving life sentences.

§ 2.18 Granting of parole.

The granting of parole rests in the discretion of the Board of Parole. The Board may parole a prisoner who is otherwise eligible if (a) in the opinion of the Board such release is not incompatible with the welfare of society; (b) he has observed substantially the rules of the institution in which he is confined; and (c) there is a reasonable probability that he will live and remain at liberty without violating the laws (18 U.S.C. 4203(a)).

§ 2.19 Consideration by the Board.

In the exercise of its discretion, the Board generally considers some or all of the following factors and such others as it may deem appropriate:

(a) Sentence data:

(1) Type of sentence;

(2) Length of sentence;

(3) Recommendations of judge, U.S. Attorney, and other responsible officials.

(b) Present offense:

(1) Facts and circumstances of the offense;

(2) Mitigating and aggravating factors;

(3) Activities following arrest and prior to confinement, including adjustment on bond or probation, if any.

(c) Prior criminal record:

(1) Nature and pattern of offenses;

(2) Adjustment to previous probation, parole, and confinement;

(3) Detainers.

(d) Changes in motivation and behavior:

(1) Changes in attitude toward self and others;

(2) Reasons underlying changes;

(3) Personal goals and description of personal strength or resources available to maintain motivation for law abiding behavior.

(e) Personal and social history:

(1) Family and marital history;

(2) Intelligence and education;

(3) Employment and military experience;

(4) Physical and emotional health.

(f) Institutional experience:

(1) Program goals and accomplishments:

(i) Academic;

(ii) Vocational education, training or work assignments;

(iii) Therapy.

(2) General adjustment:

(i) Inter-personal relationships with staff and inmates;

(ii) Behavior, including misconduct.

(g) Community resources, including release plans:

(1) Residence; live alone, with family or others;

(2) Employment, training, or academic education;

(3) Special needs and resources to meet them.

(h) Results of scientific data and tools;

(1) Psychological tests and evaluations;

(2) Statistical parole experience tables (salient factor score).

(i) Paroling policy guidelines as set forth in § 2.20;

(j) Comments by hearing examiners, evaluative comments supporting a decision, including impressions gained from the hearing.

§ 2.20 Paroling policy guidelines; statement of general policy.

(a) To establish a national paroling policy, promote a more consistent exercise of discretion, and enable fairer and more equitable decision-making without removing individual case consideration, the United States Board of Parole has adopted guidelines for parole release consideration.

(b) These guideline indicate the customary range of time to be served before release for various combinations of offense (severity) and offender (parole prognosis) characteristics. The time ranges specified by the guidelines are established specifically for the cases with good institutional adjustment and program progress.

(c) These time ranges are merely guidelines. Where the circumstances warrant, decisions outside of the guidelines (either above or below) may be rendered. For example, cases with exceptionally good institutional program achievement may be considered for earlier release.

(d) The guidelines contain examples of offense behaviors for each severity level. However, especially mitigating or aggravating circumstances in a particular case may justify a decision or a severity rating different from that listed.

(e) An evaluation sheet containing a "salient factor score" serves as an aid in determining the parole prognosis (potential risk of parole violation). However, where circumstances warrant, clinical evaluation of risk may override this predictive aid.

(f) These guidelines do not apply to parole revocation or reparole considerations. The Board shall review the guidelines periodically and may revise or modify them at any time as deemed appropriate.

ADULT

[Guidelines for decisionmaking, customary total time served before release (including jail time)]

Offense characteristics: severity of offense behavior (examples)	Offender characteristics: parole prognosis (salient factor score)			
	Very good (11 to 9)	Good (8 to 6)	Fair (5 to 4)	Poor (3 to 0)
LOW				
Immigration law violations Minor theft (includes larceny and simple possession of stolen property less than $1,000). Walkaway	6 to 10 mo.	8 to 12 mo.	10 to 14 mo.	12 to 16 mo.
LOW MODERATE				
Alcohol law violations Counterfeit currency (passing/possession less than $1,000). Drugs marihuana, simple possession (less than $500) Forgery/fraud (less than $1,000) Income tax evasion (less than $10,000) Selective Service Act violations Theft from mail (less than $1,000)	8 to 12 mo.	12 to 16 mo.	16 to 20 mo.	20 to 25 mo
MODERATE				
Bribery of public officials Counterfeit currency (passing/possession $1,000 to $19,999). Drugs: Marihuana, possession with intent to distribute/sale (less than $5,000). "Soft drugs", possession with intent to distribute/sale (less than to $5,00) Embezzlement (less than $20,000) Explosives, possession/transportation Firearms Act, possession/purchase/sale (single weapon—not sawed-off shotgun or machine gun) Income tax evasion ($10,000 to $50,000) Interstate transportation of stolen/forged securities (less than $20,000). Mailing threatening communications Misprision of felony Receiving stolen property with intent to resell (less than $20,000). Smuggling/Transporting of Aliens Theft/forgery/fraud ($1,000 to $19,999) Theft of motor vehicle (not multiple theft or for resale).	12 to 16 mo.	16 to 20 mo.	20 to 24 mo.	24 to 30 mo.
HIGH				
Burglary or larceny (other than embezzlement) from bank or post office. Counterfeit currency (passing/possession $20,000-$100,000). Counterfeiting (manufacturing) Drugs: Marihuana, possession with intent to distribute/sale ($5,000 or more). "Soft drugs", possession with intent to distribute/sale($500 to $5,000) Embezzlement ($20,000 to $100,000) Firearms Act, possession/purchase sale (sawed-off shotgun(s), machine gun(s), or multiple weapons). Interstate transportation of stolen/forged securities ($20,000 to $100,000). Mann Act (no force—commercial purposes) Organized vehicle theft Receiving stolen property ($20,000 to $100,000) Theft/forgery/fraud ($20,000 to $100,000)	16 to 20 mo.	20 to 26 mo.	26 to 32 mo.	32 to 38 mo.
VERY HIGH				
Robbery (weapon or threat) Drugs: "Hard drugs" (possession with intent to distribute sale) [no prior conviction for sale of "hard drugs"]. "Soft drugs", possession with intent to distribute/sale (over $5,000) Extortion Mann Act (force) Sexual act (force)	26 to 36 mo.	36 to 45 mo.	45 to 55 mo.	55 to 65 mo.
GREATEST				
Aggravated felony (e.g. robbery, sexual act, aggravated assault)—weapon fired or personal injury. Aircraft hijacking Drugs: "Hard drugs" (possession with intent to distribute/sale) for profit [prior conviction(s) for sale of "hard drugs"]. Espionage Explosives (detonation) Kidnapping Willful homicide	(Greater than above—however, specific ranges are not given due to the limited number of cases and the extreme variations in severity possible within the category.)			

NOTES

1. These guidelines are predicated upon good institutional conduct and program performance.
2. If an offense behavior is not listed above, the proper category may be obtained by comparing the severity of the offense behavior with those of similar offense behaviors listed.
3. If an offense behavior can be classified under more than one category, the most serious applicable category is to be used.
4. If an offense behavior involved multiple separate offenses, the severity level may be increased.
5. If a continuance is to be given, allow 30 d (1 mo) for release program provision.
6. "Hard drugs" include heroin, cocaine, morphine, or opiate derivatives, and synthetic opiate substitutes.

YOUTH

[Guidelines for decisionmaking, customary total time served before release (including jail time)]

Offense characteristics: severity of offense behavior (examples)	Offender characteristics: parole prognosis (salient factor score)			
	Very good (11 to 9)	Good (8 to 6)	Fair (5 to 4)	Poor (3 to 0)
LOW				
Immigration law violations Minor theft (includes larceny and simple possession of stolen property less than $1,000). Walkaway	6 to 10 mo.	8 to 12 mo.	10 to 14 mo.	12 to 16 mo.
LOW MODERATE				
Alcohol law violations Counterfeit currency (passing/possession less than $1,000). Drugs: marihuana, simple possession (less than $500) Forgery/fraud (less than $1,000) Income tax evasion (less than $10,000) Selective Service Act violations Theft from mail (less than $1,000)	8 to 12 mo.	12 to 16 mo.	16 to 20 mo.	20 to 25 mo.
MODERATE				
Bribery of public officials Counterfeit currency (passing/possession $1,000 to $19,999). Drugs: Marihuana, possession with intent to distribute/sale (less than $5,000). "Soft drugs", possession with intent to distribute/sale (less than to $500) Embezzlement (less than $20,000) Explosives, possession/transportation Firearms Act, possession purchase sale (single weapon—not sawed-off shotgun or machine gun). Income tax evasion ($10,000 to $50,000) Interstate transportation of stolen/forged securities (less than $20,000). Mailing threatening communications Misprision of felony Receiving stolen property with intent to resell (less than $20,000). Smuggling Transporting of Aliens Theft/forgery/fraud ($1,000 to $19,999) Theft of motor vehicle (not multiple theft or for resale).	9 to 13 mo.	13 to 17 mo.	17 to 21 mo.	21 to 26 mo.
HIGH				
Burglary or larceny (other than embezzlement) from bank or post office. Counterfeit currency (passing possession $20,000-$100,000). Counterfeiting (manufacturing) Drugs: Marihuana, possession with intent to distribute/sale ($5,000 or more). "Soft drugs", possession with intent to distribute/sale ($500 to $5,000) Embezzlement ($20,000 to $100,000) Firearms Act, possession purchase sale (sawed-off shotgun(s), machine gun(s), or multiple weapons). Interstate transportation of stolen/forged securities ($20,000 to $100,000). Mann Act (no force—commercial purposes) Organized vehicle theft Receiving stolen property ($20,000 to $100,000) Theft/forgery/fraud ($20,000 to $100,000)	12 to 16 mo.	16 to 20 mo.	20 to 24 mo.	24 to 28 mo.
VERY HIGH				
Robbery (weapon or threat) Drugs: "Hard drugs" (possession with intent to distribute sale) (no prior conviction for sale of "hard drugs"). "Soft drugs", possession with intent to distribute/sale (over $5,000) Extortion Mann Act (force) Sexual act (force)	20 to 27 mo.	27 to 32 mo.	32 to 36 mo.	36 to 42 mo.
GREATEST				
Aggravated felony (e.g. robbery, sexual act, aggravated assault)—weapon fired or personal injury. Aircraft hijacking Drugs: "Hard drugs" (possession with intent to distribute/sale) for profit (prior conviction(s) for sale of "hard drugs"). Espionage Explosives (detonation) Kidnaping Willful homicide	(Greater than above—however, specific ranges are not given due to the limited number of cases and the extreme variations in severity possible within the category.)			

NOTES

1. These guidelines are predicated upon good institutional conduct and program performance.
2. If an offense behavior is not listed above, the proper category may be obtained by comparing the severity of the offense behavior with those of similar offense behaviors listed.
3. If an offense behavior can be classified under more than one category, the most serious applicable category is to be used.
4. If an offense behavior involved multiple separate offenses, the severity level may be increased.
5. If a continuance is to be given, allow 30 d (1 mo) for release program provision.
6. "Hard drugs" include heroin, cocaine, morphine, or opiate derivatives, and synthetic opiate substitutes.

NARA

[Guidelines for decisionmaking, customary total time served before release (including jail time)]

Offense characteristics: Severity of offense behavior (examples)	Offender characteristics: Parole prognosis (salient factor score)			
	Very good (11 to 9)	Good (8 to 6)	Fair (5 to 4)	Poor (3 to 0)
LOW				
Immigration law violations Minor theft (includes larceny and simple possession of stolen property less than $1,000). Walkaway	6 to 12 mos.		12 to 18 mos.	
LOW MODERATE				
Alcohol law violations Counterfeit currency (passing/possession less than $1,000). Drugs: Marihuana, simple possession (less than $500) Forgery/fraud (less than $1,000) Income tax evasion (less than $10,000) Selective Service Act violations Theft from mail (less than $1,000)	6 to 12 mos.		12 to 18 mos.	
MODERATE				
Bribery of public officials Counterfeit currency (passing/possession $1,000 to $19,999). Drugs: Marihuana, possession with intent to distribute/sale (less than $5,000). "Soft drugs", possession with intent to distribute/sale (less than $500) Embezzlement (less than $20,000) Explosives, possession/transportation Firearms Act, possession purchase sale (single weapon—not sawed-off shotgun or machine gun). Income tax evasion ($10,000 to $50,000) Interstate transportation of stolen/forged securities (less than $20,000). Mailing threatening communications Misprision of felony Receiving stolen property with intent to resell (less than $20,000). Smuggling Transporting of Aliens Theft/forgery/fraud ($1,000 to $19,999) Theft of motor vehicle (not multiple theft or for resale).	12 to 18 mos.		18 to 24 mos.	
HIGH				
Burglary or larceny (other than embezzlement) from bank or post office. Counterfeit currency (passing possession $20,000-$100,000). Counterfeiting (manufacturing) Drugs: Marihuana, possession with intent to distribute/sale ($5,000 or more). "Soft drugs", possession with intent to distribute/sale ($500 to $5,000) Embezzlement ($20,000 to $100,000) Firearms Act, possession purchase sale (sawed-off shotgun(s), machine gun(s), or multiple weapons). Interstate transportation of stolen/forged securities ($20,000 to $100,000). Mann Act (no force—commercial purposes) Organized vehicle theft Receiving stolen property ($20,000 to $100,000) Theft/forgery/fraud ($20,000 to $100,000)	12 to 18 mos.		18 to 24 mos.	
VERY HIGH				
Robbery (weapon or threat) Drugs: "Hard drugs" (possession with intent to distribute/sale) (no prior conviction for sale of "hard drugs"). "Soft drugs", possession with intent to distribute/sale (over $5,000) Extortion Mann Act (force) Sexual act (force)	20 to 26 mos.		26 to 32 mos.	
GREATEST				
Aggravated felony (e.g. robbery, sexual act, aggravated assault)—weapon fired or personal injury. Aircraft hijacking Drugs: "Hard drugs" (possession with intent to distribute/sale) for profit (prior conviction(s) for sale of "hard drugs"). Espionage Explosives (detonation) Kidnapping Willful homicide	(Greater than above—however, specific ranges are not given due to the limited number of cases and the extreme variations in severity possible within the category.)			

NOTES

1. These guidelines are predicated upon good institutional conduct and program performance.
2. If an offense behavior is not listed above, the proper category may be obtained by comparing the severity of the offense behavior with those of similar offense behaviors listed.
3. If an offense behavior can be classified under more than one category, the most serious applicable category is to be used.
4. If an offense behavior involved multiple separate offenses, the severity level may be increased.
5. If a continuance is to be given, allow 30 d (1 mo.) for release program provision.
6. "Hard drugs" include heroin, cocaine, morphine, or opiate derivatives, and synthetic opiate substitutes.

SALIENT FACTOR SCORE

Case name_____ Register No._____

Item A_____ ☐
No prior convictions (adult or juvenile) =2
One or two prior convictions=1
Three or more prior convictions=0

Item B_____ ☐
No prior incarcerations (adult or juvenile) =2
One or two prior incarcerations=1
Three or more prior incarcerations=0

Item C_____ ☐
Age at first commitment (adult or juvenile) 18 years or older=1
Otherwise=0

Item D_____ ☐
Commitment offense did not involve auto theft=1
Otherwise=0

Item E_____ ☐
Never had parole revoked or been committed for a new offense while on parole=1
Otherwise=0

Item F_____ ☐
No history of heroin or opiate dependence=1
Otherwise=0

Item G_____ ☐
Has completed 12th grade or received GED (prior to this commitment) =1
Otherwise=0

Item H_____ ☐
Verified employment (or full-time school attendance) for a total of at least 6 months during the last 2 years in the community=1
Otherwise=0

Item I_____ ☐
Release plan to live with spouse and/or children=1
Otherwise=0

Total score_____ ☐

§ 2.21 Reports considered.

Decisions as to whether a parole shall be granted or denied shall be determined on the basis of the application, if any, submitted by the prisoner, together with the classification study and all reports assembled by all the services which shall have been active in the development of the case. These reports may include the reports by the prosecution officers, reports by or for the sentencing court, records from the Federal Bureau of Investigation, reports from the officials in each institution in which the applicant shall have been confined, all records of social agency contacts, and all correspondence and such other records as are necessary or appropriate for complete presentation of the case. Before making a decision as to whether a parole should be granted or denied in any particular case, the Board will consider all available relevant and pertinent information concerning the case. The Board encourages the submission of such information by interested persons.

§ 2.22 Communication with the Board.

Attorneys, relatives, or interested parties wishing a personal interview to discuss a specific case with a representative of the Board of Parole must submit a written request to the appropriate regional office setting for the nature of the information to be discussed. Such personal interview may be conducted by staff personnel in the regional offices. Personal interviews, however, shall not be held by an examiner or member of the Board, except under the Board's appeals procedures.

§ 2.23 Delegation to hearing examiners.

(a) There is hereby delegated to hearing examiners the authority to make tentative decisions relative to the granting or denial of parole, or reparole and revocation or reinstatement of parole or mandatory release and to fix conditions of parole.

(b) Hearing examiners shall function as two-man panels and the concurrence of both examiners shall be required for their decision. In the event of a split decision by the panel, the appropriate regional Administrative Hearing Examiner shall cast the deciding vote.

(c) When a hearing examiner panel proposes to make a decision which falls outside of explicit guidelines for parole decision-making promulgated by the Board, the case shall be reviewed by the appropriate regional Administrative Hearing Examiner. When an Administrative Hearing Examiner does not concur in a decision of an examiner panel to set a parole effective date or continuance outside the Board's guidelines he may with the concurrence of the Regional Director modify the date to the nearest limit of the guidelines.

(d) In the event the Administrative Hearing Examiner is serving as a member of a hearing examiner panel or is otherwise unavailable, cases requiring his action under paragraphs (b) and (c) of this section will be referred to another hearing examiner.

(e) A tentative decision of a hearing examiner panel, subject to the provisions of § 2.23(c), shall become effective upon review and docketing at the Regional Office unless action is initiated by the Regional Director under § 2.24.

§ 2.24 Review of panel decision by the Regional Director and the National Directors.

A Regional Director may review the decision of any examiner panel and refer this decision, prior to written notification to the prisoner, with his recommendation and vote to the National Directors for reconsideration and any action deemed appropriate. Written notice of this reconsideration action shall be mailed or transmitted to the prisoner within fifteen working days of the dat. of the hearing. The Regional Director and each National Director shall have one vote and decisions shall be based upon the concurrence of two votes.

§ 2.25 Appeal of hearing panel decision.

(a) A prisoner may file with the responsible Regional Director a written appeal of a decision of a hearing examiner panel or a decision under § 2.24 to grant, deny or revoke parole or to revoke mandatory release. This appeal must be filed on a form provided for that purpose within thirty days from the date of entry of such decision. The appeal shall be considered by the Regional Director who may affirm the decision, order a new institutional hearing, order a regional appellate hearing, reverse the decision, or modify a continuance or the effective date of parole. Reversal of a decision or the modification of such a decision by more than one hundred eighty days, whether based upon the record or following a regional appellate hearing, shall require the concurrence of two out of three Regional Directors. Appellate decisions requiring a second or additional vote shall be referred to other Regional Directors on a rotating basis as established by the Chairman.

(b) Regional appellate hearings shall be held at the regional office before the Regional Director. Attorneys, relatives and other interested parties who wish to appear must submit a written request to the Regional Director stating their relationship to the prisoner and the general nature of the information they wish to present. The Regional Director shall determine if the requested appearances will be permitted. The prisoner shall not appear personally.

(c) If no appeal is filed within thirty days of entry of the original decision, this decision shall stand as the final decision of the Board.

(d) Appeals under this section may be based only upon the following grounds:

(1) The reasons given for a denial or continuance do not support the decision; or

(2) There was significant information in existence but not known at the time of the hearing.

§ 2.26 Appeal to National Appellate Board.

(a) A prisoner may file a written appeal of the Regional Director's decision under § 2.25 to the National Appellate Board on a form provided for that purpose within thirty days after the entry

of the Regional Director's written decision. The National Appellate Board may, upon the concurrence of two members, affirm, modify, or reverse the decision, or order a rehearing at the institutional or regional level.

(b) The bases for such appeal shall be the same as for a regional appeal as set forth in § 2.25(d). However, any matter not raised on a regional level appeal may not be raised on appeal to the National Appellate Board.

(c) Decisions of the National Appellate Board shall be final.

§ 2.27 Appeal of original jurisdiction cases.

(a) Cases decided under the procedure specified in § 2.17 may be appealed within thirty days of the entry of the decision on a form provided for this purpose. Attorneys, relatives, and other interested parties who wish to submit written information in support of a prisoner's appeal should send such information to the National Appellate Board Executive, United States Board of Parole, 320 First Street NW., Washington, D.C. 20537. Appeals of original jurisdiction cases shall be reviewed by the entire Board at its next quarterly meeting. A quorum of five members shall be required and all decisions shall be by majority vote. The Chairman shall vote on the decision only in the absence of a member. This appellate decision shall be final.

(b) Attorneys, relatives, or other interested parties who wish to speak for or against parole at such consideration must submit a written request to the Chairman of the Board stating their relationship to the prisoner and the general nature of the material they wish to present. The Chairman shall determine if the requested appearances will be permitted.

(c) If no appeal is filed within thirty days of the entry of the decision under § 2.17, this decision shall stand as the final decision of the Board.

(d) The bases for this appeal shall be the same as for a regional appeal as set forth in § 2.25(d).

§ 2.28 Reopening of cases.

Notwithstanding the appeal procedure of § 2.25 and § 2.26, the appropriate Regional Director may on his own motion reopen a case at any time upon the receipt of new information of substantial significance and may then take any action authorized under the provisions and procedures of § 2.25. Original jurisdiction cases may be reopened upon the motion of the appropriate Regional Director under the procedures of § 2.17.

§ 2.29 Withheld and forfeited good time.

(a) Section 4202 of title 18 of the United States Code permits Federal prisoners to be paroled if they have observed the rules of the institution in which they are confined and if they are otherwise eligible for parole. Any forfeiture of statutory good time shall be deemed to indicate that the prisoner has violated the rules of the institution to a serious degree, and a parole will not be granted in any such case in which such a forfeiture remains effective against the prisoner concerned. Any withholding of statutory good time shall be deemed to indicate that the prisoner has engaged in some less serious breach of the rules of the institution. Nevertheless, parole will not usually be granted unless and until such good time has been restored.

(b) Neither a forfeiture of good time nor a withholding of good time shall bar a prisoner from applying for and receiving a parole hearing.

(c) The above restrictions shall not apply, however, to the forfeiture or withholding of *extra good time* which is granted because of meritorious behavior. Parole may be ordered without regard to a prisoner's status insofar as *extra good time* is concerned, although the reasons for any forfeiture or withholding will be included among the other factors used in making the parole decision.

§ 2.30 Release on parole.

(a) A grant of parole shall not be deemed to be effective until a certificate of parole has been delivered to the prisoner.

(b) Parole release dates generally will not be set more than six months from the date of the parole hearing. Exceptions may be made in extraordinary situations or when necessary to permit an adequate period of residence in a Community Treatment Center. Such residence in a Community Treatment Center shall not generally exceed one hundred and twenty days. An effective date of parole shall not be set for a Saturday, Sunday, or a legal holiday.

(c) When an effective date of parole has been set by the Board, release on that date shall be conditioned upon continued good conduct by the prisoner and the completion of a satisfactory plan for parole supervision. The appropriate Regional Director may, on his own motion, reconsider any case prior to release and may reopen and advance or retard a parole date. A parole grant may be retarded for up to one hundred and twenty days without a hearing for development and approval of release plans.

§ 2.31 False or withheld information.

All paroles are ordered on the assumption that information from the prisoner has not been fraudulently given or withheld from the Board. If evidence comes to the attention of the Board that a prisoner willfully concealed or misrepresented information deemed significant, the Regional Director may schedule a hearing to determine whether parole should be revoked or rescinded. Such a hearing shall be conducted in accordance with the procedure set out in § 2.37 (b)(2).

§ 2.32 Committed fines.

In any case in which a prisoner shall have had a fine imposed upon him by the committing court for which he is to stand committed until it is paid or until he is otherwise discharged according to law, such prisoner shall not be released on parole or mandatory release until payment of the fine, or until the fine commitment order is discharged according to law as follows:

(a) An indigent prisoner may make application to a U.S. Magistrate in the District wherein he is incarcerated or to the chief executive officer of the institution setting forth, under institutional regulations, his inability to pay such fine; if the magistrate or chief executive officer shall find that the prisoner, having no assets exceeding $20 in value except such as are by law exempt from being taken on execution for debt, is unable to pay the fine, and if the prisoner takes a prescribed oath of indigency, he shall be discharged from the commitment obligation of the committed fine sentence.

(b) If the prisoner is found to possess assets in excess of the exemption in paragraph (a) of this section, nevertheless if the chief executive officer of the institution or U.S. Magistrate shall find that retention of all of such assets is reasonably necessary for his support or that of his family, upon taking of the prescribed oath concerning his assets the prisoner shall be discharged from the commitment obligation of the committed fine sentence. If the chief executive officer of the institution or U.S. Magistrate shall find that retention by the prisoner of any part of his assets is reasonably necessary for his support or that of his family, the prisoner upon taking of the prescribed oath concerning his assets, shall be discharged from the commitment obligation of the committed fine sentence upon payment on account on his fine of that portion of his assets in excess of the amount found to be reasonably necessary for his support or that of his family.

(c) Discharge from the commitment obligation of any committed fine sentence does not discharge the prisoner's obligation to pay the fine as a debt due the United States.

§ 2.33 Parole to detainers; statement of policy.

The policy of the Board with regard to parole to detainers is in general accord with the principles recommended by the Association of Administrators of the Interstate Compact for the Supervision of Parolees and Probationers:

(a) The status of detainers held against prisoners in Federal institutions will be investigated, so far as is reasonably possible, prior to parole hearings.

(b) In appropriate cases summary information regarding such prisoner will be provided to state or local authorities. The Board urges institution officials to provide such information.

(c) Where the detainer is not lifted, the Board may grant parole to such detainer if a prisoner is considered in other respects to be a good parole risk. Ordinarily, however, the Board will grant parole to such detainer only if the status of that detainer has been investigated.

(d) The Board will cooperate in working out arrangements for concurrent supervision with other jurisdictions where it is feasible and where release on parole appears to be justified.

(e) The presence of a detainer is not of itself a valid reason for the denial of parole. It is recognized that where the prisoner appears to be a good parole risk, there may be distinct advantage in granting parole despite a detainer.

§ 2.34 Parole to local or immigration detainers.

(a) When a state or local detainer is outstanding against a prisoner whom the Board wishes to parole, the Board may order either of the following:

(1) "Parole to the actual physical custody of the detaining authorities only." In this event, release is not to be effected except to the detainer. When such a detainer is withdrawn, the prisoner is not to be released unless and until the Board makes a new order of parole.

(2) "Parole to the actual physical custody of the detaining authorities or an approved plan." In this event, release is to be effected even though the detainer might be withdrawn, providing there is an acceptable plan for community supervision.

(b) When the Board wishes to parole a prisoner subject to a detainer filed by Federal immigration officials, the Board may order one of the following:

(1) "Parole for deportation only." In this event, release is not to be effected unless immigration officials make full arrangements for deportation immediately upon release.

(2) "Parole to the actual physical custody of the immigration authorities only." In this event, release is not to be effected unless immigration officials take the prisoner into custody—regardless of whether or not deportation follows.

(3) "Parole to the actual physical custody of the immigration authorities or an approved plan." In this event, release is to be effected regardless of whether or not immigration officials take the prisoner into custody, providing there is an acceptable plan for community supervision.

(c) As used in this section "parole to a detainer" means release to the "physical custody" of the authorities who have lodged the detainer. Temporary detention in a jail in the county where the institution of confinement is located does not constitute release on parole. If the authorities who lodged the detainer do not take the prisoner into custody for any reason, he shall be returned to the institution to await further order from the Board.

§ 2.35 Mental competency proceedings.

(a) Whenever a prisoner or parolee is scheduled for a hearing in accordance with the provisions of this part and reasonable doubt exists as to his mental competency, i.e., his ability to understand the nature of and participate in scheduled proceedings, a preliminary hearing to determine his mental competency shall be conducted by a panel of hearing examiners or other official(s) (including a U.S. Probation Officer) designated by the Board of Parole.

(b) At the competency hearing, the hearing examiners or designated official(s) shall receive oral or written psychiatric testimony and other evidence that may be available. A preliminary determination of the prisoner's mental competency shall be made upon the testimony, evidence, and personal observations of the prisoner. If the examiner panel or designated official(s) determines that the prisoner is mentally competent, the previously scheduled hearing shall be held. If they determine that the prisoner is not mentally competent, the previously scheduled hearing shall be temporarily postponed.

(c) Whenever the hearing examiners or designated official(s) determine that a person is incompetent and postpone the previously scheduled hearing, they shall forward the record of the preliminary hearing with their findings to the Regional Director for review. If the Regional Director concurs with their findings, he shall order the temporarily postponed hearing to be postponed indefinitely until such time as it is determined that the prisoner or parolee has recovered sufficiently to understand the nature of and participate in the proceedings and, in the case of a parolee, may order such parolee committed to a Bureau of Prison's facility for further examination. In any such case, the Regional Director shall require a progress report at least every six months on the mental health of the prisoner. When the Regional Director determines that the prisoner has recovered sufficiently, he shall reschedule the hearing for the earliest possible date.

(d) If the Regional Director disagrees with the findings of the hearing examiners or designated official(s) as to the mental competency of the prisoner, he shall take such action as he deems appropriate.

§ 2.36 Release plans.

(a) A grant of parole is conditioned upon the approval of release plans by the Regional Director. In general, the following factors should be present before a prisoner is released after parole has been granted:

(1) The probation officer to whom the releasee is assigned may, in his discretion, require that there be available to the releasee an adviser who is a responsible, reputable, and law-abiding citizen living in or near the community in which the releasee will reside. The adviser should act as a source of advice for the releasee relative to community adjustment. The adviser may provide special services such as vocational placement, personal counsel, or referral to community agencies. The adviser is expected to report to the probation officer any law violation or serious misconduct on the part of the releasee. The adviser may be required by the probation officer to countersign the parolee's monthly supervision report to indicate actual contact with the parolee.

(2) There should be satisfactory evidence that the prospective parolee will be legitimately employed following his release; and

(3) There should be satisfactory assurance that necessary aftercare will be available to a parolee who is ill or who has some other problem which requires special care.

(b) Generally, parolees will be released only to the place of their legal residence unless the Board is satisfied that another place of residence will serve the public interest more effectively or will improve the probabilities of the applicant's readjustment.

§ 2.37 Rescission of parole.

(a) When an effective date of parole has been set by the Board, release on that date shall be conditioned upon continued good conduct by the prisoner. If a prisoner has been granted parole and has subsequently been charged with institutional misconduct sufficient to become a matter of record, the Regional Director shall be advised promptly of such misconduct. The prisoner shall not be released until the institution has been notified that no change has been made in the Board's order to parole.

(1) Upon receipt of information that a prisoner has violated the rules of the institution, the Regional Director may retard the parole grant for up to sixty days without a hearing or may retard the parole grant and schedule the case for a rescission hearing. If the prisoner was confined in a federal prison at the time of the order retarding parole, the rescission hearing shall be scheduled for the next docket of parole hearings at the institution. If the prisoner was residing in a federal community treatment center or a state or local halfway house, the rescission hearing shall be scheduled for the first docket of parole hearings after return to a federal institution. When the prisoner is given written notice of the Board action regarding parole, he shall be given notice of the charges of misconduct to be considered at the rescission hearing. The purpose of the rescission hearing shall be to determine whether rescission of the parole grant is warranted. At the rescission hearing the prisoner may be represented by a person of his choice and may present documentary evidence.

(2) An institution discipline committee hearing conducted by the institution resulting in a finding that the prisoner has violated the rules of his confinement, may be relied upon by the Board as conclusive evidence of institutional misconduct.

(3) If the parole grant is rescinded, the prisoner shall be furnished a written statement of the findings of misconduct and the evidence relied upon.

(b) (1) Upon receipt of new information adverse to the prisoner regarding matters other than institutional misconduct, the Board acting upon the procedures of § 2.17 may retard a previously granted parole and schedule the case for an institutional review hearing on the next docket of parole hearings or at the first docket of parole hearings following return to a federal institution.

(2) The prisoner shall be given notice of the nature of the new adverse information upon which the rescission con-

sideration is to be based. The hearing shall be conducted in accordance with the procedures set out in §§ 2.12 and 2.13. The purpose of the hearing shall be to determine if the parole grant should be rescinded or if a new parole date should be established.

§ 2.38 Sponsorship of parolees; statement of policy.

It is the policy of the Youth Corrections Division to cooperate with groups desiring to serve as sponsors of parolees. In all cases, sponsors shall serve under the direction of and in cooperation with the probation officers to whom the parolees are assigned.

§ 2.39 Mandatory release in the absence of parole.

A prisoner shall be mandatorily released by operation of law at the end of the sentence imposed by the court less such good time deductions and extra good time deductions as he may have earned through his behavior and efforts at the institution of confinement. He shall be released as if on parole, under supervision until the expiration of the maximum term or terms for which he was sentenced less one hundred eighty days. Insofar as possible, release plans shall be completed before the release of any such prisoner.

§ 2.40 Same; youth offenders.

A prisoner committed under the Youth Corrections Act must be initially released conditionally under supervision not later than two years before the expiration of the term imposed by the court.

§ 2.41 Reports to police departments of names of parolees; statement of policy.

Names of parolees under supervision will not routinely be furnished to a police department of a community, except as required by law. All such notifications are to be regarded as confidential.

§ 2.42 Community supervision by United States Probation Officers.

(a) Pursuant to section 3655 of title 18 of the United States Code, United States Probation Officers are required to provide such parole services as the Attorney General may request. The Attorney General has delegated his authority in this regard to the Board (28 CFR 0.126(b)). In conformity with the foregoing, probation officers function as parole officers and provide supervision to parolees and mandatory releasees under the Board's jurisdiction.

(b) A parolee or mandatory releasee may be transferred to a new district of supervision with the permission of the probation officers of both the transferring and receiving district, provided such transfer is not contrary to instructions from the Board.

§ 2.43 Duration of period of community supervision.

(a) Any prisoner, with the exception of those sentenced prior to June 29, 1932, who is released under the provisions of laws relating to parole, shall continue until the expiration of the maximum term or terms specified in his sentence without deductions of allowance for good time. Prisoners sentenced prior to June 29, 1932, shall receive reductions in their maximum term or terms of imprisonment for such good time allowances as may be authorized by law.

(b) The Regional Director may discharge from supervision prior to the normal expiration date as provided in § 2.46(b), but the sentence is not thus commuted and such a parolee may be reinstated to supervision or retaken on the basis of a violator warrant.

§ 2.44 Conditions of release.

The conditions of release are printed on the release certificate and are binding regardless of whether the releasee signs the certificate. The Board, or a member thereof, may add special conditions or modify the conditions of release at any time.

§ 2.45 Travel by parolees and mandatory releasees.

(a) The probation officer may approve travel outside the district without approval of the Regional Director in the following situations:

(1) Vacation trips not to exceed thirty days,

(2) Trips, not to exceed thirty days, to investigate reasonably certain employment possibilities,

(3) Recurring travel across a district boundary, not to exceed fifty miles outside the district, for purposes of employment, shopping, or recreation.

(b) Specific advance approval by the Regional Director is required for other travel, including travel outside the continental limits of the United States, employment more than fifty miles outside the district, and vacations exceeding thirty days. A special condition imposed by the Regional Director prohibiting certain travel shall supersede any general rules relating to travel as set forth above.

§ 2.46 Supervision reports, modification and discharge from supervision.

(a) All parolees and mandatory releases shall make such reports to the United States Probation Officers to whom they have been assigned as may be required by the Board or Probation Officers. Probation Officers shall submit summary reviews of the progress of parolees and mandatory releasees according to Board policy. On the basis of summary reviews of the progress of parolees, the Regional Director may modify the reporting requirement of parolees or releasees.

(b) After the parolee or mandatory releasee has been under supervision for at least one year, the Regional Director may, in his discretion, permit the parolee to submit a written report to his probation officer on a less frequent basis than once a month. After a period of such reduced reporting the Regional Director may further order that the parolee be discharged from all supervision by the Probation Officer. In the latter instances, a parolee may be reinstated to supervision or a warrant may be issued for him as a violator at any time prior to the expiration of the sentence or sentences imposed by the court. Other modification in the reporting requirements may be made by the Regional Director at any time during the parolee's term.

§ 2.47 Modification and discharge from supervision; youth offenders.

A committed youth offender may remain under supervision until the expiration of his sentence or he may be released from supervision or unconditionally discharged at any time after one year of continuous supervision on parole.

§ 2.48 Setting aside conviction.

When an unconditional discharge has been granted to a youth offender prior to the expiration of his maximum term of sentence, his conviction shall be automatically set aside and the Regional Director shall issue to the youth offender a certificate to that effect.

§ 2.49 Revocation of parole or mandatory release.

(a) If a parolee or mandatory releasee violates any of the conditions of his release, and satisfactory evidence thereof is presented to the Board, or a member thereof, a warrant may be issued and the offender returned to an institution. Warrants shall be issued or withdrawn only by the Board, or a member thereof.

(b) A warrant for the apprehension of any parolee shall be issued only within the maximum term or terms for which the prisoner was sentenced.

(c) A warrant for the apprehension of any mandatory releasee shall be issued only within the maximum term or terms for which the prisoner was sentenced, less one hundred eighty days.

§ 2.50 Same, youth offenders.

In addition to issuance of a warrant on the basis of violation of any of the condition of release, the responsible Regional Director may, when he is of the opinion that such youth offender would benefit by further treatment direct his return to custody or issue a warrant for his apprehension and return to custody. Upon his return to custody, such youth offender shall be given a revocation hearing under the same provisions as adult offenders as specified in § 2.54 to § 2.56. Following the revocation hearing parole may be reinstated, revoked or the terms and conditions thereof may be modified.

§ 2.51 Unexpired term of imprisonment.

The time a prisoner was on parole or mandatory release is not credited to the service of his sentence if revocation occurs. When a warrant is issued the sentence ceases to run, but begins to run again when the releasee is taken into Federal custody by the execution of the Board's violation warrant. However, the sentences of prisoners committed under the Narcotic Addict Rehabilitation Act or the Youth Corrections Act run uninterruptedly from the date of conviction without regard to any revocation, except as provided in § 2.10(c). In no case may the commitment of a person under the Federal Juvenile Delinquency Act extend past his twenty-first birthday.

§ 2.52 Execution of warrant; notice of alleged violations.

(a) Any officer of any Federal correctional institution, or any Federal officer authorized to serve criminal process within the United States, to whom a warrant shall be delivered shall execute such warrant by taking such prisoner and returning him to the custody of the Attorney General. The warrant shall be considered delivered to a Federal officer when the warrant is signed and placed in the mail at the Board headquarters or regional office before the expiration of the maximum term of sentence.

(b) On arrest of the prisoner the officer executing the warrant shall deliver to him a copy of the Warrant Application listing the alleged violations of parole or mandatory release upon which the warrant was issued.

(c) If execution of the warrant is delayed pending disposition of local charges, for further investigation, or for some other purpose, the parolee or mandatory releasee is to be continued under supervision by the probation officer until the normal expiration of the sentence, or until the warrant is executed, whichever comes first. Monthly supervision reports are to be submitted, and the releasee must continue to abide by all the conditions of release.

§ 2.53 Warrant placed as a detainer and dispositional interview.

(a) In those instances where the prisoner is serving a new sentence in an institution, the warrant may be placed there as a detainer. Such prisoner shall be advised that he may communicate with the Board relative to disposition of the warrant, and may request that it be withdrawn or executed so his violator term will run concurrently with the new sentence. Should further information be deemed necessary, the Regional Director may designate a hearing examiner panel to conduct a dispositional interview at the institution where the prisoner is confined. At such dispositional interview the prisoner may be represented by counsel of his own choice and may call witnesses in his own behalf, provided he bears their expenses. He shall be given timely notice of the dispositional interview and its procedure.

(b) Following the dispositional review the Regional Director may:

(1) Let the detainer stand

(2) Withdraw the detainer and close the case if the expiration date has passed;

(3) Withdraw the detainer and reinstate to supervision; thus permitting the federal sentence time to run uninterruptedly from the time of his original release on parole or mandatory release.

(4) Execute warrant, thus permitting the sentence to run from that point in time. If the warrant is executed, a previously conducted dispositional interview may be construed as a revocation hearing.

(c) In all cases, including those where a dispositional interview is not conducted, the Board shall conduct annual reviews relative to the disposition of the warrant. These decisions will be made by the Regional Director. The Board shall request periodic reports from institution officials for its consideration.

§ 2.54 Revocation by the Board, preliminary interview.

(a) A prisoner who is retaken on a warrant issued by a Board Member shall be given a preliminary interview by an official designated by the Regional Director to determine if there is probable cause to hold the prisoner for a revocation hearing and, if so, whether such revocation hearing should be conducted in the locality of the charged violation(s) or in a Federal institution. The official designated to conduct the preliminary interview may be a United States Probation Officer in the district where the prisoner is confined, provided he is not the officer who recommended that the warrant be issued.

(b) At the beginning of the preliminary interview, the hearing officer shall explain the Board's revocation procedure to the prisoner and shall advise the prisoner that he may have the preliminary interview postponed so that he may obtain representation by an attorney or may arrange for the attendance of witnesses. The prisoner shall also be advised that if he cannot afford to retain an attorney he may apply to a United States District Court for appointment of counsel to represent him at the preliminary interview and the revocation hearing. The prisoner may also request the presence of persons who have given information upon which revocation may be based. Such adverse witnesses shall be requested to attend the preliminary interview unless the prisoner admits a violation or has been convicted of a new offense committed while on supervision or unless the hearing officer finds good cause for their non-attendance. At the preliminary interview the hearing officer shall review the violation charges with the prisoner, receive the statements of witnesses and documentary evidence on behalf of the prisoner, and allow cross-examination of those adverse witnesses in attendance.

(c) At the conclusion of the preliminary interview, the hearing officer shall prepare and submit to the Regional Director a summary of the interview, which shall include recommended findings of whether there is probable cause to hold the prisoner for a revocation hearing. Upon receipt of the summary of the preliminary interview, the Regional Director shall either order the prisoner reinstated to supervision, order that a revocation hearing be conducted in the locality of the charged violation(s), or direct that the prisoner be transferred to a Federal institution for a revocation hearing.

(d) The prisoner shall be retained in local custody pending completion of the preliminary interview, submission of the summary of the hearing officer, and notification by the Regional Director relative to further action.

(e) A postponed preliminary interview may be conducted as a local revocation hearing, by an examiner panel or other hearing officer designated by the Regional Director provided that the prisoner has been advised that the postponed preliminary interview will constitute his final revocation hearing.

§ 2.55 Local revocation hearing.

(a) If the prisoner requests a local revocation hearing prior to his return to a Federal institution, he shall be given a revocation hearing reasonably near the place of an alleged violation if the following conditions are met:

(1) The local hearing would facilitate the production of witnesses or the retention of counsel;

(2) The prisoner has not been convicted of a crime committed while under supervision; and

(3) The prisoner denies that he has violated any condition of his release. Otherwise, he shall be given a revocation hearing after he is returned to a Federal institution. However, the Regional Director may, on his own motion, designate a case for a local revocation hearing.

(b) If there are two or more alleged violations, the hearing shall be conducted near the place of the violation chiefly relied upon as a basis for the issuance of the warrant, as determined by the Regional Director.

(c) Following the hearing the prisoner shall be retained in custody until final action is taken relative to revocation or reinstatement, or until other instructions are issued by the Regional Director.

§ 2.56 Revocation hearing procedure.

(a) A revocation hearing shall be conducted by a hearing examiner panel or, in a local revocation hearing only, by another official designated by the Regional Director. In the latter case, the decision relative to revocation shall be made by an examiner panel on the basis of the hearing summary pursuant to the provisions of § 2.23. A revocation decision may be appealed under the provisions of § 2.25, § 2.26, or § 2.27 as applicable.

(b) The purpose of the revocation hearing shall be to determine whether the prisoner has violated the conditions of his release and, if so, whether his parole or mandatory release should be revoked or reinstated.

(c) The alleged violator may present voluntary witnesses and documentary evidence in his behalf. However, the presiding hearing officer or examiner panel may limit or exclude any irrelevant or repetitious statement or documentary evidence.

(d) If the alleged violator has not been convicted of a new criminal offense while under supervision and does not admit violation of any of the conditions of his release, the Board shall, on the request of the alleged violator or on its own motion, request the attendance of persons who have given statements upon which revocations may be based. Those adverse witnesses who are present shall be made available for questioning and cross-examination in the presence of the alleged violator unless the presiding hearing officer or examiner panel finds good cause for their non-attendance.

(e) All evidence upon which the finding of violation may be based shall be disclosed to the alleged violator at the revocation hearing. The hearing officer or examiner panel may disclose documentary evidence by reading or summarizing the appropriate document for the alleged violator.

§ 2.57 Disclosure of records.

(a) Prior to any parole hearing conducted in his case pursuant to §§ 2.13, or 2.14, or at any time during his incarceration, a prisoner is entitled to review reports in his institution file containing factual material bearing on his offense behavior, personal history, and institutional progress, as provided in Bureau of Prisons Policy Statement No. 2211.8, dated June 12, 1975, provided that disclosure of such reports would not (1) threaten the life or physical safety of any person; (2) interfere with law inforcement proceedings; (3) disclose investigative techniques of a law enforcement agency; or (4) constitute a cleary unwarranted invasion of personal privacy. The reports to be disclosed to the prisoner, subject to the above exceptions, include but are not limited to the following:

(i) Sentence Computation Records;

(ii) Classification material (including progress reports);

(iii) Incident (disciplinary) reports;

(iv) Medical reports;

(v) F.B.I. identification reports (rap sheets).

(b) All requests for disclosure of documents in the institution file shall be addressed to the Bureau of Prisons staff at least seven days prior to the time such documents are to be viewed. Copies of documents will be furnished under applicable Bureau of Prisons regulations.

(c) Sole authority to disclose a Presentence Investigation Report is retained by the prisoner's sentencing court. A request for disclosure of the Presentence Investigation Report must be addressed to the Court which originated the document.

(d) Copies of documents contained in Board of Parole Regional Office files shall be made available to prisoners, their authorized representatives, and other persons, upon written request in accordance with applicable law and Department of Justice Regulations at 28 C.F.R. Part 16, Subparts C and D. The Board reserves the right to invoke statutory exemptions to disclosure in appropriate cases.

§ 2.58 Special parole terms.

(a) The Drug Abuse Prevention and Control Act, 21 U.S.C. §§ 801 to 966, provides that, on conviction of certain offenses, mandatory "special parole terms" must be imposed by the court as part of the sentence. This term is an additional period of supervision which follows the completion of the regular sentence, including completion of the supervision period of such regular sentence on parole or mandatory release.

(b) At the time of release under the regular sentence, whether under full term expiration or under a mandatory release certificate or a parole certificate, a separate Special Parole Term certificate will be issued to the prisoner by the Bureau of Prisons.

(c) Should a releasee be found to have violated conditions of release during supervision under his regular sentence, i.e., before commencement of the Special Parole Term, he will be returned as a violator of his basic supervision period under his regular sentence; the Special Parole Term will follow unaffected. Should a releasee violate conditions of release during the Special Parole Term, he will be subject to revocation with the complete Special Parole Term to serve (but none of the separate regular sentence), and subject to reparole or mandatory release under the Special Parole Term.

(d) If the prisoner is reparoled under the revoked Special Parole Term a certificate of parole to Special Parole Term is issued by the Board. If the inmate is mandatorily released under the revoked "special parole term" a certificate of mandatory release to Special Parole Term will be issued by the Bureau of Prisons.

[FR Doc.75-23410 Filed 9-4-75;8:45 am]

federal register

FRIDAY, SEPTEMBER 5, 1975

PART V:

Section 2

SELECTIVE SERVICE SYSTEM

■

PRIVACY ACT OF 1974

Notice of Systems of Records

SELECTIVE SERVICE SYSTEM

PRIVACY ACT OF 1974

Supplemental Notice of Records System

Pursuant to the requirements of Section 3 of the Privacy Act of 1974, 5 U.S.C. 552(e)(4) and 5 U.S.C. 552a(e)(11), notice is hereby given of the existence and character of an additional system of records maintained by the Selective Service System and of the routine uses thereof. Interested persons are invited to submit written data, views or arguments to the Director of Selective Service.

August 28, 1975.

Bryon V. Pepitone,
Director.

SSS—9

System name: Master Pay Record—SSS

Security classification:

System location:

Computer Service Center
Selective Service System
2550 Huntington Avenue
Alexandria, Virginia 22303

Categories of individuals covered by the system: Currently assigned civilian employees and former civilian employees who have separated during the current year and first prior calendar year.

Categories of records in the system: Contains payroll information such as name, grade, annual salary, hourly rate, address, Social Security Account Number, birth date, date of hire, service computation date, annual leave category, life insurance and health benefits deductions, Savings Bond data, and other information relating to the status of the employee.

Authority for maintenance of the system: Section 10(b)(2) of the Military Selective Service Act (50 U.S.C. App. 460(b)(2)) and Title 5, U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Selected information by name and Social Security Account Number is furnished the Internal Revenue Service, and State and City taxing authorities.

Selected information by name, date of birth and Social Security Account Number is furnished the Civil Service Commission for retirement, life insurance and health benefit accounts.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: See Storage, Retrievability, Safeguards, Access, Retention and Disposal below.

Storage: Records are maintained in binders, on microfiche and magnetic tape.

Retrievability: Records are indexed by Social Security Account Number.

Safeguards: Use of the records or any information contained therein is limited to employees whose official duties require such access. The records are maintained in lockable file containers.

Retention and disposal: The information on the magnetic tapes is retained for two years, then erased.

The microfiche copies are retained for one year, then destroyed by burning.

The computer printouts are retained until updated, then destroyed by shredding.

System manager(s) and address:

Mr. Byron V. Pepitone
Director of Selective Service System
National Headquarters
Selective Service System
1724 F Street, N.W.
Washington, D.C. 20435

Notification procedure: Inquiries should include name, Social Security Account Number, duty station (former employees should indicate last duty station with this agency) and mailing address to which the reply should be mailed. Inquiries should be mailed to:

Mr. Byron V. Pepitone
Director of Selective Service System
National Headquarters
Selective Service System
1724 F Street, N.W.
Washington, D.C. 20435
Attn: Comptroller

Record access procedures: Same as the above. Current employees or former employees who wish to gain access to their records should make their request in writing, including their full name, address and Social Security Account Number and duty station. Former employees should indicate last duty station with this agency.

Contesting record procedures: Same as the above.

Record source categories: Information in this system is obtained from the individual to whom it applies or is derived from information the individual supplied, or is provided by the agency official with authority to appoint the individual.

Systems exempted from certain provisions of the act:

federal register

FRIDAY, SEPTEMBER 5, 1975

PART VI:

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions, Modifications and Index

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

California:	
CA75–5071, CA75–5072	June 13, 1975.
CA75–5087; CA75–5088	July 25, 1975.
North Carolina:	
NC75–1015	Jan. 31, 1975.
Oklahoma:	
OK75–4080	Apr. 18, 1975.
OK75–4133	July 25, 1975.
OK75–4140	Aug. 1, 1975.
Pennsylvania:	
PA75–3081; PA75–3086	Aug. 22, 1975.
South Carolina:	
SC75–1031	Mar. 14, 1975.
Washington:	
WA75–5108	Aug. 22, 1975.
Washington, D.C.:	
DC75–3061	June 20, 1975.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded.

Florida:	
AQ–4003(FL75–1084); AQ–4003(FL75–1085); AQ–4004(FL75–1081); AQ–4006(FL75–1082).	Aug. 24, 1973.
AQ–4017(FL75–1083); AQ–4018(FL75–1082); AQ–4019(FL75–1083).	Oct. 5, 1973.
AQ–4030(FL75–1080)	Oct. 26, 1973.
AQ–4031(FL75–1080)	Nov. 9, 1973.
AQ–4039(FL75–1080)	Nov. 30, 1973.
FL75–1035(FL75–1087)	Mar. 21, 1975.
Nebraska:	
AQ–24(NE75–4155)	Sept. 7, 1973.
North Carolina:	
NC75–1002(NC75–1078)	Jan. 17, 1975.
Oklahoma:	
OK75–4069(OK75–4156)	Mar. 28, 1975.
Oregon:	
OR75–5105(OR75–5111)	Aug. 15, 1975.
South Carolina:	
AP–157(SC75–1079)	Feb. 16, 1973.
South Dakota:	
SD75–5044(SD75–5112)	Apr. 14, 1975.

Signed at Washington, D.C., this 29th day of August 1975.

WARREN D. LANDIS,
Acting Administrator,
Wage and Hour Division.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION NO. CA75-5071 - Mod. #3 (40 FR 25337 - June 13, 1975) San Diego County, California					
Change:					
Drywall Installers	$ 11.25	.56	.95	.50	.07
Irrigation and Lawn Sprinklers	8.70	10%	16%	13%	3/4%
Marble, Terrazzo and Tile Setters	8.81	.62	.85	.60	
Roofers	8.89	.40	.75	1.00	
DECISION NO. CA75-5072 - Mod. #3 (40 FR 25343 - June 13, 1975) San Diego County, California					
Change:					
Drywall Installers	$ 11.25	.56	.95	.50	.07
Irrigation and Lawn Sprinklers	8.70	10%	16%	13%	3/4%
Marble, Terrazzo and Tile Setters	8.81	.62	.85	.60	
Roofers	8.89	.40	.75	1.00	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION NO. CA75-5087 - Mod. #1 (40 FR 31487 - July 25, 1975) Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California					
Change:					
Drywall Installers	$10.50	.92	$ 1.45	.75	.07
Electricians:					
San Luis Obispo County					
Electricians	10.23	.88	1% + 1.15		.03
Cable Splicers	11.25	.88	1% + 1.15		.03
Santa Barbara County (Vandenberg AFB):					
Electricians	11.75	.70	1% + 1.15		.05
Cable Splicers	12.75	.70	1% + 1.15		.05
Remainder of County:					
Electricians	10.50	.70	1% + 1.15		.05
Cable Splicers	11.50	.70	1% + 1.15		.05
Ventura County:					
Electricians	11.17	.70	1% + .80		.02
Cable Splicers	12.29	.70	1% + .80		.02
Irrigation and Lawn Sprinklers: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties	8.70	10%	16%	13%	3/4%
Marble, Terrazzo and Tile Setters:					
Imperial County	8.81	.62	.85	.60	
Painters:					
San Luis Obispo, Santa Barbara and Ventura Counties:					
Brush	10.24	.55	.50		.03
Iron and steel; Paperhangers; Paste machine Op.; Sandblaster	10.49	.55	.50		.03
Spraymen	10.74	.55	.50		.03
Steeplejack	11.49	.55	.50		.03
Tapers, Sheet Rock	10.36	.55	.50		.03

DECISION NO. CA75-5087 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters: (Cont'd)					
Kern County (Remainder of County)					
Brush	$ 9.27	.45	.51		.03
Brush and roller (swing stage)	9.52	.45	.51		.03
Tapers - tapering joint sheet rock	9.52	.45	.51		.03
Paperhangers	9.52	.45	.51		.03
Spray and Sandblasters	9.77	.45	.51		.03
Roofers:					
Imperial County	8.89	.40	.75	1.00	
Los Angeles, Orange and Ventura Counties	10.74	.82	.80		.045
Soft Floor Layers:					
Inyo (including Inyo - Kern Naval Reservation) Kern (East of the Los Angeles Aqueduct), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Luis Obispo and Ventura Counties	9.12	.65	.62	.52	.03

DECISION NO. CA75-5088 - Mod. #1
(40 FR 31496 - July 25, 1975)
Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Drywall Installers	$ 10.50	.92	$ 1.45	.75	.07
Electricians:					
San Luis Obispo County:					
Electricians	10.23	.88	1% + 1.15		.03
Cable Splicers	11.25	.88	1% + 1.15		.03
Santa Barbara County (Vandenberg AFB):					
Electricians	11.75	.70	1% + 1.15		.05
Cable Splicers	12.75	.70	1% + 1.15		.05
Remainder of County:					
Electricians	10.50	.70	1% + 1.15		.05
Cable Splicers	11.50	.70	1% + 1.15		.05
Ventura County:					
Electricians	11.17	.70	1% + .80		.02
Cable Splicers	12.29	.70	1% + .80		.02
Irrigation and Lawn Sprinklers: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties	8.70	10%	16%	13%	3/4%
Painters:					
San Luis Obispo, Santa Barbara and Ventura Counties					
Brush	10.24	.55	.50		.03
Iron and Steel; Paperhangers; Paste Machine Op.; Sandblaster	10.49	.55	.50		.03
Spraymen	10.74	.55	.50		.03
Steeplejack	11.49	.55	.50		.03
Tapers, Sheet Rock	10.36	.55	.50		.03
Kern County (Remainder of County)					
Brush	9.27	.45	.51		.03
Brush and Roller (Swing stage)	9.52	.45	.51		.03
Tapers - tapering joint sheet rock	9.52	.45	.51		.03
Paperhangers	9.52	.45	.51		.03
Spray and Sandblasters	9.77	.45	.51		.03

DECISION NO. CA75-5088 - (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Roofers:					
Imperial County	$ 8.89	.40	.75	1.00	
Los Angeles, Orange and Ventura Counties	10.74	.82	.80		.045
Soft Floor Layers:					
Inyo (including Inyo - Kern Naval Reservation), Kern (East of the Los Angeles Aqueduct), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Luis Obispo and Ventura Cos.	9.12	.65	.62	.52	.03
Tile Setters:					
Imperial County	8.81	.62	.85	.60	

DECISION NO. NC75-1015 - Mod. #1
(40 FR 4857 - January 31, 1975)
Statewide, North Carolina

Omit:
Description of Work:
Heavy and Highway Construction
(For heavy construction wage rates see Statewide Decision No. NC75-1078 in this publication.)

Add:
Description of Work:
Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.

DECISION NO. OK75-4080 - Mod. #5
(40 FR 17530 - April 18, 1975)
Oklahoma, Cleveland, Caddo, Grady, Canadian, Kingfisher, Logan, Lincoln, McClain, Pottawatomie and Seminole Counties, Oklahoma

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Asbestos workers	$9.70	.40	.60		.02
LABORERS:					
Zone I					
Group 1	5.80	.25	.15		
Group 2	6.00	.25	.15		
Zone II					
Group 1	4.85	.25	.15		
Group 2	5.10	.25	.15		
Zone III					
Group 1	5.05	.25	.20		
Group 2	5.35	.25	.20		
Zone IV					
Group 1	4.70	.25	.20		
Group 2	4.90	.25	.20		
LINE CONSTRUCTION:					
Linemen	8.65		1%		1/2%
Cable splicers	9.16		1%		1/2%
Hole digger operator	7.85		1%		1/2%
Heavy equipment operators (or pole cat equivalent)	7.85		1%		1/2%
Line truck driver (winch op.)	7.10		1%		1/2%
Jackhammerman	6.48		1%		1/2%
Powdermen	7.85		1%		1/2%
Truck driver (flat bed, ton and half and under)	6.16		1%		1/2%
Groundmen	5.77		1%		1/2%
POWER EQUIPMENT OPERATORS:					
Group 1	9.25	.35	.40		.12
Group 2	9.00	.35	.40		.12
Group 3	8.75	.35	.40		.12
Group 4	8.50	.35	.40		.12
Group 5	8.25	.35	.40		.12
Group 6	8.00	.35	.40		.12
Group 7	7.60	.35	.40		.12
Group 8	7.50	.35	.40		.12
ADD:					
POWER EQUIPMENT OPERATORS:					
Group 9	7.30	.35	.40		.12
Group 10	7.00	.35	.40		.12

CHANGE POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS TO READ AS FOLLOWS:

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP I - All crane type equipment with 200' of boom or over (including jib)
GROUP II - All crane type equipment with 150-200' of boom (including jib)
GROUP III - All crane type equipment with 100-150' of boom (including jib), all tower cranes and all crane type equipment of 3 cu. yd. of more (as rates by mfg.), sideboom (booms 30' & over), guy derrick
GROUP IV - Heavy duty mechanic welder, crane-hook & overhead monorail, whirley, panel board batch plant operator, piledriver engineer, dragline, shovel, clam-shell, backhoe; sideboom (under 30'), gradall, hydro crane, cherry picker, hoists while operating 2 or more drums, hoists while doing stack & chimney work (1 or 2 drums), power driven hole digger (with 30' & longer mast)
GROUP V - Motor patrol (blade), fork lift (35' and over), dozer (engine h.p. 65 or over), fordson tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, tournapull, DW 10, 15, 16, 20, 21, & similar rubber-tired equipment, Euclid, TS-24 and similar, loader operator or Hi-lift (Engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump - boom type

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications.

GROUP VI - Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. and under, air compressor, over 500 cu. ft, (1) pumps, battery, 3 to 6, fork lift, bobcat and similar equipment, generator plant engineers, diesel elec., winch truck with a frame, roller, all types, outside elevator or building type of personnel hoist, concrete buster or tamper, heaters under jurisdiction of oper. engrs., fireman, boiler operator, crushing plants, oiler distributor, pulvimixer, farmer tractor-with or without attachments, batch plant operator - duel, continous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large whirleys when and if required, operator for rotary drilling machines when operated from console or machines

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII - Greaser, tilt top trailer operator
GROUP VIII - Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft. & under (1 or 2) welding machine (1 or 2), pum (1 or 2), fuelman, conveyor operator-single-continous belt bulk handling
GROUP IX - Aspahlt lay machine back end man, helpers
Group X - Truck crane oiler driver or truck crane oiler

DECISION NO. OK75-4133 - Mod. #1
(40 FR 31553 - July 25, 1975)
Garfield County, Oklahoma

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Asbestos workers	$9.70	.40	.60		.02
LABORERS:					
Group 1	4.70	.25	.20		
Group 2	4.90	.25	.20		
Group 3	5.55	.25	.20		
LINE CONSTRUCTION:					
Lineman	8.65		1%		1/2%
Cable splicers	9.16		1%		1/2%
Hole digger operator	7.85		1%		1/2%
Heavy Equipment operators (or pole cat equivalent)	7.85		1%		1/2%
Line truck driver (winch op.)	7.10		1%		1/2%
Jack hammerman	6.48		1%		1/2%
Powdermen	7.85		1%		1/2%
Truck driver (flat bed, ton and half and under)	6.16		1%		1/2%
POWER EQUIPMENT OPERATORS:					
Group 1	9.25	.35	.40		.12
Group 2	9.00	.35	.40		.12
Group 3	8.75	.35	.40		.12
Group 4	8.50	.35	.40		.12
Group 5	8.25	.35	.40		.12
Group 6	8.00	.35	.40		.12
Group 7	7.60	.35	.40		.12
Group 8	7.50	.35	.40		.12
ADD:					
POWER EQUIPMENT OPERATORS:					
Group 9	7.30	.35	.40		.12
Group 10	7.00	.35	.40		.12

CHANGE POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS TO READ AS FOLLOWS:

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP I - All crane type equipment with 200' of boom or over (including jib)
GROUP II - All crane type equipment with 150-200' of boom (including jib)
GROUP III - All crane type equipment with 100-150' of boom (including jib), all tower cranes and all crane type equipment of 3 cu. yd. of more (as rated by mfg.), sideboom (booms 30' & over), guy derrick
GROUP IV - Heavy duty mechanic welder, crane-hook & overhead monorail, whirley, panel board batch plant operator, piledriver engineer, dragline, shovel, clam-shell, backhoe, sideboom (under 30'), gradall, hydro crane, cherry picker, hoists while operating 2 or more drums, hoists while doing stack & chimney work (1 or 2 drums), power driven hole digger (with 30' & longer mast)

DECISION NO. OK75-4133

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (CONT'D)

GROUP V - Motor patrol (blade), fork lift (35' and over), dozer (engine h.p. 65 or over), fordson tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, tournapull, DW 10, 15, 16, 20, 21, & similar rubber-tired equipment, Euclid, TS-24 and similar, loader operator or Hi-lift (Engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump - boom type

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications.

GROUP VI - Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. and under, air compressor, over 500 cu. ft, (1) pumps, battery, 3 to 6, fork lift, bobcat and similar equipment, generator plant engineers, diesel elec., winch truck with a frame, roller, all types, outside elevator or building type of personnel hoist, concrete buster or tamper, heaters under jurisdiction of oper. engrs., fireman, boiler operator, crushing plants, oiler distributor, pulvimixer, farmer tractor-with or without attachments, batch plant operator - duel, continous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large whirleys when and if required, operator for rotary drilling machines when operated from console or machines

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII - Greaser, tilt top trailer operator
GROUP VIII - Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft. & under (1 or 2) welding machine (1 or 2), pum (1 or 2), fuelman, conveyor operator-single-continous belt bulk handling
GROUP IX - Asphalt lay machine back end man, helpers
Group X - Truck crane oiler driver or truck crane oiler

DECISION NO. OK75-4140 Mod. 91
(40 FR 32672 - August 1, 1975)
Tulsa and Creek Counties, Oklahoma

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr
CHANGE:					
Asbestos workers	$9.80	.35	.60		.015
Glaziers	7.68	.40	.30		.01
Laborers:					
Group 1	6.10	.25	.20		
Group 2	6.40	.25	.20		
Group 3	6.50	.25	.20		
Group 4	6.95	.25	.20		
Line Construction:					
Linemen	8.65		1%		1/2%
Cable splicers	9.16		1%		1/2%
Hole digger operator	7.85		1%		1/2%
Heavy Equipment op. (or pole cat equivalent)	7.85		1%		1/2%
Line truck driver (winch operator)	7.10		1%		1/2%
Jack hammerman	6.48		1%		1/2%
Powderman	7.85		1%		1/2%
Groundman	5.77		1%		1/2%
Truck drivers (flat bed, ton and half and under)	6.16		1%		1/2%
SOFT FLOOR LAYERS	7.37		.15	.70	.03
LATHERS	8.40		.30		.01
PIPEFITTERS	9.27	.45	.55		.08
SHEET METAL WORKERS	8.83	.45	.45		.10
POWER EQUIPMENT OPERATORS:					
Group 1	9.25	.35	.40		.12
Group 2	9.00	.35	.40		.12
Group 3	8.75	.35	.40		.12
Group 4	8.50	.35	.40		.12
Group 5	8.25	.35	.40		.12
Group 6	8.00	.35	.40		.12
Group 7	7.60	.35	.40		.12
Group 8	7.50	.35	.40		.12
ADD:					
POWER EQUIPMENT OPERATORS:					
Group 9	7.30	.35	.40		.12
Group 10	7.00	.35	.40		.12

DECISION NO. OK75-4140

CHANGE POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS TO READ AS FOLLOWS:

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GROUP V - Motor patrol (blade), fork lift (35' and over), dozer (engine h.p. 65 or over), fordson tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, tournapull, DW 10, 15, 16, 20, 21, & similar rubber-tired equipment, Euclid, TS-24 and similar, loader operator or Hi-lift (Engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump - boom type

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GROUP IX - Asphalt lay machine back end man, helpers
Group X - Truck crane oiler driver or truck crane oiler

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Decision #PA-75-3081 - Mod. # 1 (40 FR 36973 - August 22, 1975) Washington County, Pennsylvania					
Change: Plumbers: Remainder of County	$9.705	.60	1.00		.07
Decision #PA-75-3086 - Mod. # 1 (40 FR 36989 - August 22, 1975) Philadelphia County, Pennsylvania					
Change: Boilermakers	10.20	.65	1.00		.01

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION NO. SC75-1031 - Mod. #1 (40 FR 12058 - March 14, 1975) Statewide, South Carolina					
Omit: Description of Work: Heavy and Highway Construction (For heavy construction wage rates and Statewide Decision No. SC75-1079 in this publication.)					
Add: Description of Work: Highway Construction					

DECISION NO. WA75-5108 - Mod. #1
(40 FR 37006 dated August 22, 1975)
Statewide, Washington

Change:
Truck Drivers: (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

	ZONE A	ZONE B	ZONE C	ZONE D	ZONE E	ZONE F
Group 1	$8.48	$8.88	$9.23	$9.48	$9.73	$9.98
Group 2	8.53	8.93	9.28	9.53	9.78	10.03
Group 3	8.58	8.98	9.33	9.58	9.83	10.08
Group 4	8.63	9.03	9.38	9.63	9.88	10.13
Group 5	8.68	9.08	9.43	9.68	9.93	10.18
Group 6	8.78	9.18	9.53	9.78	10.03	10.28
Group 7	8.88	9.28	9.63	9.88	10.13	10.38
Group 8	8.98	9.38	9.73	9.98	10.23	10.48
Group 9	9.08	9.48	9.83	10.08	10.33	10.58
Group 10	9.25	9.65	10.00	1.025	10.50	10.75
Group 11	9.35	9.75	10.10	10.35	10.60	10.85
Group 12	9.45	9.85	10.20	10.45	10.70	10.95
Group 13	9.55	9.95	10.30	10.55	10.80	11.05
Group 14	9.65	10.05	10.40	10.65	10.90	11.15

Fringe Benefits:
Health and Welfare $.53
Pension .65
Vacation $.45
Apprenticeship Tr. .05

ZONE WAGE SCALE

For the following Cities:
Goldendale, Longview and Vancouver

Zone A - All jobs or projects located within 10 miles of the respective City Hall
Zone B - More than 10 miles but less than 25 miles from the respective City Hall
Zone C - More than 25 miles but less than 35 miles from the respective City Hall
Zone D - More than 35 miles but less than 45 miles from the respective City Hall
Zone E - More than 45 miles but less than 75 miles from the respective City Hall
Zone F - More than 75 miles from the respective City Hall

DECISION NO. WA75-5108 (Cont'd)

TRUCK DRIVERS

Group 1: Battery Rebuilders; Bus or Manhaul Driver; Concrete Buggies (power operated); Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: 6 cu. yds. and under; Lift Jitneys, Fork Lifts (all sizes used in loading, unloading and transporting material on job site); Loader and/or Leverman on concrete dry batch plant (manually operated); Pilot Car; Solo Flat Bed and misc. body trucks, 0-10 tons; Truck Helper; Truck Mechanic Helper; Warehouseman (warehouse parts, tool men and parts chaser, checkers and receivers); Water Wagons (rated capacity), up to 1600 gallons; Transit Mix and wet or dry mix trucks 5 cu. yds. and under.

Group 2: "A" Frame of Hydra-lift Truck w/load bearing surfaces; Lubrication Man, Fuel Truck Driver, Tireman, Wash Rack, Steam Cleaner or combinations; Team Drivers

Group 3: Dump Trucks, side, end and bottom dumps, including Semi-trucks and Trains or combinations thereof: over 6 cu. yds. and including 10 cu. yds.; Slurry Truck Driver or Leverman; Tireman (full-time basis); Water Wagons (rated capacity), 1600 to 3000 gallons

Group 4: Flaherty Spreader Driver or Leverman; Low Bed Equipment, Flat Bed Semi-truck and Trailer or doubles transporting Equipment or wet or dry materials; Lumber Carrier Driver - Straddle Carrier (used in loading, unloading and transporting of materials on job site); Oil Distributor Driver or Leverman; Water Wagons (rated capacity), 3000 to 5000 gallons

Group 5: Dumpsters or similar equipment, all sizes; Transit Mix and wet or dry trucks, over 5 cu. yds. and including 7 cu. yds.

Group 6: Dump Trucks, side, end and bottom dumps, including Semi trucks and Trains or combinations thereof, over 10 cu. yds. and including 20 cu. yds.; Transit Mix and wet or dry mix trucks, over 7 cu. yds. and including 9 cu. yds.; Truck Mechanic-Welder-Body Repairman; Water Wagons (rated capacity) 5000 to 7000 gallons

Group 7: Dump Trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 20 cu. yds. and including 30 cu. yds.; Transit Mix and wet or dry mix trucks, over 9 cu. yds. and including 11 cu. yds.; Water Wagons (rated capacity), over 7000 gallons to 10,000 gallons

Group 8: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 30 cu. yds. and including 40 cu. yds.; Transit Mix and wet or dry mix trucks, over 11 cu. yds. and including 13 cu. yds.; Water Wagons (rated capacity), over 10,000 gallons to 15,000 gallons

DECISION NO. WA75-5108 (Cont'd)

TRUCK DRIVERS (Cont'd)

Group 9: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combination thereof: over 40 cu. yds. and including 50 cu. yds.; Transit Mix and wet or dry mix trucks, over 13 cu. yds. and including 15 cu. yds.

Group 10: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 50 cu. yds. and including 60 cu. yds.

Group 11: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 60 cu. yds. and including 70 cu. yds.

Group 12: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 70 cu. yds. and including 80 cu. yds.

Group 13: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 80 cu. yds. and including 90 cu. yds.

Group 14: Dump Trucks, side, end and bottom dumps, including semi Trucks and Trains or combinations thereof: over 90 cu. yds, and including 100 cu. yds.

Drivers and Helpers (handling sacked cement add $.15 per hour)

Winch Truck - takes classification of Truck on which Winch is mounted.

Decision #DC75-3061 - Mod. # 5
(40 FR 26242 - June 20 1975)
Washington,D. C.

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Terrazzo & Mosaic Workers	$9.33	.40	.30		
Terrazzo Workers Helpers	88.05	.40	.30		

STATE: Florida
DECISION NUMBER: FL75-1080
Supersedeas Decision Nos.: AQ-4030 dated October 26, 1973 in 38 FR 29727
AQ-4031 dated November 9, 1973 in 38 FR 31092
AQ-4039 dated November 30, 1973 in 38 FR 33203
DESCRIPTION OF WORK: Highway Construction

COUNTY: *See Below
DATE: Date of Publication

*Counties: Alachua, Bradford, Calhoun, Citrus, Columbia, Dixie, Franklin, Gadsden, Gilchrist, Hamilton, Hernando, Holmes, Jackson, Jefferson, Lake, Lafayette, Leon, Levy, Liberty, Madison, Marion, Pasco, Putnam, Sumter, Suwannee, Taylor Union, Wakulla, Washington

2 FLA-3-A

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	$3.25				
Carpenters	3.93				
Concrete finishers	3.42				
Electricians	5.95				
Form setters	3.25				
Ironworkers:					
Reinforcing	3.00				
Rodman	2.85				
Laborers:					
Unskilled	2.35				
Asphalt raker	3.04				
Pipelayers	2.75				
Truck drivers	2.53				
Welders	3.93				
Power Equipment Operators:					
Asphalt distributors	3.14				
Asphalt mixers	3.50				
Asphalt plant	2.98				
Asphalt paving machine	3.18				
Asphalt plant drier	3.25				
Asphalt screed	3.41				
Backhoe	3.23				
Bulldozer	3.13				
Concrete batching plant	3.50				
Concrete paving machine	3.65				
Cranes, derricks, draglines	3.92				
Earth movers	2.56				
Gradall	3.59				
Loaders:					
Front end	3.04				
Over 1 cubic yard	3.50				
1 cubic yard or less	3.00				

FL75-1080 - (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators, Cont'd					
Mechanics	3.53				
Motor grader	3.49				
Mixers	2.35				
Mulch machine	2.35				
Oiler-greasers	2.76				
Piledriver - leadsmen	5.00				
Pavement striping machine	3.00				
Rollers:					
Base	2.70				
Finish	2.88				
Self-propelled-rubber tired	3.00				
Scrapers	3.00				
Tractors	2.48				
Tug boat operator	2.85				
Widening spreader machine op.	3.68				

SUPERESDEAS DECISION

STATE: Florida
DECISION NUMBER: FL75-1081
Supersedeas Decision No.: AQ-4004 - dated August 24, 1973 in 38 FR-22841
DESCRIPTION OF WORK: Highway Construction

COUNTIES: *See below
DATE: Date of Publication

3 FLA-3-A

* Counties: Baker, Clay, Duval, Flager, Nassau and St. Johns	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Carpenters	4.51				
Concrete finishers	3.89				
Electricians	7.70	.30	18	.42	18
Form setters	3.11				
Ironworkers:					
Reinforcing	4.87				
Laborers:					
Common	2.72				
Air tool operator	3.50				
Asphalt raker	3.25				
Pipelayers	3.53				
Painters					
Structural steel	5.73				
Piledriver	5.00				
Truck Drivers	3.25				
Welders	5.50				
POWER EQUIPMENT OPERATORS:					
Asphalt distributors	3.45				
Asphalt paving machine	3.80				
Asphalt plant	3.45				
Asphalt screed	3.06				
Asphalt finisher	3.46				
Backhoe	3.68				
Bulldozers	3.25				
Cranes, derricks, dragline	4.48				
Front end loader	3.50				
Gradalls	3.25				
Line striping machine	2.75				
Mechanics	4.18				
Motor grader	4.37				
Mixers	3.10				
Oilers - greaseman	3.10				
Rollers	3.21				
Scrapers	4.15				

SUPERSEDEAS DECISION

STATE: Florida
DECISION NO.: FL75-1082
Supersedeas Decision Nos.: AQ-4006 dated August 24, 1973 in 38 FR - 22842
AQ-4018 dated October 5, 1973 in 38 FR - 27703
DESCRIPTION OF WORK: Highway Construction

COUNTIES: *See below
DATE: Date of Publication

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*Counties: Brevard, Hillsborough, Indian River, Manatee, Martin, Orange, Osceola, Pinellas, Polk, St. Lucie, Sarasota, Seminole, Volusia.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	3.80				
Carpenters	5.00				
Concrete finisher	4.21				
Electricians	5.50				
Form setters	4.32				
Ironworkers:					
Reinforcing	5.00				
Laborers	3.00				
Asphalt rakers	3.32				
Pipelayers	3.58				
Truck drivers	3.00				
Traffic signal mechanic	3.50				
Welders	5.00				
POWER EQUIPMENT OPERATORS:					
Asphalt distributors	3.50				
Asphalt paving machine	3.75				
Asphalt plant	3.00				
Asphalt plant drier	3.06				
Asphalt mixer	3.10				
Backhoe less than 2 cu. yards	4.02				
Backhoe over 2 cu. yards	4.46				
Bulldozers	3.88				
Concrete joint saw operator	3.50				
Concrete paving machine	5.00				
Cranes, derricks, draglines	4.55				
Earth moving operator	3.95				
Gradall	4.75				
Firemen	3.80				
Loaders	3.63				
Mechanics	4.34				
Motor graders	4.20				
Motor patrol	4.25				
Mixers	3.25				
Oilers - greasemen	3.42				
Pan operator	3.75				
Pavement striping operator	3.25				
Pumps	3.00				
Piledriver	3.30				
Roller	3.25				

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POWER EQUIPMENT OPERATORS COND T:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Scrapers	3.52				
Self. - prop. aggregate spreader	4.05				
Tractor	3.10				
Widening spreader machine	3.80				

STATE: Florida COUNTY: *See below
DECISION NO.: FL75-1083 DATE: Date of Publication
Supersedes Decision Nos: AQ-4017 dated October 5, 1973 in 38 FR - 27718
AQ-4019 dated October 5, 1973 in 38 FR - 27703
DESCRIPTION OF WORK: Highway Construction

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Counties: Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highland, Lee, and Okeechobee	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	4.50				
Carpenters	5.60				
Concrete finishers	4.25				
Electricians	5.50				
Form setters	4.00				
Laborers:					
Unskilled	3.00				
Asphalt raker	4.23				
Pipelayers	4.00				
Truck Drivers	3.80				
Welders	5.00				
POWER EQUIPMENT OPERATORS:					
Asphalt distributors	5.10				
Asphalt paving machine	4.40				
Asphalt plant	4.00				
Asphalt plant drier	3.85				
Backhoe	4.04				
Bulldozers	4.50				
Crane, derrick, draglines	5.00				
Earth movers	4.25				
Crusher	3.75				
Loaders:					
Front end	3.25				
Over 1 cu. yard	3.89				
Mechanics	4.25				
Motor grader and or motol patrol	4.50				
Form grader	5.00				
Gradall	4.75				
Mixer - self. prop.	4.00				
Oiler - greaser	3.29				
Pan operator	4.19				
Pavement striping machine	3.17				
Roller - base	3.75				
Roller self prop.-rubber tired	3.57				
Roller - finish	4.00				
Scrapers	3.50				
Tractor-	3.40				

FL75-1083 - (Cont'd)

POWER EQUIPMENT OPERATOR COND't:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Traffic signal mechanics	3.50				
Widening spreader machine	4.50				

SUPERSEDEAS DECISION

STATE: Florida
DECISION NO.: FL75-1084
COUNTIES: Broward & Palm Beach
DATE: Date of Publication
Superesdeas Decision No.: AQ-4003 - dated August 24, 1973 in 38 FR 22841
DESCRIPTION OF WORK: Highway Construction

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	4.02				
Carpenters	6.00				
Concrete finishers	5.41				
Electricians	5.82				
Form setters	4.29				
Ironworkers - reinforcing	8.80	.65	.43	.40	.04
Laborers:					
Air tool operator	3.50				
Asphalt raker	3.52				
Pipelayers	3.65				
Piledrivers	8.70	.55	.45	.50	.01
Truck Drivers	3.73				
Traffic signal mechanic	3.50				
Welders	5.50				
POWER EQUIPMENT OPERATORS:					
Asphalt distributors	3.41				
Asphalt mixers	3.69				
Asphalt paving machine	3.33				
Asphalt plant	3.69				
Backhoe	5.00				
Bulldozers	4.81				
Cranes, derricks, dragline	5.75				
Concrete paving machine	5.65				
Earth mover operators	3.50				
Drilling machine	5.00				
Gradalls	7.03				
Loaders	4.57				
Mechanics	4.69				
Motor grader	5.34				
Motor patrol	6.15				
Mixer - subgrader - self. prop.	4.70				
Oiler - greasemen	4.55				
Piledriver - leadsman	4.51				
Rollers	3.83				
Scrapers	3.75				
Tractor	3.00				

SUPERSEDEAS DECISION

STATE: Florida COUNTY: Dade
DECISION NO.: FL75-1085 DATE: Date of Publication
Supersedeas Decision No.: AQ-4003 dated August 24, 1973 in 38 FR-22841
DESCRIPTION OF WORK: Highway Construction

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Carpenters	6.00				
Cement masons - Con. finishers	5.61				
Electricians	8.50	3%	.20	6%	1%
Form setters	4.25				
Ironworkers:					
Structural	5.00				
Reinforcing	6.00				
Laborers:					
Asphalt raker	5.11				
Air tool operator	6.60	.75	.30		
Pipelayers	4.28				
Powderman	4.50				
Piledrivermen	8.70	.55	.55		.01
Truck Drivers	3.85				
Welders	5.00				
Traffic signal mechanic	3.50				
Pavement striping machine	3.17				
POWER EQUIPMENT OPERATORS:					
Asphalt distributor	5.10				
Asphalt mixers	3.60				
Asphalt paving machine	5.30				
Asphalt plant	4.97				
Backhoe	5.30				
Bulldozers	6.17				
Conc. paving finishing machine	4.75				
Cranes, derricks, draglines	6.69				
Front end Loader	5.82				
Earthmover	4.00				
Drilling machine	5.00				
Gradall	5.83				
Mechanics	5.78				
Motor grader	7.01	.35	.35		.05
Oiler - greaser	5.10				
Rollers	4.95				
Scrapers	6.05				
Tractor	4.74				
Trenching machine	4.50				

SUPERSEDEAS DECISION

STATE: Florida COUNTY: See Below
DECISION NUMBER: FL75-1087 DATE: Date of Publication
Supersedes Decision No. FL75-1035 dated March 21, 1975 in 40 FR-12972
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and Heavy and Highway Construction.

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*COUNTIES: Brevard and Volusia (Cape Kennedy, Kennedy Space Flight Center and Patrick Air Force Base only and including Melabar Radar Site), Florida	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$8.91	.35	.35		.06
Boilermakers	8.20	.60	.90		.02
Bricklayers:					
Bricklayers and blocklayers	6.46	.40	.25		
Cement masons	6.31	.40	.25		
Masonry cutting or grinding machines	6.46	.40	.25		
Plasterers and manhole bricklayers	6.46	.40	.25		
Terrazzo workers	6.46	.40	.25		
Tile setters	6.46	.40	.25		
Carpenters:					
Carpenters, gypsum dry wall hangers	7.31	.35	.25		.05
Millwrights	8.65	.45	.45		.06
Piledrivermen	7.56	.35	.25		.05
Saw operator (radial)	7.56	.35	.25		.05
Soft floor layers	7.31	.35	.25		.05
Electricians:					
Base Zone (within 40 mile of the Union Office, 215 Ridgewood Ave., Daytona Beach):					
Electricians	8.28	.25	1%+.44		1%
Cable splicers	8.73	.25	1%+.44		1%
Zone 1 (beyond 40 miles from the Union Office):					
Electricians	8.73	.25	1%+.44		1%
Cable splicers	9.18	.25	1%+.44		1%
Ironworkers:					
Structural, finishers, burners, rodmen, welders, riggers and machinery movers	7.73	.45	.30	.54	.05
Sheeters	7.73	.45	.30	.54	.05
Laborers:					
Common laborers	4.70	.45	.30		.01
Hod carriers, kettlemen, mason tenders, mortar mixers, pipelayers (conc. & clay), air tool op., vibrator, plasterers tenders, well point dewatering, powdermen, paving form setters, concrete workers	4.85	.45	.30		.01

FL75-1087 (Cont'd.)

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POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	8.70	.40	.35		.05
GROUP II	8.10	.40	.35		.05
GROUP III	7.60	.40	.35		.05
GROUP IV	7.20	.40	.35		.05
GROUP V	6.50	.40	.35		.05

GROUP I: Cranes, hydraulic or derrick on structural or reinforcing iron, cranes or derrick, clam shell dragline, piledriver operator (including auger & boring machine op. for drilling in piling), backhoe (including hydraulic), hydraulic crane, gradeall, shovel, motor patrol, mechanic heavy equipment, side boom cat & multi-drum hoist.

GROUP II: Bulldozer & trenching machine, bridge crane, highlift, straddle buggy, hoist, earth hauling scraper (regardless how powered), pump crete & front end loader

GROUP III: Winch truck, concrete/asphalt paver, fork lift, locomotive engineer, boring machine, well drilling machine & mobile cleaning plant

GROUP IV: Tractor, well point pump & installation man, fireman, lubrication engineer equipment greaser & air compressor

GROUP V: Motor boat, oiler, mechanic helper, pumpman (other than well point), roller (steel & rubber tires) self-powered, conveyor, welding machine (three or more combustion engines & Pulver mixer)

FL75-1087 (Cont'd.)

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
GROUP I	$4.40					
GROUP II	$4.50					
GROUP III	$4.60					
GROUP IV	$4.65					
GROUP V	$5.00					
GROUP VI	$5.10					

GROUP I: Buses, jeeps, station wagons, pilot or escort cars, trucks up to 6 cu. yds. or 2-ton capacity, water trucks (single axle), dumpmen & tire repairmen

GROUP II: Dump trucks 6 cu. yds. to 13 cu. yds. capacity, transit mix trucks (single axle), 3 axle trucks

GROUP III: Dump trucks 13 cu. yds. capacity, truck mechanic helper

GROUP IV: Ashpalt distributor trucks, lumber carriers & similar type equipment, lift gate trucks, transit mix trucks (tandem axle), dump trucks 16 cu. yds. or more, fuel & grease trucks, and 4-axle trucks

GROUP V: A-frame trucks, boom trucks, gin pole trucks, winch trucks (when used for hauling material & equipment), trucks with 5-axle or more, fork lift trucks

GROUP VI: Euclids, euclid water truck, caterpillars, or similar off highway earth moving equipment (not self-loaded), truck mechanic

FL75-1087 (Cont'd.)

Laborers (cont'd.):	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Nozzlemen (handling the nozzle of cement gun)	5.52	.45	.30		.01
Curb and gutter form setters	4.85	.45	.30		.01
Sidewalk	4.85	.45	.30		.01
Linemen:					
Lineman	7.61	.25	1%		½ of 1%
Cable splicer	7.76	.25	1%		½ of 1%
Class A operators	7.61	.25	1%		½ of 1%
Class B operators	5.38	.25	1%		½ of 1%
Groundman over 1 year	4.01	.25	1%		½ of 1%
Groundman under 1 year	3.39	.25	1%		½ of 1%
Painters:					
Commercial repainting:					
Brush and roller.	7.30		.20		.05
Sandblasting	7.80		.20		.05
All other painting:					
Brush and roller	7.70		.20		.05
Sandblasting and spray	8.40		.20		.05
Hand drywall taping and finishing	7.70		.20		.05
Drywall work using Ames Tools or automatic tapers	8.40		.20		.05
Gloves and mittens, paperhanging, steam cleaning or power driven tools, grouting or caulking	8.40		.20		.05
Hot or cold tar materials, bitumatic, mastite, flamastic or any similar materials	8.40		.20		.05
Asphalt excluding asphalt base aluminum and varnish	8.40		.20		.05
Plumbers and pipefitters	9.90	.43	.47		.05
Roofers:					
Roofers	6.95	.35	.25		
Helpers and tile tenders	5.50	.35	.25		
Kettlemen	4.85	.35	.25		
Sheet metal workers	9.39	.40	.30		.06
Sprinkler fitters	9.31	.50	.70		.10
Welders - Rate for Craft.					

SUPERSEDEAS DECISION

STATE: Nebraska COUNTIES: Hall, Howard, Hamilton and Merrick Counties

DECISION NUMBER: NE75-4155 DATE: Date of Publication

Supersedes Decision No. AQ-24 dated September 7, 1973, in 38 FR 24486
DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$6.45				
CARPENTERS	6.10				
ELECTRICIANS	4.95				
GLAZIERS	3.00				
IRONWORKERS:					
Structural & Ornamental	7.00	.25	.20	.20	
LABORERS:					
Laborers	2.50				
Mason Tenders	3.15				
LATHERS	6.00				
PAINTERS, Brush	4.35				
PLASTERERS	6.00				
PLUMBERS	4.65				
ROOFERS	4.50				
SHEET METAL WORKERS	4.75				
TILE SETTERS	3.95				
TRUCK DRIVERS	2.75				
POWER EQUIPMENT OPERATORS:					
Bulldozers	3.25				
Cranes, Derrick, Draglines	5.80				
Scrapers, Motor Graders	3.25				

SUPERSEDEAS DECISION

STATE: North Carolina COUNTY: Statewide
DECISION NO.: NC75-1078 DATE: Date of Publication
Supersedeas Decision No.: NC75-1002 dated January 17, 1975 in 40 FR 3149
DESCRIPTION OF WORK: Water and Sewer Construction; and Heavy Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	4.44				
Carpenters	4.30				
Cement masons	4.16				
Ironworkers:					
Reinforcing	3.38				
Structural	4.00				
Laborers:					
Asphalt raker	3.30				
Laborers	2.78				
Pipelayers	3.38				
Powderman	4.35				
Manhole Builders	3.73				
Millwrights	4.05				
Painters	3.00				
Piledrivers	4.25				
Pipefitters	4.10				
POWER EQUIPMENT OPERATORS:					
Air drill operators	3.88				
Asphalt distributor	3.14				
Backhoe	4.05				
Bulldozers	3.89				
Crane & dragline	4.40				
Equipment mechanics	4.12				
Front end loader	3.73				
Gradall	3.95				
Motor Grader	4.08				
Oiler	3.50				
Pan operator	3.30				
Paving form setter	4.00				
Paving machines, asphalt	3.60				
Rollers	2.78				
Screed, asphalt	3.50				
Tractor	2.78				
Trenching machines	3.63				
Truck drivers	2.79				
Welders	4.50				

SUPERSEDEAS DECISION

STATE: Oklahoma
DECISION NO.: OK75-4156
COUNTY: Muskogee, Adair, & Cheroke
DATE: Date of Publication
Supersedes Decision No. OK75-4069 dated March 28, 1975 in 40 FR 14257
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), and heavy and highway construction within the City of Muskogee.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$9.80	.35	.60		.015
BOILERMAKERS	8.00	.50	.76		.02
BRICKLAYERS-STONEMASONS	8.36	.30	.40		.04
CARPENTERS:					
Carpenters	7.95		.25		.01
Millwrights-Piledrivermen	8.45		.25		.01
CEMENT MASONS:					
Cement masons	7.55				
Power tool operator	7.80				
ELECTRICIANS:					
ZONE I - A 20 mile radius from Post Office of City of Muskogee					
ZONE II - Area outside zone I					
Zone I					
Electricians	7.93	.30	1%		½%
Cable splicers	8.33	.30	1%		½%
Zone II					
Electricians	8.23	.30	1%		½%
Cable splicers	8.63	.30	1%		½%
ELEVATOR CONSTRUCTORS	8.25	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (Probationary 6 months)	50%JR				
GLAZIERS	7.68	.40	.30		.01
IRONWORKERS	8.90	.30	.35		.08
LABORERS:					
Group 1	5.30	.25	.20		
Group 2	5.60	.25	.20		
Group 3	5.80	.25	.20		

CLASSIFICATION DEFINITIONS

GROUP I - All digging and dirt work, firing of salamanders and smudge pots, loading and unloading of materials and equipment, loading and unloading of materials to and from hoist or cages for stock piling only, wheeling and placing of concrete, handling of lumber, steel cement and distribution of materials, all cleaning, including cleaning of windows, wrecking and razing of building and all structures, cleaning and clearing of debris, loading and unloading of materials, hoist or cages, except when the man is directly tending lathers, masons, or plasterers, water boys, when used, carpenter tenders, and common laborers.

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LABORERS CLASSIFICATION DEFINITIONS CONTD:

GROUP II - All machine tool operators that come under the jurisdiction of the laborers, all sewer and drain tile layers and handling at the ditch, excluding distribution, operators of water pumps up to four inches and slip form jacks, and plasterers, mortar mixers, hod carriers and dry mixers, high work over 30 feet from the ground or floors, cement finisher helper, work on swinging scaffold, all kettle and pot men, tank cleaning, all pipe doping treating and wrapping, including all men working with dope, mortar and plaster mixing machine, pump-crete machines, and gunite mixing machines, including placing of concrete, handling creosoted or treated materials, liquid acids, or like materials when injurious to health, eye and skin or clothes, all newly developed mechanical equipment which replaces wheel barrows or buggies previously used by laborers, all scale men on batch plants, all laborers screening sand, running sand drier, and feeding operating sand blaster, except nozzle, signal men and curring torch operators in connection with laborers' work, concrete grader

GROUP III - Wagon drill operator and powdermen or blaster

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LATHERS	7.65				.01
LINE CONSTRUCTION					
Lineman	8.65		1%		½%
Cable splicers	9.16		1%		½%
Hole digger operator	7.85		1%		½%
Heavy Equipment operator (or Pole cat equivalent)	7.85		1%		½%
Line truck driver (winch operator	7.10		1%		½%
Jack Hammerman	6.48		1%		½%
Powderman	7.85		1%		½%
Groundman	5.77		1%		½%
Truck driver (flat bed, ton and hald and under)	6.16		1%		½%
PAINTERS:					
Commerical brush and roller	5.85		.25	.20	.02
Spray, glove or dipping, sandblasters, spray or sand pot tender (maximum two pots, guns or nozzles), power rollers, power equipment operators, bituminastic and like materials, applicators and kettle tenders	7.10		.25	.20	.02
Spray or sand pot tender (maximum one pot, one nozzle or gun	6.20		.25	.20	.02

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS (CONTD:)					
Hazardous work Cooning steel, stage bosun chair spiders, jack, roof work, skates, rolling scaffolds and like equipment - fifty cents above basic rate	9.30		.25	.20	.02
POWER EQUIPMENT OPERATORS:					
Group 1	9.25	.35	.40		.12
Group 2	9.00	.35	.40		.12
Group 3	8.75	.35	.40		.12
Group 4	8.50	.35	.40		.12
Group 5	8.25	.35	.40		.12
Group 6	8.00	.35	.40		.12
Group 7	7.60	.35	.40		.12
Group 8	7.50	.35	.40		.12
Group 9	7.30	.35	.40		.12
Group 10	7.00	.35	.40		.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP I - All crane type equipment with 200' of boom or over (including jib)
GROUP II - All crane type equipment with 150-200' of boom (including jib)
GROUP III - All crane type equipment with 100-150' of boom (including jib), all tower cranes and all crane type equipment of 3 cu. yd. of more (as rates by mfg.), sideboon (booms 30' & over), guy derrick
GROUP IV - Heavy duty mechanic welder, crane-hook & overhead monorail, whirley, panel board batch plant operator, piledriver engineer, dragline, shovel, clamshell, backhoe, sideboon (under 30'), gradall, hydro crane, cherry picker, hoists while operating 2 or more drums, hoists while doing stack & chimney work (1 or 2 drums), power driven hole digger (with 30' & longer mast)
GROUP V - Motor patrol (blade), fork lift (35' and over), dozer (engine h.p. 65 or over), fordson tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, tournapull, DW 10, 15, 16, 20, 21, & similar rubber-tired equipment, Euclid, TS-24 and similar, loader operator or Hi-lift (Engine h.p. 65 or over), asphalt lay machine, tail toom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump - boom type

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications.

DECISION NO. OK75-4156

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS CONTD:

GROUP VI - Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. and under, air compressor, over 500 cu. ft, (1) pumps, battery, 3 to 6, fork lift, bobcat and similar equipment, generator plant engineers, diesel elec., winch truck with a frame, roller, all types, outside elevator or building type of personnel hoist, concrete buster or tamper, heaters under jurisdiction of oper. engrs., fireman, boiler operator, crushing plants, oiler distributor, pulvimixer, farmer tractor-with or without attachments, batch plant operator - duel, continous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large whirleys when and if required, operator for rotary drilling machines when operated from console or machines

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII - Greaser, tilt top trailer operator
GROUP VIII - Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft. & under (1 or 2) welding machine (1 or 2), pum (1 or 2), fuelman, conveyor operator-single-continous belt bulk handling
GROUP IX - Asphalt lay machine back end man, helpers
GROUP X - Truck crane oiler driver or truck crane oiler

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS-STEAMFITTERS	9.75	.40	.80		.10
ROOFERS	7.25	.25	.25		.04
SHEET METAL WORKERS	8.83	.45	.45		.10
SPRINKLER FITTERS	10.10	.50	.80		.08
TERRAZZO WORKERS	8.49		.20		
TERRAZZO WORKERS HELPERS	6.93				
TERRAZZO WORKERS HELPERS' FLOOR OP.	7.03				
TERRAZZO WORKERS'HELPERS BASE MACHINE OPERATOR	7.23				
TILE LAYERS	8.49		.20		
TRUCK DRIVERS:					
Group 1	6.45				
Group 2	6.55				
Group 3	6.65				
Group 4	6.60				
Group 5	6.75				

DECISION NO. CX75-4156

CLASSIFICATION DEFINITIONS

Group I - Pick-up 1½ tons, or 2½ yards and up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake bodies and buses
Group II - 3 tons or 4 yards and up to but not including 4 tons or 6 yards
Group III - 5 tons or 6 yards and over including heavy equipment such as pole trucks, winch trucks, euclids, Mississippi wagons, semi-dumps, turner pulls, or other heavy material moving equipment, tractor trailer drivers and similar equipment, such as tractors, ten wheelers
Group IV - Ready-mix concrete trucks up to but not including 3 yards
Group V - Ready-mix concrete trucks 3 yards and over

FOOTNOTES: a. 1st 6 mos. to 5 yrs. - 2% over 5 yrs. - 4% of basic hourly rate.
b. Paid holidays - A through F
PAID HOLIDAYS: A-New Years Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

STATE: Oregon
DECISION NUMBER: OR75-5111
COUNTIES: Statewide
DATE: Date of Publication
Supersedes Decision No. OR75-5105 dated August 15, 1975, in 40 FR 34569
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dredging.

DECISION NO. OR75-5111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 9.96	.50	.80		.10
BOILERMAKERS	8.90	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Clackamas, Clatsop, Columbia, Gillian, Hood River, Multnomah, Morrow, Sherman, Tillamook, Wasco (north of the City of Maupin), Washington, N½ of Yamhill Counties	10.13	.55	.75		.08
Marion, Polk, S½ of Yamhill Cos.	8.25	.40	.40		
Baker, Union, Umatilla, Wallowa, N½ of Malheur Counties	9.20	.40	.50		
Benton, Crook, Coos, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Wheeler, Wasco (including the City of Maupin and South thereof), and S½ of Malheur Counties	9.02	.50	.55		.08
CARPENTERS:					
Acoustical and Drywall Applicators; Automatic Nailing Machine; Carpenters; Form Strippers; Manhole Builders	8.79	.55	.65	.35	.03
Piledrivermen; Bridge, Dock and Wharf Builders	8.89	.55	.65	.35	.03
Floor Layers and Finishers; Stationary Power Saw Operators	8.94	.55	.65	.35	.03
Boom Men	8.99	.55	.65	.35	.03
Millwrights and Machine Erectors	9.04	.55	.65	.35	.03
CEMENT MASONS:					
Cement Masons	8.47	.55	.60	.60	.10
Composition Worker; Power Machinery Operator	8.62	.55	.60	.60	.10
ELECTRICIANS:					
Malheur County					
Electricians	$ 8.48	.40	17%+.25		1%
Cable Splicers	9.328	.40	17%+.25		1%
Baker, Gilliam, Grant, Morrow, Umatilla, Union, Wallowa, Wheeler Counties					
Electricians	9.85	.35	17%+.40		.02
Lead Cable Splicers	10.835	.35	17%+.40		.02
Coos, Curry, Lincoln, Those portions of Douglas and Lane Counties lying west of a line North and South from the NE corner of Coos County to the SE corner of Lincoln County					
Electricians	9.30	.45	1%		.04
Cable Splicers	10.23	.45	1%		.04
Benton, Crook, Deschutes, Jefferson, Lake (except coast portion), Linn, Marion, Polk, S½ of Yamhill Counties					
Electricians	9.85	.45	1%		.04
Lead Cable Splicers	10.64	.45	1%		.04
Clackamas, Clatsop, Columbia, Hood River, Multnomah, Sherman, Tillamook, Wasco, Washington, N½ of Yamhill Counties					
Electricians	9.60	.45	17%+.40		.02
Lead Cable Splicers	10.35	.45	17%+.40		.02
Harney, Jackson, Josephine, Klamath, Lake, that portion of Douglas lying east of a line running north and south from the NE corner of Coos to the SE corner of Lincoln Counties					
Electricians	9.50	.45	1%		.04
Cable Splicers	10.15	.45	1%		.04
ELEVATOR CONSTRUCTORS	7.97	.495	.32	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.495	.32	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				

DECISION NO. OR75-5111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GLAZIERS:					
Wallowa County	$ 7.28	.31	.25	.28+b	
Remaining Counties	7.20	.26	.30	6.5%	.01
IRONWORKERS:					
Structural; Reinforcing; Ornamental; Riggers; Fence Erectors; Signal Men	8.90	.58	.90	.25	.05
LATHERS:					
Clackamas, Clatsop, Columbia, Gilliam, Harney, Hood River, Morrow, Multnomah, Sherman, Tillamook, Wasco, Washington, Yamhill Counties	8.75	.30			
MARBLE SETTERS:					
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Multnomah, Morrow, Sherman, Tillamook, Wasco (North of the City of Maupin), Washington, N½ of Ymahill Counties	10.13	.55	.75		.08
Baker, Union, Umatilla, Wallowa, N½ of Malheur Counties	9.20	.40	.50		
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, S½ of Malheur, Wasco (including the City of Maupin and South thereof), Wheeler Counties	8.05	.45	.60		
MASON TENDERS:					
(Including tenders to plasterers, bricklayers, tile setters, marble setters and terrazzo worker; Topping for cement finishers and mortar mixer)	8.27	.65	.80		.10
PAINTERS:					
Malheur County					
Brush; Paperhangers; Drywall Tapers	7.26	.25	.10		.02
Steel, Sign	7.36	.25	.10		.02
Application of toxic materials; Sandblasting; Spray	7.73	.25	.10		.02

DECISION NO. OR75-5111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Cont'd)					
Umatilla (Township of Pendleton Only)					
Brush; Glazier; Sign Painter	$ 5.50				
Spray; Sandblasting; Swing Stage; Taping and Paperhanging	5.75				
Remaining Counties					
Brush	7.77	.35	.45	.30	.03
Spray, High Towers, ground to 100'	8.02	.35	.45	.30	.03
High Work over 100'; High Towers	8.27	.35	.45	.30	.03
High Towers, ground to over 300'	8.77	.35	.45	.30	.03
Drywall Finisher	7.81	.40	.40	.50	.06
PLASTERERS:					
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur (South Half), Wasco (including the City of Maupin and south thereof) and Wheeler Counties	8.50	.50	.60		.01
Remaining Counties	8.50	.50	.60		.01
PLUMBERS; Steamfitters:					
Baker; Harney (except NW portion); Maljeur Counties	8.79	.37	.40		.10
Grant (except SW corner); Morrow, Umatilla, Wallowa, Union Counties	10.11	.33	.85	.62	.10
N½ of Benton, Lincoln and Linn Counties; S½ of Tillamook and Yamhill Counties; Marion and Polk Counties	9.23	.56	1.18	1.00	.10
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Jefferson, Multnomah, Sherman, Wasco, Wheeler, Washington, N½ of Yamhill Counties, N½ of Tillamook County	9.97	.70	1.55		.08
Coos, Curry, West Coast portion of Douglas, Lane (City of Florence)	9.14	.66	.77		.0175

DECISION NO. OR75-5111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS; Steamfitters (Cont'd)					
Lane (except City of Florence); Douglas (except coast portion), Crook, Deschutes, NW portion of Harney, Northern portions of Klamath and Lake Counties, S½ of Lincoln, Linn, Benton and Jefferson Counties, Sw corner of Grant County	$ 8.65	.41	.75		.05
Remainder of Klamath and Lake Cos	8.96	.50	.75	1.00	.075
Jackson and Josephine Counties	7.05	.44	.84	.85	.02
ROOFERS:					
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Multnomah, Sherman, Tillamook, Wasco, Washington, and Wheeler Counties Roofers	9.05	.45	.75		
Handling of irritating material (coal, tar or epoxy) in unconfined area	9.55	.45	.75		
Handling of irritating material (coal, tar or epoxy) in a confined area	9.80	.45	.75		
Wallowa County	7.45				
Coos, Crook, Curry, Deschutes, Douglas, Harney, Jackson, Josephine, Klamath, Lake, and Lane Counties Roofers	7.85	.30	.10		
Spray and/or application of irritating materials in a confined area	8.60	.30	.10		
Marion, Yamhill, Polk, Lincoln, Benton and Linn Counties	7.40	.22	.15	.25	
Malheur County	7.40	.33	.20	.30	
SHEET METAL WORKERS:					
Benton, Clackamas, Clatsop, Columbia, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Wasco, Washington, Wheeler and Yamhill Counties	8.71	.55	.51	1.00	.04

DECISION NO. OR75-5111

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
SHEET METAL WORKERS: (Cont'd)					
Malheur County	$ 8.36	.32	.30		.04
Baker, Umatilla, Union, Wallowa Counties	9.95	.50	.78		
Coos, Curry, Douglas, Klamath, Lake and Lane Counties	8.67	.37	.34		.005
Jackson and Josephine Counties	8.08	.42	.40	.30	.005
SOFT FLOOR LAYERS:					
All Counties except Malheur	7.735	.45	.45		.05
SPRINKLER FITTERS	9.40	.50	.70		.08
TERRAZZO WORKERS:					
Baker, Umatilla, Union, Wallowa, and N½ of Malheur Counties	8.53	.40	.50		
TILE SETTERS:					
Clatsop, Clackamas, Columbia, Gilliam, Hood River, Morrow, Multnomah, Sherman, Wasco (north of the City of Maupin), Washint Washington, Tillamook and N½ of Yamhill County	8.04	.35	.35	.25	
Baker, Umatilla, Union, Wallowa Counties and N½ of Malheur Cos.	8.53	.40	.50		
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Wheeler, Wasco (including the City of Maupin and south thereof) and S½ of Malheur Cos.	8.05	.45	.60		
WELDERS; RIGGERS: Receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer credits 4% basic hourly rate of employee with 5 years' service; 2% basic hourly rate for 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.

b. Two weeks' Vacation with pay after 1 year of employment. Also seven (7) Paid Holidays: A through F plus Washington's Birthday.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINE CONSTRUCTION:					
Cable Splicers; Leadman Pole Sprayer	$11.12	.35	1%	.10	1/2%
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	10.04	.35	1%	.10	1/2%
Tree Trimmer	9.06	.35	1%	.10	1/2%
Line Equipment Man	8.65	.35	1%	.10	1/2%
Head Groundman (Chipper); Head Groundman; Powderman; Jackhammer Man	7.96	.35	1%	.10	1/2%
Groundman; Tree Trimmer Helper	7.12	.35	1%	.10	1/2%
DREDGING:					
Leverman:					
Dipper	9.06	.55	.85	.35	.05
Hydraulic	8.40	.55	.85	.35	.05
Assistant Engineer (including watch engineer, welder, mechanic and machinist); Mate	8.04	.55	.85	.35	.05
Tenderman (boatman, attending dredge plant); Fireman	7.80	.55	.85	.35	.05
Assistant Mate (deckhand); Oiler	7.54	.55	.85	.35	.05

DECISION NO. OR75-5111

LABORERS

	ZONE A	ZONE B	ZONE C	ZONE D	ZONE E	ZONE F
Group 1	$7.37	$7.77	$8.12	$8.37	$8.62	$8.87
Group 2	7.72	8.12	8.47	8.72	8.97	9.22
Group 3	9.02	8.42	8.77	9.02	9.27	9.52
Group 4	8.27	8.67	9.02	9.27	9.52	9.77

FRINGE BENEFITS:
Health and Welfare $.65
Pension .80
Vacation $.50
Apprenticeship Training .10

TRUCK DRIVERS

	ZONE A	ZONE B	ZONE C	ZONE D	ZONE E	ZONE F
Group 1	$8.48	$8.88	$9.23	$9.48	$9.73	$9.98
Group 2	8.53	8.93	9.28	9.53	9.78	10.03
Group 3	8.58	8.98	9.33	9.58	9.83	10.08
Group 4	8.63	9.03	9.38	9.63	9.88	10.13
Group 5	8.68	9.08	9.43	9.68	9.93	10.18
Group 6	8.78	9.18	9.53	9.78	10.03	10.28
Group 7	8.88	9.28	9.63	9.88	10.13	10.38
Group 8	8.98	9.38	9.73	9.98	10.23	10.48
Group 9	9.08	9.48	9.83	10.08	10.33	10.58
Group 10	9.25	9.65	10.00	10.25	10.50	10.75
Group 11	9.35	9.75	10.10	10.35	10.60	10.85
Group 12	9.45	9.85	10.20	10.45	10.70	10.95
Group 13	9.55	9.95	10.30	10.55	10.80	11.05
Group 14	9.65	10.05	10.40	10.65	10.90	11.15

FRINGE BENEFITS:
Health and Welfare $.53
Pension .65
Vacation $.45
Apprenticeship Training .05

DECISION NUMBER OR75-5105

POWER EQUIPMENT OPERATORS

WAGE RATES:

WAGE RATES:

Group No.	Zone A	Zone B	Zone C	Zone D	Zone E	Zone F
1	$8.30	$8.70	$9.05	$9.30	$9.55	$9.80
2	8.44	8.84	9.19	9.44	9.69	9.94
3	8.54	9.94	9.29	9.54	9.79	10.04
4	8.70	9.10	9.45	9.70	9.95	10.20
5	8.72	9.12	9.47	9.72	9.97	10.22
6	8.80	9.20	9.55	9.80	10.05	10.30
7	8.86	9.26	9.61	9.86	10.11	10.36
8	8.96	9.36	9.71	9.96	10.21	10.46
9	9.02	9.42	9.77	10.02	10.27	10.52
10	9.08	9.48	9.82	10.08	10.33	10.58
11	9.10	9.50	9.85	10.10	10.35	10.60
12	9.16	9.56	9.91	10.16	10.41	10.66
13	9.24	9.64	9.99	10.24	10.49	10.74
14	9.40	9.80	10.15	10.40	10.65	10.90
15	9.56	9.96	10.31	10.56	10.81	11.06
16	9.74	10.14	10.49	10.74	10.99	11.24
17	9.88	10.28	10.63	10.88	11.13	11.38
18	10.06	10.46	10.81	11.06	11.31	11.56
19	10.20	10.60	10.95	11.20	11.45	11.70

FRINGE BENEFITS:

Health and Welfare	$ .75
Pension	1.00
Vacation	.50
Apprenticeship Tr.	.05

DECISION NO. OR75-5111

LABORERS
TRUCK DRIVERS
POWER EQUIPMENT OPERATORS

ZONE WAGE SCALE

Portland Only

Zone A - All jobs or projects located within 25 miles of the City Hall of Portland

Zone C - More than 25 miles but less than 35 miles from City Hall

Zone D - More than 35 miles but less than 45 miles from City Hall

Zone E - More than 45 miles but less than 75 miles from City Hall

Zone F - More than 75 miles from City Hall

Eugene and Salem Only

Zone A - All jobs or projects located within 20 miles of the respective City Hall

Zone B - More than 20 miles but less than 25 miles from the respective City Hall

Zone C - More than 25 miles but less than 35 miles from the respective City Hall

Zone D - More than 35 miles but less than 45 miles from the respective City Hall

Zone E - More than 45 miles but less than 75 miles from the respective City Hall

Zone F - More than 75 miles from the respective City Hall

DECISION NO. OR75-5111

LABORERS
TRUCK DRIVERS
POWER EQUIPMENT OPERATORS

ZONE WAGE SCALE (Cont'd)

CITIES:

Astoria	Hood River	Newport	Tillamook
Baker	Klamath Falls	Ontario	
Bend	La Grande	Pendleton	
Brookings	Lakeview	Port Orford	
Burns	Madras	Reedsport	
Coos Bay	Medford	Roseburg	
Grants Pass	McMinnville	The Dalles	

Zone A - All jobs or projects located within 10 miles of the respective City Hall

Zone B - More than 10 miles but less than 25 miles from the respective City Hall

Zone C - More than 25 miles but less than 35 miles from the respective City Hall

Zone D - More than 35 miles but less than 45 miles from the respective City Hall

Zone E - More than 45 miles but less than 75 miles from the respective City Hall

Zone F - More than 75 miles from the respective City Hall

Albany and Corvallis Only

Zone A - All jobs or projects located within 5 miles of the respective City Hall

Zone B - More than 5 miles but less than 25 miles from the respective City Hall

Zone C - More than 25 miles but less than 35 miles from the respective City Hall

Zone D - More than 35 miles but less than 45 miles from the respective City Hall

Zone E - More than 45 miles but less than 75 miles from the respective City Hall

Zone F - More than 75 miles from the respective City Hall

DECISION NO. OR75-5111

LABORERS

Group 1: Asphalt Plant Laborers; Asphalt Spreaders; Batch Weighman; Broomers; Brush Burners and Cutters; Car and Truck Loaders; Carpenter Tender; Change-house Man or Dry Shack Man; Choke Setter; Clean Up Laborers; Concrete Laborers; Culvert, hand labor; Curing, concrete; Demolition, Wrecking and Moving Laborers; Driller Helpers; Dumpers, Road Oiling Crew; Dumpmen (for grading crew); Elevator Feeders; Fence Builder (including Guard Rail, Median Rail, Reference Post, Guide Post, Right-of-way Marker); Fine Graders; Flagmen, traffic; Form Strippers (not Swinging Stages); Landscaping or Planting Laborers; Leverman or Aggregate Spreader (Flaherty and similar types); Loading Spotters; Material Yard Man (including electrical); Powderman Helper; Pittsburgh Chipper Operator or similar types; Railroad Track Laborers; Ribbon Setters (including Steel Forms); Rip Rap Man (hand placed); Road Pump Tender; Sewer Labor; Signalman; Skipmen; Slopers Spraymen; Stake Chaser; Stockpiler; Timber Faller and Bucker (hand labor); Toolroom Man (at job site); Tunnel Bull Gang (above ground); Weight Man - Crusher (aggregate when used)

Group 2: Applicator (including Pot Tender for same), applying protective material by hand or nozzle on utility lines or storage tanks on project; Brush Cutters (power saw); Burners; Choker Spiicer; Clary Power Spreader and similar types; Clean-up Nozzleman - Greencutter (concrete, rock, etc.); Concrete Power Buggyman; Crusher Feeder; Demolition and Wrecking Charred Materials; Grade Checker; Gunite Nozzleman Tender; Gunite or Sand Blasting Pot Tender; Handlers or Mixers of all materials of an irritating nature (including cement and lime); Power Tool Operators, includes but not limited to: Dry Pack Machine, Jackhammer, Chipping Guns, Paving Breakers, Vibrators (less than 4" in diameter), Post Hole Digger, air gas or electric, Vibrating Screed, Tampers, Ribbon Setter, head; Rip Rap Man (head), hand placed; Sand Blasting (wet); Stake Setter; Tunnel - Muckers, Brakemen, Concrete Crew, Bull Gang (underground)

Group 3: Asphalt Rakers; Bit Grinder; Drill Doctor; Drill Operators, Air Tracks, Cat Drills, Wagon Drills, Rubber-mounted Drills and other similar types; Concrete Saw Operator; Gunite Nozzleman; High Scalers, Strippers and Drillers (covers work in Swinging Stages, Chairs or Belts, under extreme conditions unusual to normal drilling, blasting, barring-down, or sloping and stripping); Laser Beam (pipe laying) - Applicable when employee assigned to move, set up, align laser bean; Manhole Builder; Powdermen; Power Saw Operators (bucking and falling); Pumpcrete Nozzleman; Sand Blasting (dry); Sewer Pipe Layers; Sewer Timberman; Track Liners, Anchor Machines, Ballast Reugiators, Multiple Tampers, Power Jacks; Tugger Operator; Tunnel - Chuck Tenders, Nippers and Timbermen; Vibrators (4" and larger); Water Blaster; Welder

Group 4: Laser Beam (tunnel) - Tunnel Miners; Tunnel Powderman

DECISION NO. OR75-5111

POWER EQUIPMENT OPERATORS

Group 1: Oiler, including Plant, Crane, Crusher, Guardrail Equipment, and Trenching Machine; Assistant Conveyor Operator; Crusher Feederman; Deckhand; Self-propelled Scaffolding Operator; Guardrail Punch Oiler; Pump Operator, under 4"; Brakeman; Switchman; Parts Man (tool room)

Group 2: Blade Operator, pulled type; Truck Crane Oiler-driver, 25 ton capacity or over; Crane Fireman, (all equipment except floating); A-Frame Truck Operator, single drum; Tugger or Coffin type Hoist Operator; Drill Helper; Auger Oiler; Boatman; Fork Lift or Lumber Stacker Operator (on job site); Oiler, combination Guardrail Machines; Temporary Heating Plant Operator; Grade Oiler, required to check grade; Grade Checker; Tar Pot Fireman; Tar Pot Fireman (power agitated); H.D. Repairman Helper; Welder's Helper; Helicopter Radioman (ground); Roller Operator, grading of base rock (not asphalt) ..

Group 3: Asphalt Plant Fireman; Pugmill Operator (any type); Truck mounted Asphalt Spreader, with Screed; Compressor Operator (any power); under 1,250 cu. ft. total capacity; Conveyor Operator; Mixer Box Operator (C.T.B., Dry Batch, etc.); Cement Hog; Concrete Saw; Concrete Curing Machine (riding type); Wire Mat or Brooming Machine; Ross Carrier Operator (on job site); Bucket Elevator Loader, Barber-Greene and similar types; Hydraulic Pipe Press; Pump Operator (any power), 4" and over; Hydrostatic Pump; Motorman; Ballast Jack Tamper; Bell Boy Phones, etc.; Tamping Machine, mechanical self-propelled; Hydrographic Seeder Machine, straw, pulp or seed; Broom Operator, self-propelled (on job site); Air Filtration Equipment; Welding Machine Operator

Group 4: Screed Operator; Compactor, including Vibratory; Compressor (any power) over 1,250 cu. ft. total capacity; Combination Mixer and Compressor, Gunnite work; Concrete Mixer Operator, single drum, under five bag capacity; Helicopter Hoist Operator; Floating Equipment Fireman; Lull Hi-lift Operator or similar type; Fork Lift, over 5 ton; Service Oiler (greaser); Hydra Hammer or similar types; Pavement Breaker; Pump Operator, more than 5 (any size); Locomotive, under 40 tons; Roller Operator, Oiling, C.T.B.

Group 5: Extrusion Machine; Wagner Pactor or similar type (without blade); Concrete Batch Plant Quality Control Operator; Power Jumbo, setting Slip Forms, etc., in tunnels; Slip Forms Pumps, power driven Hydraulic Lifting Device for concrete forms; Hoist, single drum; Elevator Operator; Pulva-mixer or similar types; Chip Spreading Machine Operator; Lime Spreading (on job site); Sweeper (Wayne type), self-propelled (on job site); Tractor, rubber-tired 50 H.P. Flywheel and under; Trenching Machine, maximum digging capacity 3 ft. depth

DECISION NO. OR75-5111

POWER EQUIPMENT OPERATORS (Cont'd)

Group 6: Asphalt Burner and Reconditioner; Pavement Grinder and/or Grooving Machine (riding type); Cast-in-place Pipe Laying Machine; Maginnis Internal Full Slab Vibrator; Concrete Finishing Machine, Clary, Johnson, Bidwell, Burgess Bridge Deck or similar type; Curb Machine, Mechanical Berm, Curb and/or Curb and Gutter; Concrete Joint Machine; Concrete Planer; Concrete Paving Machine; Concrete Spreader; Loaders, rubber-tired type, 2-1/2 cu. yds. and under; Rock Spreaders, self-propelled

Group 7: Roller (any asphalt mix); Belterete; Pumperete Operator (any type); Cement Pump, Fuller-Kenyon and similar; Concrete Pump; Grouting Machine; Concrete Mixer, single drum, five bag capacity and over; Tower Mobile Operator; A-Frame Truck, double drum; Boom Truck; Churn Drill and Earth Boring Machine; Hydraulic Backhoe, wheel type 3/8 cu. yds. and under with or without front end attachments 2-1/2 cu. yds and under (Ford, John Deere, Case type); Elevating Grader, Tractor towed requiring operator or grader; Pot Rammer; Ballast Regulator; Ballast Tamper, Multiple-purpose; Track Liner; Tie Spacer; Shuttle Car; Locomotive, 40 tons and over

Group 8: Diesel-Electric Engineer, Plant, Crusher, Generator, Floating; Batch Plant and/or wet mix, one and two drum; Generator Operator; Belt Loaders, Kolman and Ko Cal types; Asphalt Paver Operator

Group 9: Bulldozer; Drill Cat Operator; Side-boom Cat; Compactor, with blade; Concrete Cooling Machine; Chicago Boom and similar types; Lift Slab Machine; Boom type Lifting Device, 5 ton capacity or less; Cherry Picker or similar type Crane-hoist, 5 ton capacity or less; Grizzley Crusher; Crusher Plant; Drill Doctor; Boring Machine; Guardrail Punch and Auger (all types); Surface Heater and Planer; Hydraulic Backhoe, track type 3/8 cu. yd.; Loader, front end and overhead, 2-1/2 cu. yds. and under 4 cu. yds.; Hammer Operator; Pipe Cleaning, Doping, Bending and Wrapping Machines; Bolt-threading Machine; Drill Doctor (bit grinder); H. D. Mechanic and Welder; Machine Tool Operator; Stationary Drag Scraper; Tractor, rubber-tired over 50 H.P. flywheel; Tractor with boom attachment; Trench Machine, Maximum digging capacity over 3 ft. depth; Asphalt Plant Operator

Group 10: Bulldozer, twin engine (TC12 and similar); Cable plow (any type); Compactor, multi-engine; Jack Operator, Elevating Barges; Barge Operator, self-unloading; Combination H. D. Mechanic-Welder, when dispatched and/or when required to do both; Rubber-tired dozers and Pushers (Michigan, Cat, Hough type); Driller-Percussion, Diamond, Core, Cable, Rotary and similar type

DECISION NO. OR75-5111

POWER EQUIPMENT OPERATORS (Cont'd)

Group 11: Mixer Mobile; Concrete Breaker; Crane Operator, 25 tons and under; Combination Guardrail Machines, i.e., Punch, Auger, etc.; Shovel, Dragline, Clamshell, Hoe, etc., under 1 cu. yd.; Grade-alls, under 1 cu. yd.; Mucking Machine (tunnel)

Group 12: Blade Operator; Batch Plant and/or wet mix, 3 units or more; Reinforced Tank Banding Machine (K-17 or similar); Hoist, two or more drums; Elevating Loader, Athey and similar; Piledriver (not crane type); Rubber-tired Scraper, single and twin engine, Single Scraper, with push-pull attachments, self-loading, Paddle Wheel, Auger type; Blade mounted Spreaders, Ulrich and similar types; Shield Operator

Group 13: Blade Operator, finish; Blade, externally controlled by electronic, mechanical hydraulic means; Blade, multi-engines; Concrete Paving Road Mixer; Derrick, under 100 tons; Hoist, Stiff Leg, Guy Derrick or similar, 50 tons and over; Cableway Operator 25 ton and over; Crane, over 25 ton and including 40 tons; Piledriver Operator; Floating Clamshell, etc. under 3 cu. yds.; Floating Crane (derrick barge), less than 30 ton; Elevating Grader, operated by tractor operator, Sierra, Euclid, or similar; Back Filling Machine; Shovel, etc., 1 cu. yd. and less than 3 cu. yds.; Grade-all, 1 cu. yd. and over; Bridge Crane Operator, Locomotive Crane, Gantry and Overhead

Group 14: Tower Crane Operator; Rubber-tired Scraper, with Tandem Scrapers, self-loading, Paddle Wheel, Auger type, Finish and/or 2 or more units

Group 15: Rock Hound Operator; Loader, 4 cu. yds., but less than 6 cu. yds.

Group 16: Auto-grader or "Trimmer"; Tandem Bulldozer, Quad-nine and similar; Automatic Concrete Slip Form Paver; Concrete Canal Line; Cableway, 25 ton and over; Crane, over 40 ton and including 100 ton; Whirley, 80 ton and under; Floating Clamshell, etc., 3 cu. yds. and over; Floating Crane (derrick barge) 30 ton but less than 80 ton; Loader, 6 cu. yds., but less than 12 cu. yds.; Rubber-tired Scraper, with Tandem Scrapers, Multi-engine; Shovel etc., 3 cu. yds. but less than 5 cu. yds.; Wheel Excavator, under 750 cu. yds. per hour

Group 17: Crane over 100 ton and including 200 ton; Whirley over 80 ton and including 150 ton; Floating Crane (derrick barge) 80 ton but less than 150 ton; Loader, 12 cu. yds. and over; Shovel, etc., 5 cu. yds. and over; Canal Trimmer

Group 18: Crane, over 200 ton; Whirley, 150 ton and over; Floating Crane 150 ton but less than 250 ton; Wheel Excavator, over 750 cu. yds. per hour; Band Wagons, in conjunction with Wheel Excavator

Group 19: Helicopter, when used in erecting work; Floating Crane 250 ton and over; Remote Controlled Earth Moving Equipment; Underwater Equipment, remote or otherwise

DECISION NO. OR75-5111

TRUCK DRIVERS

Group 1: Battery Rebuilders; Bus or Manhaul Driver; Concrete Buggies (power operated); Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: 6 cu. yds. and under; Lift Jitneys, Fork Lifts (all sizes used in loading, unloading and transporting material on job site); Loader and/or Leverman on concrete dry batch plant (manually operated); Pilot Car; Solo Flat Bed and misc. body trucks, 0-10 tons; Truck Helper; Truck Mechanic Helper; Warehouseman (warehouse parts, tool men and parts chaser, checkers and receivers); Water Wagons (rated capacity), up to 1600 gallons; Transit Mix and wet or dry mix trucks 5 cu. yds. and under.

Group 2: "A" Frame of Hydra-lift Truck w/load bearing surfaces; Lubrication Man, Fuel Truck Driver, Tireman, Wash Rack, Steam Cleaner or combinations; Team Drivers

Group 3: Dump Trucks, side, end and bottom dumps, including Semi-trucks and Trains or combinations thereof: over 6 cu. yds. and including 10 cu. yds.; Slurry Truck Driver or Leverman; Tireman (full-time basis); Water Wagons (rated capacity), 1600 to 3000 gallons

Group 4: Flaherty Spreader Driver or Leverman; Low Bed Equipment, Flat Bed Semi-truck and Trailer or doubles transporting Equipment or wet or dry materials; Lumber Carrier Driver - Straddle Carrier (used in loading, unloading and transporting of materials on job site); Oil Distributor Driver or Leverman; Water Wagons (rated capacity), 3000 to 5000 gallons

Group 5: Dumpsters or similar equipment, all sizes; Transit Mix and wet or dry trucks, over 5 cu. yds. and including 7 cu. yds.

Group 6: Dump Trucks, side, end and bottom dumps, including Semi trucks and Trains or combinations thereof, over 10 cu. yds. and including 20 cu. yds.; Transit Mix and wet or dry mix trucks, over 7 cu. yds. and including 9 cu. yds.; Truck Mechanic-Welder-Body Repairman; Water Wagons (rated capacity) 5000 to 7000 gallons

Group 7: Dump Trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 20 cu. yds. and including 30 cu. yds.; Transit Mix and wet or dry mix trucks, over 9 cu. yds. and including 11 cu. yds.; Water Wagons (rated capacity), over 7000 gallons to 10,000 gallons

Group 8: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 30 cu. yds. and including 40 cu. yds.; Transit Mix and wet or dry mix trucks, over 11 cu. yds. and including 13 cu. yds.; Water Wagons (rated capacity), over 10,000 gallons to 15,000 gallons

DECISION NO. OR75-5111

TRUCK DRIVERS (Cont'd)

Group 9: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combination thereof: over 40 cu. yds. and including 50 cu. yds.; Transit Mix and wet or dry mix trucks, over 13 cu. yds. and including 15 cu. yds.

Group 10: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 50 cu. yds. and including 60 cu. yds.

Group 11: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 60 cu. yds. and including 70 cu. yds.

Group 12: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 70 cu. yds. and including 80 cu. yds.

Group 13: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 80 cu. yds. and including 90 cu. yds.

Group 14: Dump Trucks, side, end and bottom dumps, including semi Trucks and Trains or combinations thereof: over 90 cu. yds, and including 100 cu. yds.

Drivers and Helpers (handling sacked cement add $.15 per hour)

Winch Truck - takes classification of Truck on which Winch is mounted.

SUPERSEDEAS DECISION

STATE: South Carolina COUNTY: Statewide
DECISION NO.: 75SC-1079 DATE: Date of Publication
Supersedes Decision No.: AR-157 dated February 16, 1973 in 38 FR 4619
DESCRIPTION OF WORK: Water and Sewer Construction; and Heavy Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	5.25				
Carpenters	4.20				
Cement masons	3.96				
Ironworkers:					
Reinforcing	3.95				
Structural	4.76				
Laborers:					
Laborers	2.68				
Pipelayers	3.36				
Manhole builders	3.92				
Millwrights	4.76				
Painters	4.76				
Pipefitters	4.76				
POWER EQUIPMENT OPERATORS:					
Air drill operators	3.50				
Bulldozers	3.90				
Backhoe operators	4.04				
Concrete pump	4.76				
Cranes & dragline	4.65				
Equipment mechanics	3.82				
Front end loader	3.57				
Motor grader	4.00				
Oiler	2.86				
Paving machine	3.60				
Rollers operators	3.00				
Tractors	2.68				
Trenching machine	4.15				
Truck drivers	2.73				
Welders	4.67				

STATE: South Dakota
DECISION NUMBER: SD75-5112
COUNTIES: Meade and Pennington
DATE: Date of Publication
Supersedes Decision No. SD75-5044 dated April 14, 1975, in 40 FR 15327
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$8.53	.35	.40		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons	7.60				
CARPENTERS:					
Carpenters, Acoustical and Drywall Applicators	8.26		.30		.05
Piledrivermen	8.51		.30		.05
Millwrights	8.76		.30		.05
CEMENT MASONS	6.175	.20			
ELECTRICIANS:					
Within 15 miles radius of Rapid City Post Office					
Electricians	7.85	.30	1%	6%	1½%
Cable Splicers	8.40	.30	1%	6%	1½%
Outside of 15 miles radius of Rapid City Post Office					
Electricians	8.25	.30	1%	6%	1½%
Cable Splicers	8.80	.30	1%	6%	1½%
ELEVATOR CONSTRUCTORS	9.18	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS:					
Fence Erectors; Ornamental; Reinforcing; Sheeter; Structural	7.10	.40	.65		.10
LABORERS:					
Laborers, Flagman, Signalman; Power Tool Operator or all Mechanical Air, Gas, Electrical Tools, including self-propelled Buggies, Wagon and Air Track Drills; Pipe Layer (non-metallic); Sandblasting; Mortar Mixer; Mason Tender; Plaster Tender; Cement Mixer; Air Compressor up to 210; Masonry Fork Lift	5.40	.35	.05		
Gunnite Nozzlemen; Powdermen; Miner; Timberman; Jackhammer, Pavement Breaker or Drills of 65 lbs. or over	5.90	.35	.05		

DECISION NO. SD75-5112

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Brush	$5.25				.005
Drywall Finishers and Tapers	5.40				.005
All painting over 30 ft.; Paint Mitt; Sandblasting; Spray Steel (Structural); Swing Stage; Windowjack	5.75				.005
PLASTERERS	6.55				
PLUMBERS; Steamfitters	8.53	.30	.20		.03
SHEET METAL WORKERS	7.64				.005
SPRINKLER FITTERS	8.75	.50	.80		.08
RIGGERS; WELDERS: Receive rate prescribed for craft performing operation to which rigging or welding is incidental.					

FOOTNOTE:
a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

[FR Doc.75-23381 Filed 9-4-75;8:45 am]

INDEX TO GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF AUGUST 1, 1975

There is set forth below an index to general wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists general wage determination decisions and modifications by State and County. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published general decisions do not coincide, the published general decisions shall control.

Abbreviations:
(B)—Building Construction
(D)—Dredging
(F)—Flood Control Construction
(H)—Heavy Construction
(Hw)—Highway Construction
(R)—Residential Construction
Mod.—Modification
(HE)—Heavy Engineering
(LE)—Light Engineering
(U)—Utility
(W&S)—Water and Sewer

Signed at Washington, D.C., this 29th day of August 1975.

WARREN D. LANDIS,
Acting Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
Decision #AQ-4088 (Hw)(Excluding Airport Construction)
39 FR 10085 - 3/15/74
Mod. #1 - 40 FR 2373 - 1/10/75
AUTAUGA COUNTY
(D,Hw) - See Statewide
BALDWIN COUNTY
Decision #AL75-1043 (R)
40 FR 15286 - 4/4/75
(Hw) - See Statewide
BARBOUR COUNTY
(D,Hw) - See Statewide
BIBB COUNTY
(D,Hw) - See Statewide
BLOUNT COUNTY
Decision #AL75-1047 (R)
40 FR 17474 - 4/18/75
(D,Hw) - See Statewide
BULLOCK COUNTY
(D,Hw) - See Statewide
BUTLER COUNTY
(D,Hw) - See Statewide
CALHOUN COUNTY
(D,Hw) - See Statewide
CHAMBERS COUNTY
(D,Hw) - See Statewide
CHEROKEE COUNTY
(D,Hw) - See Statewide
CHILTON COUNTY
(D,Hw) - See Statewide
CHOCTAW COUNTY
(D,Hw) - See Statewide
CLARKE COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd.)

CLAY COUNTY
(D,Hw) - See Statewide
CLEBURNE COUNTY
(D,Hw) - See Statewide
COFFEE COUNTY
(D,Hw) - See Statewide
COLBERT COUNTY
Decision #AL75-1046 (R)
40 FR 17451 - 4/18/75
Decision #AL75-1061 (B)
40 FR 24462 - 6/6/75
Mod. #1 - 40 FR 29439 - 7/11/75
(D,Hw) - See Statewide
(Hw) - See Statewide
CONECUH COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
COOSA COUNTY
(D,Hw) - See Statewide
COVINGTON COUNTY
(D,Hw) - See Statewide
CRENSHAW COUNTY
(D,Hw) - See Statewide
CULLMAN COUNTY
(D,Hw) - See Statewide
DALE COUNTY
(D,Hw) - See Statewide
DALLAS COUNTY
(D,Hw) - See Statewide
DE KALB COUNTY
(D,Hw) - See Statewide
ELMORE COUNTY
(D,Hw) - See Statewide
ESCAMBIA COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
ETOWAH COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd.

FAYETTE COUNTY
(D,Hw) - See Statewide
FRANKLIN COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County
GENEVA COUNTY
(D,Hw) - See Statewide
GREENE COUNTY
(D,Hw) - See Statewide
HALE COUNTY
(D,Hw) - See Statewide
HENRY COUNTY
(D,Hw) - See Statewide
HOUSTON COUNTY
(D,Hw) - See Statewide
JACKSON COUNTY
(D,Hw) - See Statewide
JEFFERSON COUNTY
Decision #AL75-1056 (B)
40 FR 23632 - 5/30/75
Mod. #1 - 40 FR 27403 - 6/27/75
(D) - See Statewide
(R) - See Blount County
(Hw) - See Statewide
LAMAR COUNTY
(D,Hw) - See Statewide
LAUDERDALE COUNTY
(B,R) - See Colbert County
(D,Hw) - See Statewide
LAWRENCE COUNTY
Decision #AL75-1027 (B)
40 FR 8701 - 2/28/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 29439 - 7/11/75
(D,Hw) - See Statewide
(R) - See Colbert County
LEE COUNTY
(D,Hw) - See Statewide
LIMESTONE COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide

ALABAMA (cont'd)

LOWNDES COUNTY
(D,Hw) - See Statewide
MACON COUNTY
(D,Hw) - See Statewide
MADISON COUNTY
Decision #AL75-1063 (B)
40 FR 26188 - 6/20/75
Mod. #1 - 40 FR 29440 - 7/11/75
(D,Hw) - See Statewide
MARENGO COUNTY
(D,Hw) - See Statewide
MARION COUNTY
(R) - See Colbert County
(D,Hw) - See Statewide
MARSHALL COUNTY
(D,Hw) - See Statewide
MOBILE COUNTY
Decision #AL75-1069 (B)
40 FR 30389 - 7/18/75
(D,Hw) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D,Hw) - See Statewide
MONTGOMERY COUNTY
Decision #AL75-1071 (R)
40 FR 30392 - 7/18/75
Decision #AP-184 (B)
38 FR 11244 - 5/4/73
Mod. #1 - 38 FR 13103 - 5/18/73
Mod. #2 - 39 FR 24781 - 7/5/74
Mod. #3 - 39 FR 36709 - 10/11/74
(D,Hw) - See Statewide
MORGAN COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide
PERRY COUNTY
(D,Hw) - See Statewide
PICKENS COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd)

PIKE COUNTY
(D,Hw) - See Statewide
RANDOLPH COUNTY
(D,Hw) - See Statewide
RUSSELL COUNTY
(D,Hw) - See Statewide
SAINT CLAIR COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
SHELBY COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
SUMTER COUNTY
(D,Hw) - See Statewide
TALLADEGA COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
TALLAPOOSA COUNTY
(D,Hw) - See Statewide
TUSCALOOSA COUNTY
Decision #AL75-1048 (B)
40 FR 17475 - 4/18/75
Mod. #1 - 40 FR 27403 - 6/27/75
(D,Hw) - See Statewide
WALKER COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
WASHINGTON COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
WILCOX COUNTY
(D,Hw) - See Statewide
WINSTON COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County

ALASKA

STATEWIDE
Decision #AK75-5033 (B,H,Hw,R)
40 FR 10885 - 3/7/75
Mod. #1 - 40 FR 12951 - 3/21/75
Mod. #2 - 40 FR 15268 - 4/4/75
Mod. #3 - 40 FR 19323 - 5/2/75

ARIZONA

STATEWIDE
Decision #AZ75-5076 (B,H,Hw)
40 FR 28313 - 7/3/75
APACHE COUNTY
Decision #AZ75-5003 (R)
(Navajo and Hopi Indian Reservations in Apache, Coconino, Navajo Counties
40 FR 3868 - 1/24/75
(B,H,Hw) - See Statewide
COCHISE COUNTY
(B,H,Hw) - See Statewide
COCONINO COUNTY
(B,H,Hw) - See Statewide
((R) - See Apache County
GILA COUNTY
(B,H,Hw) - See Statewide
GRAHAM COUNTY
(B,H,Hw) - See Statewide
GREENLEE COUNTY
(B,H,Hw) - See Statewide
MARICOPA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5077 (R)
40 FR 28322 - 7/3/75
MOHAVE COUNTY
(B,H,Hw) - See Statewide
NAVAJO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
PIMA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5078 (R)
40 FR 28328 - 7/3/75
PINAL COUNTY
(B,H,Hw) - See Statewide
SANTA CRUZ COUNTY
(B,H,Hw) - See Statewide
YAVAPAI COUNTY
(B,H,Hw) - See Statewide
YUMA COUNTY
(B,H,Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AR-71 (Construction, Alteration, and/or repair of streets, highways, runways, and water & sewer utilities)
39 FR 40409 - 11/15/74
Decision #AR-4013 (D)
39 FR 27397- 7/26/74
ARKANSAS COUNTY
(D,H,Hw) - See Statewide
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
ASHLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BAXTER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BENTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BOONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BRADLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CALHOUN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CARROLL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CHICOT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.

CLARK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLAY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEBURNE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEVELAND COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
COLUMBIA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CONWAY COUNTY
Decision #AR75-4084 (B)
40 FR 19321 - 5/2/75
Mod. #1 - 40 FR 25319 - 6/13/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAIGHEAD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAWFORD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
Decision #AR75-4082 (B)
40 FR 17452 - 4/18/75
Mod. #1 - 40 FR 25319 - 6/13/75
CRITTENDEN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CROSS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DALLAS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DESHA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FAULKNER COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FRANKLIN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FULTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GARLAND COUNTY
Decision #AR75-4083 (B)
40 FR 18271 - 4/25/75
Mod. #1 - 40 FR 25319 - 6/13/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GRANT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GREENE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HEMPSTEAD COUNTY
(D,H,Hw) - See Statewide
(F(- See Arkansas County
HOT SPRING COUNTY
(B) - See Garland County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HOWARD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
INDEPENDENCE COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County
IZARD COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

JACKSON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
JEFFERSON COUNTY
(D,H,Hw) - See Statewide
(F)- See Arkansas County
JOHNSON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LAFAYETTE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LAWRENCE COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LEE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LINCOLN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LITTLE RIVER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LOGAN COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LONOKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MADISON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
MARION COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(D,H,Hw) - See Statewide
(F) - Arkansas County
OUACHITA COUNTY
(B) - See Union County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POPE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

PRAIRIE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PULASKI COUNTY
(D,H,Hw)- See Statewide
(F) - See Arkansas County
Decision #AR75-4134 (B)
40 FR 31455 - 7/25/75
Decision #AR75-4068 (R)
40 FR 14218 - 3/28/75
RANDOLPH COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
ST. FRANCIS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SALINE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SCOTT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEARCY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEBASTIAN COUNTY
(F) - See Arkansas County
(D,H,Hw) - See Statewide
(B) - See Crawford County
SEVIER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SHARP COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

STONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
UNION COUNTY
Decision #AR75-4073 (B)
40 FR 15287 - 4/4/75
Mod. #1 - 40 FR 19323 - 5/2/75
Mod. #2 - 40 FR 25319 - 6/13/75
(F) - See Arkansas County
(D,H,Hw) - See Statewide
VAN BUREN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WASHINGTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WHITE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WOODRUFF COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
YELL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #CA75-5085 (B,H,Hw,D)
40 FR 31457 - 7/25/75
Decision #CA75-5086 (R)
40 FR 31474 - 7/25/75
ALPINE COUNTY
(B,D,H,Hw,R) - See Alameda County
AMADOR COUNTY
(B,D,H,Hw,R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - See Alameda County
CALAVERAS COUNTY
(B,H,Hw,D,R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,D,H,Hw,R) - See Alameda County
DELNORTE COUNTY
(B,D,H,Hw,R) - See Alameda County
ELDORADO COUNTY
(B,D,H,Hw,R) - See Alameda County
FRESNO COUNTY
(B,D,H,Hw,R) - See Alameda County
GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,D,H,Hw,R) - See Alameda County
IMPERIAL COUNTY
Decision #CA75-5087 (B,D,H,Hw)
40 FR 31487 - 7/25/75
Decision #CA75-5088 (R)
40 FR 31496 - 7/25/75
INYO COUNTY
(B,H,Hw,D) - See Imperial County
KERN COUNTY
(B,D,H,Hw,R) - See Imperial County

CALIFORNIA (Cont'd)

KING COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,D,H,Hw,R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARIN COUNTY
(B,H,Hw,D,R) - See Alameda County
MARIPOSA COUNTY
(B,D,H,Hw,R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw, D) - See Alameda County
MERCED COUNTY
(B,D,H,Hw,R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONO COUNTY
(B,H,Hw,D) - See Imperial County
MONTEREY COUNTY
(B,D,H,Hw,R) - See Alameda County
NAPA COUNTY
(B,D,H,Hw,R) - See Alameda County
NEVADA COUNTY
(B,D,H,Hw,R) - See Alameda County
ORANGE COUNTY
(B,D,H,Hw,R) - See Imperial County
PLACER COUNTY
(B,D,H,Hw,R) - See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,D,H,Hw,R) - See Imperial County
SACRAMENTO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D,R) - See Alameda County
SAN BERNARDINO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN DIEGO COUNTY
Decision #CA75-5071 (B,H,Hw,D)
40 FR 25337 - 6/13/75
Mod. #1 - 40 FR 29442 - 7/11/75
Mod. #2 - 40 FR 30383 - 7/18/75

CALIFORNIA (Cont'd.)

SAN DIEGO COUNTY (Cont'd.)
Decision #CA75-5072 (R)
40 FR 25343 - 6/13/75
Mod. #1 - 40 FR 29442 - 7/11/75
Mod. #2 - 40 FR 30383 - 7/18/75
SAN FRANCISCO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN JOAQUIN COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN MATEO COUNTY
(B,H,Hw,D,R) - See Alameda County
SANTA BARBARA COUNTY
(B,D,H,Hw,R) - See Imperial County
SANTA CLARA COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA CRUZ COUNTY
(B,D,H,Hw,R) - See Alameda County
SHASTA COUNTY
(B,D,H,Hw,R) - See Alameda County
SIERRA COUNTY
(B,H,Hw,D) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,D,H,Hw,R) - See Alameda County
SONOMA COUNTY
(B,D,H,Hw,R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,D,H,Hw,R) - See Alameda County
TEHAMA COUNTY
(B,D,H,Hw,R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County
TULARE COUNTY
(B,H,Hw,D) - See Alameda County
TUOLUMNE COUNTY
(B,D,H,Hw,R) - See Alameda County
VENTURA COUNTY
(B,D,H,Hw,R) - See Imperial County

CALIFORNIA (Cont'd)

YOLO COUNTY
(B,H,Hw,D,R) - See Alameda County
YUBA COUNTY
(B,H,Hw,D,R) - See Alameda County

COLORADO

STATEWIDE
Decision #C075-5084 (Hw)
40 FR 29484 - 7/11/75
ADAMS COUNTY
Decision #C075-5080 (B,H)
40 FR 29456 - 7/11/75
(Hw) - See Statewide
Decision #C075-5061 (R)
40 FR 22744 - 5/23/75
(Hw) - See Statewide
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPAHOE COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

CLEAR CREEK
(B,H) - See Adams County
(Hw) - See Statewide
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
Decision #C075-5082 (B,H)
40 FR 29470 - 7/11/75
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EAGLE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EL PASO COUNTY
Decision #C075-5081 (B,H)
40 FR 29464 - 7/11/75
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
GILPIN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GRAND COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GUNNISON COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
HINDSDALE COUNTY
(Hw) - See Statewide
HUERFANO COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide

COLORADO (Cont'd.)

JEFFERSON COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT CARSON COUNTY
(Hw) - See Statewide
LAKE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LA PLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LAS ANIMAS COUNTY
Decision #C075-5083 (B,H)
40 FR 29477 - 7/11/75
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MORGAN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
OTERO COUNTY
(B,H) - See Las Animas County
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide
PARK COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
(B,H) - See Las Animas County

COLORADO (Cont'd)

RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #CT75-2065 (B,H,Hw,R)
40 FR 18288 - 4/25/75
Mod. #1 - 40 FR 22725 - 5/23/75
Mod. #2 - 40 FR 25320 - 6/13/75
Mod. #3 - 40 FR 31431 - 7/25/75
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
HARTFORD COUNTY
Decision #CT75-2066 (B,H,Hw)
40 FR 18296 - 4/25/75
Mod. #1 - 40 FR 22725 - 5/23/75
Mod. #2 - 40 FR 31433 - 7/25/75
Decision #CT75-2067 (R)
40 FR 18304 - 4/25/75
(B,D,H,Hw) - See Fairfield County
LITCHFIELD COUNTY
Decision #AR-3096 (B,H,Hw,R)
39 FR 29739 - 8/16/74
Mod. #1 - 39 FR 31773 - 8/30/74
Mod. #2 - 39 FR 35904 - 10/4/74
MIDDLESEX COUNTY
(B,H,Hw,R) - See Hartford County
(D) - See Fairfield County
NEW HAVEN COUNTY
(B,H,Hw,R) - See Hartford County
(D) - See Fairfield County
NEW LONDON COUNTY
(B,H,Hw,D,R) - See Fairfield County
TOLLAND COUNTY
(B,H,Hw,R) - See Hartford County
WINDHAM COUNTY
(B,H,Hw,D,R) - See Fairfield County

DELAWARE

STATEWIDE
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
Decision #DE75-3001 (B,H,Hw)
40 FR 930 - 1/3/75
Mod. #1 - 40 FR 14195 - 3/28/75
Mod. #2 - 40 FR 22730 - 5/23/75
KENT COUNTY
(B,H,Hw,D) - See Statewide
NEW CASTLE COUNTY
(B,H,Hw,D) - See Statewide
SUSSEX COUNTY
(B,H,Hw,D) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #FL75-1037 (B)
40 FR 12974 - 3/21/75
Mod. #1 - 40 FR 18275 - 4/25/75
Mod. #2 - 40 FR 22730 - 5/23/75
Mod. #3 - 40 FR 26181 - 6/20/75
Mod. #4 - 40 FR 32551 - 8/1/75
Decision #AQ-4031 (Hw)
38 FR 31092 - 11/9/73
BAKER COUNTY
Decision #AQ-4004 (Hw)
38 FR 22841 - 8/24/73
Mod. #1 - 40 FR 12002 - 3/14/75
BAY COUNTY
Decision #FL75-1012 (B)
40 FR 4805 - 1/31/75
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
Decision #AQ-4030 (Hw)
38 FR 29727 - 10/26/73
Mod. #1 - 38 FR 31098 - 11/9/73
Mod. #2 - 40 FR 12003 - 3/14/75
Mod. #3 - 40 FR 17457 - 4/18/75

FLORIDA (Cont'd.)

BRADFORD COUNTY
(Hw) - See Alachua County
BREVARD COUNTY (Cape Kennedy' Kennedy Space Flight Center & Patrick AFB only)
Decision #FL75-1035 (B,H,Hw)
40 FR 12972 - 3/21/75
Mod. #1 - 40 FR 26181 - 6/20/75
Mod. #2 - 40 FR 30384 - 7/18/75
Decision #AR-4068 (D)
39 FR 44915 - 12/27/74
(Remainder of County)
Decision #AQ-4006 (Hw)
38 FR 22842 - 8/24/73
Mod. #1 - 39 FR 5047 - 2/8/74
BROWARD COUNTY
Decision #AQ-4003 (Hw)
38 FR 22841 - 8/24/73
Decision #FL75-1011 (B,H)
40 FR 3886 - 1/24/75
Mod. #1 - 40 FR 8694 - 2/28/75
Mod. #2 - 40 FR 12952 - 3/21/75
(D) - See Brevard County
CALHOUN COUNTY
(Hw) - See Bay County
CHARLOTTE COUNTY
Decision #AQ-4019 (Hw)
38 FR 27703 - 10/5/73
Mod. #1 - 40 FR 12003 - 3/14/75
(D) - See Brevard County
CITRUS COUNTY
Decision #AR-4000 (R)
39 FR 24775 - 7/5/74
Mod. #1 - 40 FR 12003 - 3/14/75
Decision #AQ-4039 (Hw)
38 FR 33203 - 11/30/73
(D) - See Brevard County
CLAY COUNTY
(Hw) - See Baker County
COLLIER COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
COLUMBIA COUNTY
(B) - See Alachua County
DADE COUNTY
Decision #FL75-1018 (B)
40 FR 6018 - 2/7/75
Mod. #1 - 40 FR 14196 - 3/28/75
Mod. #2 - 40 FR 17457 - 4/18/75
Mod. #3 - 40 FR 26181 - 6/20/75
Mod. #4 - 40 FR 31435 - 7/25/75
Decision #AR-4050 (R)
39 FR 38077 - 10/25/74
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

DESOTO COUNTY
Decision #AR-4065 (R)
40 FR 43468 - 12/13/74
Decision #AQ-4017 (Hw)
38 FR 27718 - 10/5/73
Mod. #1 - 40 FR 12002 - 3/14/75
DIXIE COUNTY
(D) - See Brevard County
(B) - See Alachua County
DUVAL COUNTY
Decision #FL75-1016 (B)
40 FR 4807 - 1/31/75
Mod. #1 - 40 FR 12952 - 3/21/75
Mod. #2 - 40 FR 22730 - 5/23/75
Mod. #3 - 40 FR 26181 - 6/20/75
Mod. #4 - 40 FR 32551 - 8/1/75
(D) - See Brevard County
(Hw) - See Baker County
ESCAMBIA COUNTY
Decision #FL75-1024 (B)
40 FR 7801 - 2/21/75
Mod. #1 - 40 FR 12953 - 3/21/75
Mod. #2 - 40 FR 18275 - 4/25/75
Mod. #3 - 40 FR 25324 - 6/13/75
Decision #AP-178 (R)
38 FR 11259 - 5/4/73
Mod. #1 - 39 FR 12002 - 3/14/75
Decision #FL75-1030 (Hw)
40 FR 10891 - 3/7/75
Mod. #1 - 40 FR 14196 - 3/28/75
(D) - See Bay County
FLAGLER COUNTY
(D) - See Brevard County
(Hw) - See Baker County
FRANKLIN COUNTY
(D) - See Bay County
(Hw) - See Bay County
GADSDEN COUNTY
Decision #AP-179 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12003 - 3/14/75
(Hw) - See Bay County
GILCHRIST COUNTY
(B) - See Alachua County
GLADES COUNTY
(Hw) - See Charlotte County
GULF COUNTY
(D) - See Bay County
(Hw) - See Alachua County
HAMILTON COUNTY
(B) - See Alachua County
HARDEE COUNTY
(Hw, R) - See DeSoto County
HENDRY COUNTY
(Hw) - See Charlotte County
HERNANDO COUNTY
(D) - See Brevard County
(Hw, R) - See Citrus County

FLORIDA (Cont'd.)

HIGHLANDS COUNTY
(R) - See Citrus County
(Hw) - See De Soto County
HILLSBOROUGH COUNTY
Decision #FL75-1010 (B)
40 FR 3884 - 1/24/75
Mod. #1 - 40 FR 12952 - 3/21/75
Mod. #2 - 40 FR 17457 - 4/18/75
Mod. #3 - 40 FR 22730 - 5/23/75
Mod. #4 - 40 FR 26181 - 6/20/75
Decision #AQ-4018 (Hw)
38 FR 27703 - 10/5/73
Mod. #1 - 40 FR 12003 - 3/14/75
(D) - See Brevard County
(R) - See Citrus County
HOLMES COUNTY
(Hw) - See Bay County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)
JACKSON COUNTY
(Hw) - See Bay County
JEFFERSON COUNTY
(D,Hw) - See Bay County
(R) - See Gadsden County
LAFAYETTE COUNTY
(B,H) - See Alachua County
LAKE COUNTY
Decision #FL75-1066 (R)
40 FR 28332 - 7/3/75
(Hw) - See Brevard Co. (Remainder of Co.)
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #FL75-1036 (B)
40 FR 14221 - 3/28/75
Mod. #1 - 40 FR 32551 - 8/1/75
(Hw) - See Bay County
(R) - See Gadsden County
LEVY COUNTY
(D) - See Brevard County
(Hw) - See Citrus County
LIBERTY COUNTY
(Hw) - See Bay County
MADISON COUNTY
(R) - See Gadsden County
(B) - See Alachua County
MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
MARION COUNTY
(Hw) - See Citrus County
MARTIN COUNTY
Decision #FL75-1033 (B)
40 FR 14219 - 3/28/75
Mod. #1 - 40 FR 19327 - 5/2/75
Mod. #2 - 40 FR 25342 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

MONROE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
NASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OKALOOSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
Decision #AP-180 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12002 - 3/14/75
OKEECHOBEE COUNTY
(Hw) - See DeSoto County
ORANGE COUNTY
Decision #FL75-1009 (B)
40 FR 3882 - 1/24/75
Mod. #1 - 40 FR 12952 - 3/21/75
Mod. #2 - 40 FR 25324 - 6/13/75
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
OSCEOLA COUNTY
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
PALM BEACH COUNTY
(D) - See Brevard County
(B) - See Martin County
(Hw) - See Broward County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
(R) - See Citrus County
PINELLAS COUNTY
Decision #FL75-1034 (B)
40 FR 12970 - 3/21/75
Mod. #1 - 40 FR 16477 - 4/11/75
Mod. #2 - 40 FR 25324 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(R) - See Citrus County
(D) - See Brevard County
(Hw) - See Hillsborough County
POLK COUNTY
(Hw) - See DeSoto County
(R) - See DeSoto County
PUTNAM COUNTY
(Hw) - See Baker County
ST. JOHNS COUNTY
(D) - See Brevard County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
SANTA ROSA COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County

FLORIDA (Cont'd)

SANTA ROSA COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County
SARASOTA COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
SUMTER COUNTY
(Hw, R) - See Citrus County
SUWANNEE COUNTY
(B) - See Alachua County
TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
(B) - See Alachua County
UNION COUNTY
(B) - See Alachua County
VOLUSIA COUNTY (Except Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only and including Melabar Radar Site)
Decision #FL75-1040 (B)
40 FR 14223 - 3/28/75
Mod. #1 - 40 FR 25324 - 6/13/75
(B,H,Hw) - See Brevard Co. (Cape Kennedy,Etc)
(D) - See Brevard County
(Hw) - See Brevard County (Remainder of Co.)
WAKULLA COUNTY
(D) - See Bay County
(Hw) - See Bay County
WALTON COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Bay County

GEORGIA

STATEWIDE
Decision #AR-4038 (Hw)
39 FR 34984 - 9/27/74
Mod. #1 - 39 FR 36711 - 10/11/74
Mod. #2 - 40 FR 23629 - 5/30/75
APPLING COUNTY
(Hw) - See Statewide
ATKINSON COUNTY
(Hw) - See Statewide
BACON COUNTY
(Hw) - See Statewide

GEORGIA

BAKER COUNTY
Decision #AQ-4089 (R)
39 FR 10067 - 3/15/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide
BALDWIN COUNTY
(Hw) - See Statewide
BANKS COUNTY
(Hw) - See Statewide
BARROW COUNTY
Decision #AQ-4108 (R)
39 FR 14841 - 4/26/74
(Hw) - See Statewide
BARTOW COUNTY
(Hw) - See Statewide
BEN HILL COUNTY
(Hw) - See Statewide
BERRIEN COUNTY
(Hw) - See Statewide
BIBB COUNTY
(Hw) - See Statewide
BLECKLEY COUNTY
(Hw) - See Statewide
BRANTLEY COUNTY
(Hw) - See Statewide
BROOKS COUNTY
(Hw) - See Statewide
BRYAN COUNTY
(Hw) - See Statewide
Decision #AQ-4058 (R)
39 FR 3394 - 1/25/74
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
BULLOCH COUNTY
(R) - See Bryan County
(Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4085 (R)
39 FR 9333 - 3/8/74
(Hw) - See Statewide
BUTTS COUNTY
(Hw) - See Statewide
CALHOUN COUNTY
(Hw) - See Statewide
(R) - See Baker County
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
CANDLER COUNTY
(Hw) - See Statewide
CARROLL COUNTY
(Hw) - See Statewide
CATOOSA COUNTY
(Hw) - See Statewide
CHARLTON COUNTY
Decision #AR-4037 (R)
39 FR 33919 - 9/20/75
Mod. #1 - 40 FR 3088 - 1/17/75
(Hw) - See Statewide

GEORGIA (Cont'd.)

CHATHAM COUNTY
Decision #AR-4064 (B)
39 FR 42817 - 12/6/74
Mod. #1 - 40 FR 16478 - 4/11/75
Mod. #2 - 40 FR 25325 - 6/13/75
Mod. #3 - 40 FR 32552 - 8/1/75
(D,R) - See Bryan County

CHATTAHOOCHEE COUNTY
Decision #GA75-1039 (B)
40 FR 16471 - 4/11/75
Mod. #1 - 40 FR 24455 - 6/6/75
Decision #AQ-4086 (R)
39 FR 9334 - 3/8/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide

CHATTOOGA COUNTY
(Hw) - See Statewide

CHEROKEE COUNTY
(Hw) - See Statewide

CLARKE COUNTY
(Hw) - See Statewide
(R) - See Barrow County

CLAY COUNTY
(R) - See Baker County
(Hw) - See Statewide

CLAYTON COUNTY
Decision #GA75-1019 (B)
40 FR 6020 - 2/7/75
Mod. #1 - 40 FR 16478 - 4/11/75
Mod. #2 - 40 FR 19326 - 5/2/75
Mod. #3 - 40 FR 28305 - 7/3/75
Decision #AQ-4052 (R)
39 FR 2328 - 1/18/74
Mod. #1 - 40 FR 3861 - 1/24/75

(Hw) - See Statewide

CLINCH COUNTY
(Hw) - See Statewide

COBB COUNTY
(B,R) - See Clayton County
(Hw) - See Statewide

COFFEE COUNTY
(Hw) - See Statewide

COLQUITT COUNTY
(Hw) - See Statewide

COLUMBIA COUNTY
(R) - See Burke County
(Hw) - See Statewide

COOK COUNTY
(Hw) - See Statewide

COWETA COUNTY
(Hw) - See Statewide

CRAWFORD COUNTY
(Hw) - See Statewide

CRISP COUNTY
(Hw) - See Statewide

DADE COUNTY
(Hw) - See Statewide

DAWSON COUNTY
(Hw) - See Statewide

DECATUR COUNTY
(Hw) - See Statewide
(R) - See Baker County

GEORGIA (Cont'd.)

DEKALB COUNTY
(D,R) - See Clayton County
(Hw) - See Statewide

DODGE COUNTY
(Hw) - See Statewide

DOOLY COUNTY
(Hw) - See Statewide

DOUGHERTY COUNTY
(Hw) - See Statewide
(R) - See Baker County

DOUGLAS COUNTY
(Hw) - See Statewide

EARLY COUNTY
(Hw) - See Statewide
(R) - See Baker County

ECHOLS COUNTY
(Hw) - See Statewide

EFFINGHAM COUNTY
(R) - See Bryan County
(Hw) - See Statewide

ELBERT COUNTY
(Hw) - See Statewide
(R) - See Barrow County

EMANUEL COUNTY
(Hw) - See Statewide

EVANS COUNTY
(R) - See Bryan County
(Hw) - See Statewide

FANNIN COUNTY
(Hw) - See Statewide

FAYETTE COUNTY
(Hw) - See Statewide

FLOYD COUNTY
(Hw) - See Statewide

FORSYTH COUNTY
(Hw) - See Statewide

FRANKLIN COUNTY
(Hw) - See Statewide

FULTON COUNTY
(Hw) - See Statewide
(B,R) - See Clayton County
(Hw) - See Statewide

GILMER COUNTY
(Hw) - See Statewide

GLASCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County

GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Statewide

GORDON COUNTY
(Hw) - See Statewide

GRADY COUNTY
(Hw) - See Statewide
(R) - See Baker County

GREENE COUNTY
(R) - See Barron County
(Hw) - See Statewide

GEORGIA (Cont'd.)

GWINNETT COUNTY
(R) - See Clayton County
(Hw) - See Statewide

HABERSHAM COUNTY
(Hw) - See Statewide

HALL COUNTY
Decision #GA75-1025 (B)
40 FR 8691 - 2/28/75
Mod. #1 - 40 FR 12003 - 3/14/75
(Hw) - See Statewide

HANCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County

HARALSON COUNTY
(Hw) - See Statewide

HARRIS COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County

HART COUNTY
(Hw) - See Statewide
(R) - See Barrow County

HEARD COUNTY
(Hw) - See Statewide

HENRY COUNTY
(Hw) - See Statewide

HOUSTON COUNTY
(Hw) - See Statewide

IRWIN COUNTY
(Hw) - See Statewide

JACKSON COUNTY
(Hw) - See Statewide
(R) - See Barrow County

JASPER COUNTY
(Hw) - See Statewide

JEFF DAVIS COUNTY
(Hw) - See Statewide

JEFFERSON COUNTY
(Hw) - See Statewide
(R) - See Burke County

JENKINS COUNTY
(Hw) - See Statewide
(R) - See Burke County

JOHNSON COUNTY
(Hw) - See Statewide

JONES COUNTY
(Hw) - See Statewide

LAMAR COUNTY
(Hw) - See Statewide

LANIER COUNTY
(Hw) - See Statewide

LAURENS COUNTY
Decision #AQ-4124 (B)
39 FR 20912 - 6/14/74
(Hw) - See Statewide

LEE COUNTY
(Hw) - See Statewide
(R) - See Baker County

LIBERTY COUNTY
(D,R) - See Bryan County
(Hw) - See Statewide

GEORGIA (Cont'd.)

LINCOLN COUNTY
(Hw) - See Statewide
(R) - See Burke County

LONG COUNTY
(Hw) - See Statewide
(R) - See Bryan County

LOWNDES COUNTY
(Hw) - See Statewide

LUMPKIN COUNTY
(Hw) - See Statewide

MCDUFFIE COUNTY
(Hw) - See Statewide
(R) - See Burke County

MCINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Statewide

MACON COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County

MADISON COUNTY
(Hw) - See Statewide
(R) - See Barrow County

MARION COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County

MERIWETHER COUNTY
(R) - See Chattahoochee County
(Hw) - See Statewide

MILLER COUNTY
(Hw) - See Statewide
(R) - See Baker County

MITCHELL COUNTY
(Hw) - See Statewide
(R) - See Baker County

MONROE COUNTY
(Hw) - See Statewide

MONTGOMERY COUNTY
(Hw) - See Statewide

MORGAN COUNTY
(Hw) - See Statewide
(R) - See Barrow County

MURRAY COUNTY
(Hw) - See Statewide

MUSCOGEE COUNTY
(B,R) - See Chattahoochee County
(Hw) - See Statewide

NEWTON COUNTY
(Hw) - See Statewide
(R) - See Barrow County

OCONEE COUNTY
(Hw) - See Statewide
(R) - See Barrow County

OGLETHORPE COUNTY.
(Hw) - See Statewide
(R) - See Barrow County

PAULDING COUNTY
(Hw) - See Statewide

PEACH COUNTY
(Hw) - See Statewide

PICKENS COUNTY
(Hw) - See Statewide

PIERCE COUNTY
(R) - See Charlton County
(Hw) - See Statewide

GEORGIA (Cont'd.)

PIKE COUNTY
(Hw) - See Statewide
POLK COUNTY
(Hw) - See Statewide
PULASKI COUNTY
(Hw) - See Statewide
PUTNAM COUNTY
(Hw) - See Statewide
QUITMAN COUNTY
(Hw) - See Statewide
(R) - See Baker County
RABUN COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
(R) - See Baker County
RICHMOND COUNTY
Decision #GA75-1005 (B)
40 FR 3091 - 1/17/75
Mod. #1 - 40 FR 6900 - 2/14/75
Mod. #2 - 40 FR 19328 - 5/2/75
Mod. #3 - 40 FR 28305 - 7/3/75
(Hw) - See Statewide
(R) - See Burke County
ROCKDALE COUNTY
(Hw) - See Statewide
SCHLEY COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SCREVEN COUNTY
(Hw) - See Statewide
SEMINOLE COUNTY
(Hw) - See Statewide
(R) - See Baker County
SPALDING COUNTY
(Hw) - See Statewide
STEPHENS COUNTY
(Hw) - See Statewide
STEWART COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SUMTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALBOT COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALIAFERRO COUNTY
(R) - See Burke County
(Hw) - See Statewide
TATTNALL COUNTY
(Hw) - See Statewide
TAYLOR COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TELFAIR COUNTY
(Hw) - See Statewide
TERRELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
THOMAS COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

TIFT COUNTY
(Hw) - See Statewide
TOOMBS COUNTY
(Hw) - See Statewide
TOWNS COUNTY
(Hw) - See Statewide
TREUTLEN COUNTY
(Hw) - See Statewide
TROUP COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TURNER COUNTY
(Hw) - See Statewide
TWIGGS COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
UPSON COUNTY
(Hw) - See Statewide
WALKER COUNTY
(Hw) - See Statewide
WALTON COUNTY
(Hw) - See Statewide
(R) - See Barron County
WARE COUNTY
Decision #GA75-1008 (B)
40 FR 3093 - 1/17/75
(R) - See Charlton County
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
(R) - See Burke County
WASHINGTON COUNTY
(Hw) - See Statewide
(R) - See Burke County
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
WHEELER COUNTY
(Hw) - See Statewide
WHITE COUNTY
(Hw) - See Statewide
WHITEFIELD COUNTY
(Hw) - See Statewide
WILCOX COUNTY
(Hw) - See Statewide
WILKES COUNTY
(R) - See Burke County
(Hw) - See Statewide
WILKINSON COUNTY
(Hw) - See Statewide
WORTH COUNTY
(Hw) - See Statewide

GUAM

GUAM
Decision #AR-1029 (B,H,Hw,R)
39 FR 32448 - 9/6/74

HAWAII

STATEWIDE
Decision #HI75-5098 (B,D,H,Hw,R)
40 FR 32555 - 8/1/75

IDAHO

STATEWIDE
Decision #ID75-5056 (B,H,Hw)
40 FR 20566 - 5/9/75
ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 26543 - 9/21/73
(B,H,Hw) - See Statewide
ADAMS COUNTY
(B,H,Hw) - See Statewide
BANNOCK COUNTY
(B,H,Hw) - See Statewide
BEAR LAKE COUNTY
(B,H,Hw) - See Statewide
BENEWAH COUNTY
(B,H,Hw) - See Statewide
BINGHAM COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BOISE COUNTY
(B,H,Hw) - See Statewide
BONNER COUNTY
(B,H,Hw) - See Statewide
BONNEVILLE COUNTY
(B,H,Hw) - See Statewide
BOUNDARY COUNTY
(B,H,Hw) - See Statewide
BUTTE COUNTY
(B,H,Hw) - See Statewide
CAMAS COUNTY
(B,H,Hw) - See Statewide
CANYON COUNTY
(B,H,Hw) - See Statewide
CARIBOU COUNTY
(B,H,Hw) - See Statewide
CASSIA COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
(B,H,Hw) - See Statewide
CLEARWATER COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
ELMORE COUNTY
(B,H,Hw) - See Statewide
FRANKLIN COUNTY
(B,H,Hw) - See Statewide

IDAHO (Cont'd)

FREMONT COUNTY
(B,H,Hw) - See Statewide
GEM COUNTY
(B,H,Hw) - See Statewide
GOODING COUNTY
(B,H,Hw) - See Statewide
IDAHO COUNTY
(B,H,Hw) - See Statewide
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JEROME COUNTY
(B,H,Hw) - See Statewide
KOOTENAI COUNTY
(B,H,Hw) - See Statewide
LATAH COUNTY
(B,H,Hw) - See Statewide
LEMHI COUNTY
(B,H,Hw) - See Statewide
LEWIS COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MINIDOKA COUNTY
(B,H,Hw) - See Statewide
NEZ PERCE COUNTY
(B,H,Hw) - See Statewide
ONEIDA COUNTY
(B,H,Hw) - See Statewide
OWYHEE COUNTY
(B,H,Hw) - See Statewide
PAYETTE COUNTY
(B,H,Hw) - See Statewide
POWER COUNTY
(B,H,Hw) - See Statewide
SHOSHONE COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TWIN FALLS COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

ILLINOIS

ADAMS COUNTY
Decision #IL75-2055 (B)
40 FR 15265 - 4/4/75
Mod. #1 - 40 FR 29444 - 7/11/75
Decision #IL75-2082 (H,Hw)
40 FR 26190 - 6/20/75
ALEXANDER COUNTY
Decision #IL75-2084 (H,Hw)
40 FR 27419 - 6/27/75
Mod. #1 - 40 FR 29445 - 7/11/75
Decision #IL75-2036 (D)
40 FR 2023 - 2/7/75
BOND COUNTY
Decision #IL75-2100 (H,Hw)
40 FR 32562 - 8/1/75
BOONE COUNTY
Decision #IL75-2044 (B)
40 FR 10893 - 3/7/75
Mod. #1 - 40 FR 31436 - 7/25/75

ILLINOIS (Cont'd.)

BOONE COUNTY (Cont'd)
Decision #IL75-2078 (H,Hw)
40 FR 23637 - 5/30/75
Mod. #1 - 40 FR 26182 - 6/20/75
Mod. #2 - 40 FR 29444 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
BROWN COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
BUREAU COUNTY
Decision #IL75-2035 (B)
40 FR 5961 - 2/7/75
Mod. #1 - 40 FR 8694 - 2/21/75
Mod. #2 - 40 FR 12004 - 3/14/75
Mod. #3 - 40 FR 19325 - 5/2/75
Mod. #4 - 40 FR 29443 - 7/11/75
Mod. #5 - 40 FR 30384 - 7/18/75
Mod. #6 - 40 FR 31435 - 7/25/75
Decision #IL75-2079 (H,Hw)
40 FR 25382 - 6/13/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
CALHOUN COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(H,Hw) - See Bureau County
CASS COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #AR-3170 (B)
39 FR 40421 - 11/15/74
Mod. #1 - 40 FR 12006 - 3/14/75
Mod. #2 - 40 FR 29443 - 7/11/75
Decision #IL75-2081 (H,Hw)
40 FR 25395 - 6/13/75
CHRISTIAN COUNTY
(H,Hw) - See Adams County
Decision #IL75-2041 (B)
40 FR 7769 - 2/21/75
Mod. #1 - 40 FR 29444 - 7/11/75
CLARK COUNTY
(H,Hw) - See Champaign County
CLAY COUNTY
Decision #IL75-2083 (H,Hw)
40 FR 26194 - 6/20/75
CLINTON COUNTY
(H,Hw) - See Bond County
COLES COUNTY
(H,Hw) - See Champaign County
COOK COUNTY
Decision #IL75-2092 (B,H,Hw,R)
40 FR 28343 - 7/3/75
Mod. #1 - 40 FR 31438 - 7/25/75
Decision #IL75-5051 (D)
40 FR 16529 - 4/11/75
Decision #IL75-2015 (H,Hw)
40 FR 6927 - 2/14/75
CRAWFORD COUNTY
(H,Hw) - See Clay County
CUMBERLAND COUNTY
(H,Hw) - See Champaign County
DEKALB COUNTY
(H,Hw) - See Boone County
DEWITT COUNTY
(B) - See Christian County
(H,Hw)- See Champaign County

ILLINOIS

DOUGLAS COUNTY
(H,Hw) - See Champaign County
DU PAGE COUNTY
Decision #IL75-2050 (B,R)
40 FR 12029 - 3/7/75
Mod. #1 - 40 FR 18276 - 4/25/75
Mod. #2 - 40 FR 19325 - 5/2/75
Mod. #3 - 40 FR 29444 - 7/11/75
Mod. #4 - 40 FR 31436 - 7/25/75
(H,Hw) - See Boone County
EDGAR COUNTY
(H,Hw) - See Champaign County
EDWARDS COUNTY
(H,Hw) - See Clay County
EFFINGHAM COUNTY
(H,Hw) - See Clay County
FAYETTE COUNTY
(H,Hw) - See Clay County
FORD COUNTY
Decision #IL75-2052 (B)
40 FR 15261 - 4/4/75
Mod. #1 - 40 FR 19325 - 5/2/75
Mod. #2 - 40 FR 29443 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
Mod. #4 - 40 FR 31436 - 7/25/75
Decision #IL75-2086 (H,Hw)
40 FR 28333 - 7/3/75
Mod. #1 - 40 FR 30385 - 7/18/75
Mod. #2 - 40 FR 36437 - 7/25/75
FRANKLIN COUNTY
(H,Hw) - See Alexander County
FULTON COUNTY
Decision #IL75-2080 (H,Hw)
40 FR 25389 - 6/13/75
Mod. #1 - 40 FR 27404 - 6/27/75
Mod. #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
GALLATIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
(H,Hw) - See Ford County
HAMILTON COUNTY
(H,Hw) - See Clay County
HANCOCK COUNTY
(H,Hw) - See Fulton County
HARDIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
HENDERSON COUNTY
(H,Hw) - See Fulton County
HENRY COUNTY
(H,Hw) - See Bureau County
IROQUOIS COUNTY
(B,H,Hw) - See Ford County

ILLINOIS (Cont'd)

JACKSON COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
JASPER COUNTY
(H,Hw) - See Clay County
JEFFERSON COUNTY
(H,Hw) - See Clay County
JERSEY COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
JO DAVIESS COUNTY
(H,Hw) - See Bureau County
JOHNSON COUNTY
(H,Hw) - See Alexander County
KANE COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
KANKAKEE COUNTY
(B,H,Hw) - See Ford County
KENDALL COUNTY
(H,Hw) - See Boone County
KNOX COUNTY
(H,Hw) - See Fulton County
LAKE COUNTY
(B,R) - See Du Page County
(D) - See Cook County
(H,Hw) - See Boone County
LA SALLE COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LAWRENCE COUNTY
(H,Hw) - See Clay County
LEE COUNTY
(H,Hw) - See Bureau County
LIVINGSTON COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LOGAN COUNTY
(H,Hw) - See Adams County
MCDONOUGH COUNTY
(H,Hw) - See Fulton County
MCHENRY COUNTY
(H,Hw) - See Fulton County
Mc LEAN COUNTY
(H,Hw) - See Ford County
MACON COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
MACAUPIN COUNTY
(H,Hw) - See Bond County
MADISON COUNTY
Decision #IL75-2099 (B,R)
40 FR 32559 - 8/1/75
(H,Hw) - See Bond County

ILLINOIS (Cont'd)

MARION COUNTY
(H,Hw) - See Clay County
MARSHALL COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
MASON COUNTY
(H,Hw) - See Adams County
MASSAC COUNTY
(H,Hw) - See Alexander County
MENARD COUNTY
(H,Hw) - See Adams County
MERCER COUNTY
(H,Hw) - See Fulton County
MONROE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(H,Hw) - See Bond County
MORGAN COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
OGLE COUNTY
(H,Hw) - See Bureau County
PEORIA COUNTY
Decision #AR-3069 (B,R,D)
39 FR 28813 - 8/9/74
Mod. #1 - FR 42806 - 12/6/74
Mod. #2 - 40 FR 12005 - 3/14/75
(H,Hw) - See Fulton County
PERRY COUNTY
(H,Hw) - See Alexander County
PIATT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
PIKE COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
POPE COUNTY
(H,Hw,D) - See Alexander County
PULASKI COUNTY
(H,Hw,D) - See Alexander County
PUTNAM COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
RANDOLPH COUNTY
(H,Hw,D) - See Alexander County
RICHLAND COUNTY
(H,Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #IL75-2051 (B)
40 FR 12976 - 3/21/75
Mod. #1 - 40 FR 29443 - 7/11/75
(H,Hw) - See Bureau County
SAINT CLAIR COUNTY
(B,R) - See Madison County
(H,Hw) - See Bond County
(D) - See Alexander County

ILLINOIS (Cont'd)

SALINE COUNTY
(H,Hw) - See Alexander County
SANGAMON COUNTY
Decision #AR-3072 (B,R)
39 FR 28822 - 8/9/74
Mod. #1 - 39 FR 43459 - 12/13/74
Mod. #2 - 40 FR 12006 - 3/14/75
Mod. #3 - 40 FR 29443 - 7/11/75
Mod. #4 - 40 FR 31435 - 7/25/75
(H,Hw) - See Adams County
SCHUYLER COUNTY
(H,Hw) - See Adams County
SCOTT COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
STARK COUNTY
(H,Hw) - See Fulton County
STEPHENSON COUNTY
(H,Hw) - See Bureau County
TAZEWELL COUNTY
(B,R,D) - See Peoria County
(H,Hw) - See Fulton County
UNION COUNTY
(H,Hw,D) - See Alexander County
VERMILLION COUNTY
(H,Hw) - See Champaign County
(B) - See Champaign County
WABASH COUNTY
(H,Hw) - See Clay County
WARREN COUNTY
(H,Hw) - See Fulton County
WASHINGTON COUNTY
(H,Hw) - See Bond County
WAYNE COUNTY
(H,Hw) - See Clay County
WHITE COUNTY
(H,Hw) - See Clay County
WHITESIDE COUNTY
(H,Hw) - See Bureau County
WILL COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
WILLIAMSON COUNTY
Decision #IL75-2043 (B)
40 FR 8736 - 2/28/75
Mod. #1 - 40 FR 18276 - 4/25/75
(H,Hw) - See Alexander County
WINNEBAGO COUNTY
(B) - See Boone County
(H,Hw) - See Bureau County
WOODFORD COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County

INDIANA

ADAMS COUNTY
Decision #IN75-2093 (H,Hw)
40 FR 29491 - 7/11/75
ALLEN COUNTY
Decision #IN75-2088 (B)
40 FR 27422 - 6/27/75
Decision #AQ-3000 (R)
38 FR 22341 - 8/17/73
(H,Hw) - See Adams County
BARTHOLOMEW COUNTY
Decision #IN75-2018 (B)
40 FR 4809 - 1/31/75
Mod. #1 - 40 FR 10871 - 3/7/75
Mod. #2 - 40 FR 20557 - 5/9/75
Mod. #3 - 40 FR 25320 - 6/13/75
(H,Hw) - See Adams County
BENTON COUNTY
(B) - See Allen County
(H,Hw) - See Adams County
BLACKFORD COUNTY
(H,Hw) - See Adams County
BOONE COUNTY
Decision #AP-668 (R)
38 FR 13247 - 5/18/73
(H,Hw) - See Bartholomew County
BROWN COUNTY
(H,Hw) - See Bartholomew County
CARROLL COUNTY
(H,Hw) - See Benton County
CASS COUNTY
(H,Hw) - See Benton County
CLARK COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Bartholomew County
CLAY COUNTY
(H,Hw) - See Bartholomew County
CLINTON COUNTY
(H,Hw) - See Benton County
CRAWFORD COUNTY
(H,Hw) - See Bartholomew County
(D) - See Clark County
DAVIESS COUNTY
(H,Hw) - See Bartholomew County
DEARBORN COUNTY
(B) - See Allen County
(H,Hw) - See Bartholomew County

INDIANA (cont'd)

DECATUR COUNTY
(H,Hw) - See Bartholomew County
DEKALB COUNTY
(H,Hw) - See Adams County
DELAWARE COUNTY
(B) - See Allen County
(H,Hw) - See Blackford County
DUBOIS COUNTY
(H,Hw) - See Bartholomew County
ELKHART COUNTY
(H,Hw) - See Adams County
FAYETTE COUNTY
(H,Hw) - See Blackford County
FLOYD COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
FOUNTAIN COUNTY
(H,Hw) - See Bartholomew County
FRANKLIN COUNTY
(H,Hw) - See Bartholomew County
FULTON COUNTY
(H,Hw) - See Benton County
GIBSON COUNTY
(H,Hw) - See Bartholomew County
GRANT COUNTY
(B) - See Allen County
(H,Hw) - See Blackford County
GREENE COUNTY
(H,Hw) - See Bartholomew County
HAMILTON COUNTY
(H,Hw) - See Blackford County
(R) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Blackford County
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
HENDRICKS COUNTY
(H,Hw) - See Bartholomew County
(R) - See Boone County
HENRY COUNTY
(H,Hw) - See Blackford County
HOWARD COUNTY
(H,Hw) - See Benton County
HUNTINGTON COUNTY
(H,Hw) - See Adams County
JACKSON COUNTY
(H,Hw) - See Bartholomew County
JASPER COUNTY
(H,Hw) - See Benton County
JAY COUNTY
(H,Hw) - See Blackford County

INDIANA (Cont'd)

JEFFERSON COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
JENNINGS COUNTY
(H,Hw) - See Bartholomew County
JOHNSON COUNTY
(H,Hw) - See Blackford County
(R) - See Boone County
KNOX COUNTY
(H,Hw) - See Bartholomew County
KOSCIUSKO COUNTY
(H,Hw) - See Adams County
LAGRANGE COUNTY
(H,Hw) - See Adams County
LAKE COUNTY
Decision #IN75-2089 (B,H,Hw)
40 FR 28346 - 7/3/75
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Mod. #1 - 39 FR 44161 - 12/20/74
LAPORTE COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
LAWRENCE COUNTY
(H,Hw) - See Bartholomew County
MADISON COUNTY
(H,Hw) - See Blackford County
MARION COUNTY
(B) - See Allen County
(R) - See Boone County
(H,Hw) - See Blackford County
MARSHALL COUNTY
(H,Hw) - See Adams County
MARTIN COUNTY
(H,Hw) - See Bartholomew County
MIAMI COUNTY
(H,Hw) - See Benton County
MONROE COUNTY
(B) - See Allen County
(H,Hw) - See Bartholomew County
MONTGOMERY COUNTY
(H,Hw) - See Bartholomew County
MORGAN COUNTY
(R) - See Boone County
(H,Hw) - See Bartholomew County
NEWTON COUNTY
(H,Hw) - See Benton County
NOBLE COUNTY
(H,Hw) - See Adams County

INDIANA (Cont'd.)

OHIO COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
ORANGE COUNTY
(H,Hw) - See Bartholomew County
OWEN COUNTY
(H,Hw) - See Bartholomew County
PARKE COUNTY
(H,Hw) - See Bartholomew County
PERRY COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
PIKE COUNTY
(H,Hw) - See Bartholomew County
PORTER COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
PULASKI COUNTY
(H,Hw) - See Benton County
PUTNAM COUNTY
(H,Hw) - See Bartholomew County
RANDOLPH COUNTY
(H,Hw) - See Blackford County
RIPLEY COUNTY
(H,Hw) - See Bartholomew County
RUSH COUNTY
(H,Hw) - See Blackford County
SAINT JOSEPH COUNTY
(B,H,Hw) - See Lake County
SCOTT COUNTY
(H,Hw) - See Bartholomew County
SHELBY COUNTY
(R) - See Boone County
(H,Hw) - See Blackford County
SPENCER COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
STARKE COUNTY
(H,Hw) - See Adams County
STEUBEN COUNTY
(H,Hw) - See Adams County
SULLIVAN COUNTY
(H,Hw) - See Bartholomew County
SWITZERLAND COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County

INDIANA (Cont'd)

TIPPECANOE COUNTY
(B,H,Hw) - See Benton County
TIPTON COUNTY
(H,Hw) - See Benton County
UNION COUNTY
(H,Hw) - See Blackford County
VANDERBURGH COUNTY
(B) - See Allen County
(D) - See Clark County
(H,Hw) - See Bartholomew County
VERMILLION COUNTY
(H,Hw) - See Bartholomew County
VIGO COUNTY
(B) - See Allen County
(H,Hw) - See Bartholomew County
WABASH COUNTY
(H,Hw) - See Benton County
WARREN COUNTY
(H,Hw) - See Bartholomew County
WARRICK COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
WASHINGTON COUNTY
(H,Hw) - See Bartholomew County
WAYNE COUNTY
(H,Hw) - See Blackford County
WELLS COUNTY
(H,Hw) - See Adams County
WHITE COUNTY
(H,Hw) - See Benton County
WHITLEY COUNTY
(H,Hw) - See Adams County

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
Decision #AR-73 (Hw)
39 FR 38797 - 11/1/74
Mod. #1 - 40 FR 4786 - 1/31/75
AUDUBON COUNTY
None
BENTON COUNTY
Decision #IA75-4081 (Hw)
40 FR 17507 - 4/18/75
BLACK HAWK COUNTY
Decision #IA75-4120 (B,H,Hw)(City of Waterloo & abutting Municipalities
40 FR 32567 - 8/1/75
BOONE COUNTY
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6712 (H,Hw)
37 FR 7429 - 4/14/72
Mod. #1 - 39 FR 40404 - 11/15/74
CASS COUNTY
(H,Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #IA75-4121 (B,H,Hw)
40 FR 32570 - 8/1/75
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H,Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (City of Clinton and abutting municipalities)
Decision #IA75-4122 (B,H,Hw)
40 FR 32573 - 8/1/75
CRAWFORD COUNTY
(H,Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
(Hw) - See Appanoose County
DECATUR COUNTY
None
DELAWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #IA75-4123 (B,H,Hw)
40 FR 32576 - 8/1/75
DICKINSON COUNTY
None
DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #IA75-4124 (B,H,Hw)
40 FR 32579 - 8/1/75
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
(Chann. Stab.) - See Fremont Co.
HENRY COUNTY
None
HOWARD COUNTY
(H,Hw) - See Carroll County
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
(Hw) - See Benton County
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
(Hw) - See Appanoose County
JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA75-4125 (B,H)
40 FR 32582 - 8/1/75
(Hw) - See Benton County
JONES COUNTY
None
KEOKUK COUNTY
(Hw) - See Benton County
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY
Decision #IA75-4040 (B,H,Hw)
40 FR 4839 - 1/31/75
Mod. #1 - 40 FR 6902 - 2/14/75
Mod. #2 - 40 FR 14202 - 3/28/75
Mod. #3 - 40 FR 18276 - 4/25/75

IOWA (Cont'd.)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
(Hw) - See Benton County
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
(Channel Stab.) - See Freemont Co.
MITCHELL COUNTY
None
MONONA COUNTY
(H,Hw) - See Carroll County
(Channel Stab.) - See Freemont Co.
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
O'BRIEN COUNTY
(H,hw) - See Carroll County
OSCEOLA COUNTY
(H,Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY
Decision #IA75-4041 (B,H,Hw)
40 FR 4841 - 1/31/75
Mod. #1 - 40 FR 6903 - 2/14/75
Mod. #2 - 40 FR 14202 - 3/28/75
Mod. #3 - 40 FR 18276 - 4/25/75
Mod. #4 - 40 FR 22733 - 5/23/75
Mod. #5 - 40 FR 25323 - 6/13/75
POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City Limits)
Decision #IA75-4042 (B,H,Hw)
40 FR 4843 - 1/31/75
Mod. #1 - 40 FR 6903 - 2/14/75
Mod. #2 - 40 FR 12955 - 3/21/75
Mod. #3 - 40 FR 14202 - 3/28/75
Mod. #4 - 40 FR 15271 - 4/4/75
Mod. #5 - 40 FR 18277 - 4/25/75
Mod. #6 - 40 FR 22733 - 5/23/75
(Chann. Stab.) - See Freemont County

IOWA (Cont'd)

POWESHIEK COUNTY
(Hw) - See Benton County
RINGGOLD COUNTY
(H,Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #IA75-4043 (B,H,Hw)
40 FR 4845 - 1/31/75
Mod. #1 - 40 FR 6903 - 2/14/75
Mod. #2 - 40 FR 14203 - 3/28/75
Mod. #3 - 40 FR 18277 - 4/25/75
Mod. #4 - 40 FR 23629 - 5/30/75
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (City of Ames and abutting municipalities)
Decision #IA75-4044 (B,H,Hw)
40 FR 4848 - 1/31/75
Mod. #1 - 40 FR 6904 - 2/14/75
Mod. #2 - 40 FR 14203 - 3/28/75
Mod. #3 - 40 FR 25323 - 6/13/75
TAMA COUNTY
(Hw) - See Benton County
TAYLOR COUNTY
(H,Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(Hw) - See Appanoose County
WAPELLO COUNTY
(Hw) - See Appanoose County
WARREN COUNTY
None
WASHINGTON COUNTY
(Hw) - See Benton County
WAYNE COUNTY
None
WEBSTER COUNTY (City of Fort Dodge)
Decision #IA75-4074 (B,H,Hw)
40 FR 15295 - 4/4/75
Mod. #1 - 40 FR 23630 - 5/30/75
Mod. #2 - 40 FR 25324 - 6/13/75
WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None

IOWA (Cont'd.)

WOODBURY COUNTY (City of Sioux City and abutting municipalities)
Decision #IA75-4046 (B)
40 FR 4852 - 1/31/75
Mod. #1 - 40 FR 6905 - 2/14/75
Mod. #2 - 40 FR 14203 - 3/28/75
Mod. #3 - 40 FR 23629 - 5/30/75
Mod. #4 - 40 FR 25324 - 6/13/75
(Chann. Stas., - See Freemont Co.
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #KS75-4051 (Hw,W&S)
40 FR 6056 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
ANDERSON COUNTY
(Hw, W&S) - See Allen County
ATCHISON COUNTY
Decision #M075-4070 (D)
40 FR 14228 - 3/28/75
(Hw, W&S) - See Allen County
BARBER COUNTY
Decision #KS75-4053 (Hw, W&S)
40 FR 6056 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
BARTON COUNTY
(Hw, W&S) - See Barber County
BOURBON COUNTY
(Hw, W&S) - See Allen County
BROWN COUNTY
(Hw, W&S) - See Allen County
BUTLER COUNTY
(Hw, W&S) - See Allen County
CHASE COUNTY
(Hw, W&S) - See Allen County
CHAUTAUQUA COUNTY
(Hw, W&S) - See Allen County
CHEROKEE COUNTY
(Hw, W&S) - See Allen County
CHEYENNE COUNTY
(Hw, W&S) - See Barber County
CLARK COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

CLAY COUNTY
(Hw, W&S) - See Allen County
CLOUD COUNTY
(Hw, W&S) - See Allen County
COFFEY COUNTY
(Hw, W&S) - See Allen County
COMANCHE COUNTY
(Hw, W&S) - See Barber County
COWLEY COUNTY
(Hw, W&S) - See Allen County
CRAWFORD COUNTY
(Hw, W&S) - See Allen County
DECATUR COUNTY
(Hw, W&S) - See Barber County
DICKINSON COUNTY
(Hw, W&S) - See Allen County
DONIPHAN COUNTY
(D) - See Atchison County
(Hw, W&S) - See Allen County
DOUGLAS COUNTY
Decision #KS75-4063 (Hw)
40 FR 12041 - 3/14/75
Mod. #1 - 40 FR 19326 - 5/2/75
EDWARDS COUNTY
(Hw, W&S) - See Barber County
ELK COUNTY
(Hw, W&S) - See Allen County
ELLIS COUNTY
(Hw, W&S) - See Barber County
ELLSWORTH COUNTY
(Hw, W&S) - See Barber County
FINNEY COUNTY
(Hw, W&S) - See Barber County
FORD COUNTY
(Hw, W&S) - See Barber County
FRANKLIN COUNTY
(Hw, W&S) - See Allen County
GEARY COUNTY
Decision #AQ-88 (R)
38 FR 11791 - 3/29/74
(Hw, W&S) - See Allen County
GOVE COUNTY
(Hw, W&S) - See Barber County
GRAHAM COUNTY
(Hw, W&S) - See Barber County
GRANT COUNTY
(Hw, W&S) - See Barber County
GRAY COUNTY
(Hw, W&S) - See Barber County
GREELEY COUNTY
(Hw, W&S) - See Barber County
GREENWOOD COUNTY
(Hw, W&S) - See Allen County

KANSAS (Cont'd.)

HAMILTON COUNTY
(Hw, W&S) - See Barber County
HARPER COUNTY
(Hw, W&S) - See Allen County
HARVEY COUNTY
(Hw, W&S) - See Allen County
HASKELL COUNTY
(Hw, W&S) - See Barber County
HODGEMEN COUNTY
(Hw, W&S) - See Barber County
JACKSON COUNTY
(Hw, W&S) - See Allen County
JEFFERSON COUNTY
(Hw) - See Douglas County
JEWELL COUNTY
(Hw, W&S) - See Barber County
JOHNSON COUNTY
Decision #M075-4144 (B,H,Hw)
40 FR 32611 - 8/1/75
Decision #M075-4145 (R)
40 FR 32617 - 8/1/75
KEARNY COUNTY
(Hw, W&S) - See Barber County
KINGMAN COUNTY
(Hw, W&S) - See Allen County
KIOWA COUNTY
(Hw, W&S) - See Barber County
LABETTE COUNTY
(Hw, W&S) - See Allen County
LANE COUNTY
(Hw, W&S) - See Barber County
LEAVENWORTH COUNTY
Decision #KS75-4061 (B)
40 FR 12034 - 3/14/75
Mod. #1 - 40 FR 15271 - 4/4/75
(Hw) - See Douglas County
(D) - See Atchison County
LINCOLN COUNTY
(Hw, W&S) - See Barber County
LINN COUNTY
(Hw, W&S) - See Allen County
LOGAN COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

LYON COUNTY
(Hw, W&S) - See Allen County
McPHERSON COUNTY
(Hw, W&S) - See Allen County
MARION COUNTY
(Hw, W&S) - See Allen County
MARSHALL COUNTY
(Hw, W&S) - See Allen County
MEADE COUNTY
(Hw, W&S) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw, W&S) - See Barber County
MONTGOMERY COUNTY
(Hw, W&S) - See Allen County
MORRIS COUNTY
(Hw, W&S) - See Allen County
MORTON COUNTY
(Hw, W&S) - See Barber County
NEMAHA COUNTY
(Hw, W&S) - See Allen County
NEOSHO COUNTY
(Hw, W&S) - See Allen County
NESS COUNTY
(Hw, W&S) - See Barber County
NORTON COUNTY
(Hw, W&S) - See Barber County
OSAGE COUNTY
(Hw, W&S) - See Allen County
OSBORNE COUNTY
(Hw, W&S) - See Barber County
OTTAWA COUNTY
(Hw, W&S) - See Allen County
PAWNEE COUNTY
(Hw, W&S) - See Barber County
PHILLIPS COUNTY
(Hw, W&S) - See Barber County
POTTAWATOMIE COUNTY
(Hw, W&S) - See Allen County
PRATT COUNTY
(Hw, W&S) - See Barber County
RAWLINS COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

RENO COUNTY
(Hw, W&S) - See Allen County
REPUBLIC COUNTY
(Hw, W&S) - See Allen County
RICE COUNTY
(Hw, W&S) - See Barber County
RILEY COUNTY
(Hw, W&S) - See Allen County
(R) - See Geary County
ROOKS COUNTY
(Hw, W&S) - See Barber County
RUSH COUNTY
(Hw, W&S) - See Barber County
RUSSELL COUNTY
(Hw, W&S) - See Barber County
SALINE COUNTY
(Hw, W&S) - See Allen County
SCOTT COUNTY
(Hw, W&S) - See Barber County
SEDGWICK COUNTY
Decision #AP-533 (R)
38 FR 16573 - 6/22/73
Decision #KS75-4065 (B)
40 FR 12048 - 3/14/75
Mod. #1 - 40 FR 15272 - 4/4/75
Decision #KS75-4052 (Hw, W&S)
40 FR 6057 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
SEWARD COUNTY
(Hw, W&S) - See Barber County
SHAWNEE COUNTY
Decision #KS75-4062 (B)
40 FR 12038 - 3/14/75
Mod. #1 - 40 FR 15271 - 4/4/75
Decision #KS75-4064 (R)
40 FR 12045 - 3/14/75
Mod. #1 - 40 FR 15272 - 4/4/75
(Hw) - See Douglas County

KANSAS (Cont'd.)

SHERIDAN COUNTY
(Hw, W&S) - See Barber County
SHERMAN COUNTY
(Hw, W&S) - See Barber County
SMITH COUNTY
(Hw, W&S) - See Barber County
STAFFORD COUNTY
(Hw, W&S) - See Barber County
STANTON COUNTY
(Hw, W&S) - See Barber County
STEVENS COUNTY
(Hw, W&S) - See Barber County
SUMNER COUNTY
(Hw, W&S) - See Allen County
THOMAS COUNTY
(Hw, W&S) - See Barber County
TREGO COUNTY
(Hw, W&S) - See Barber County
WABAUNSEE COUNTY
(Hw, W&S) - See Allen County
WALLACE COUNTY
(Hw, W&S) - See Barber County
WASHINGTON COUNTY
(Hw, W&S) - See Allen County
WICHITA COUNTY
(Hw, W&S) - See Barber County
WILSON COUNTY
(Hw, W&S) - See Allen County
WOODSON COUNTY
(Hw, W&S) - See Allen County
WYANDOTTE COUNTY
(B,H,Hw,R) - See Johnson County
(D) - See Atchison County

KENTUCKY

ADAIR COUNTY
Decision #AR-4054 (H,Hw)
39 FR 39697 - 11/8/74
Mod. #1 - 39 FR 44907 - 12/27/74
Mod. #2 - 40 FR 3085 - 1/17/75
Mod. #3 - 40 FR 22734 - 5/23/75
ALLEN COUNTY
Decision #AR-4053 (H,Hw)
39 FR 39694 - 11/8/74
Mod. #1 - 40 FR 3085 - 1/17/75
Mod. #2 - 40 FR 22733 - 5/23/75
ANDERSON COUNTY
Decision #AR-4055 (H,Hw)
39 FR 39700 - 11/8/74
Mod. #1 - 40 FR 3086 - 1/17/75
Mod. #2 - 40 FR 22734 - 5/23/75
BALLARD COUNTY
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County
Decision #AQ-4066 (R)
39 FR 4305 - 2/1/74
BELL COUNTY
(H,Hw) - See Adair County
Decision #AQ-4126 (B)
39 FR 22359 - 6/21/74
BOONE COUNTY
Decision #AR-4056 (H,Hw)
39 FR 39703 - 11/8/74
Mod. #1 - 40 FR 3082 - 1/17/75
Mod. #2 - 40 FR 4786 - 1/31/75
Decision #AR-4034 (B)
39 FR 33158 - 9/13/74
Mod. #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 25325 - 6/13/75
Decision #IL75-2036 (D)
40 FR 6923 - 2/7/75
BOURBON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #AR-4047 (B)
39 FR 38824 - 11/1/74.
Mod. #1 - 40 FR 10878 - 3/7/75
Mod. #2 - 40 FR 19327 - 5/2/75
(H,Hw) - See Anderson County
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd.)

BRECKINRIDGE COUNTY
Decision #AP-183 (R)
38 FR 11278 - 5/4/73
(H,Hw) - See Anderson County
(D) - See Boone County
BULLITT COUNTY
(D) - See Boone County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(B,H,D,Hw) - See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
Decision #AQ-4122 (B)
39 FR 20281 - 6/7/74
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County
ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

FAYETTE COUNTY
Decision #AR-4018 (B)
39 FR 28836 - 8/9/74
Mod. #1 - 39 FR 32442 - 9/6/74
Mod. #2 - 39 FR 40406 - 11/15/74
Mod. #3 - 40 FR 10875 - 3/7/75
Mod. #4 - 40 FR 31438 - 7/25/75
(H,Hw) - See Anderson County
(R) - See Bath County
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
Decision #AR-4002 (B)
39 FR 24777 - 7/5/74
(H,Hw) - See Adair County
FRANKLIN COUNTY
Decision #AQ-4101 (B)
39 FR 14113 - 4/19/74
Mod. #1 - 39 FR 30665 - 8/23/74
Mod. #2 - 39 FR 38803 - 11/1/74
Mod. #3 - 40 FR 10879 - 3/7/75
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREENE COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County

KENTUCKY (Cont'd)

HARDIN COUNTY
(B) - See Jefferson County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
Decision #AR-4025 (B)
39 FR 31796 - 8/30/74
Mod. #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 31439 - 7/25/75
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #KY75-1064 (B)
40 FR 26198 - 6/20/75
(D) - See Boone County
(R) - See Breckinridge County
(H,Hw) - See Anderson County
JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

KENTUCKY (Cont'd)

NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(B)(D) - See Boone County

PERRY COUNTY
(H,Hw) - See Adair County
PIKE COUNTY
(B) - See Floyd County
(H,Hw) - See Adair County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County
RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County

KENTUCKY (Cont'd.)

SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Allen County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AR-4023 (B)
39 FR 32449 - 9/6/74
Mod. #1 - 40 FR 10876 - 3/7/75
Mod. #2 - 40 FR 31438 - 7/25/75
(H,Hw) - See Allen County
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

KENTUCKY (Cont'd)

NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(B)(D) - See Boone County

PERRY COUNTY
(H,Hw) - See Adair County
PIKE COUNTY
(B) - See Floyd County
(H,Hw) - See Adair County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County
RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County

KENTUCKY (Cont'd.)

SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Allen County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AR-4023 (B)
39 FR 32449 - 9/6/74
Mod. #1 - 40 FR 10876 - 3/7/75
Mod. #2 - 40 FR 31438 - 7/25/75
(H,Hw) - See Allen County
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AR-4013[illegible]
39 FR 27397 - 7/2[illegible]
Decision #LA75-41[illegible],Hw,R)
40 FR 32585 - 8/[illegible]
ACADIA PARISH
Decision #AR75-507[illegible]
40 FR 26189 - 6/2[illegible]
(B,D,Hw) - See Statewide
ALLEN PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
ASCENSION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ASSUMPTION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
AVOYELLES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BEAUREGARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BIENVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BOSSIER PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide
CADDO PARISH
(B,D,Hw,R) - See Statewide
CALCASIEU PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide

LOUISIANA (Cont'd)

CALDWELL PARISH
(F) - See Acadia Parish
(B,D,Hw)- See Statewide
CAMERON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CATAHOULA PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
CLAIBORNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CONCORDIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
DE SOTO PARISH
(F) - See Acadia Parish
(B,D,Hw)-See Statewide
EAST BATON ROUGE PARISH
(B,D,Hw) - See Statewide
EAST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EAST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EVANGELINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
FRANKLIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
GRANT PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
IBERIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

IBERVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JACKSON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON PARISH
Decision #AR-3 (R)
39 FR 25777 - 7/12/74
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON DAVIS PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFAYETTE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFOURCHE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LA SALLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LINCOLN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LIVINGSTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MADISON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MOREHOUSE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
NATCHITOCHES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ORLEANS PARISH
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
OUACHITA PARISH
Decision #AQ-116 (R)
39 FR 22397 - 6/21/74
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

PLAQUEMINES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
POINTE COUPEE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RAPIDES PARISH
(B,D,Hw) - See Statewide
RED RIVER PARISH
(B,D,Hw) - See Statewide
(F) - See Acadia Parish
RICHLAND PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
SABINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. BERNARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
ST. CHARLES PARISH
(F) - See Acadia Parish
(B,Hw,D)- See Statewide
ST. HELENA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JAMES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JOHN THE BAPTIST PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. LANDRY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARTIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARY PARISH
(F) - See Acadia Parish
(B,D) - See Statewide

LOUISIANA (Cont'd)

ST. TAMMANY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TANGIPAHOA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TENSAS PARISH
(F) - See Acadia Parish
(B,Hw,D) - See Statewide
TERREBONNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
UNION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
VERMILION PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
VERNON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WASHINGTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEBSTER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST BATON ROUGE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WINN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
WALDO COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
Decision #AR-2091 (B)
39 FR 41651 - 11/29/74
Mod. #1 - 40 FR 928 - 1/3/75
Decision #AR-2084 (H,Hw)
39 FR 41125 - 11/22/74
ANNE ARUNDEL COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
Decision #AR-2086 (B,H)
39 FR 41127 - 11/22/74
Mod. #1 - 40 FR 928 - 1/3/75
Mod. #2 - 40 FR 14204 - 3/28/75
Mod. #3 - 40 FR 17460 - 4/18/75
Decision #AR-2085 (Hw)
39 FR 41100 - 11/22/74
BALTIMORE CITY
Decision #MD75-3068 (Hw)
40 FR 30413 - 7/18/75
Decision #MD75-3064 (B,H)
40 FR 27431 - 6/27/75
Decision #AQ-2072 (R)
39 FR 8122 - 3/1/74
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
BALTIMORE COUNTY
Decision #AR-2052 (Hw)
39 FR 34904 - 9/27/74
Mod. #1 - 40 FR 27405 - 6/27/75
(B,H,R) - See Baltimore City
CALVERT COUNTY
(D,Hw) - See Anne Arundel County
CAROLINE COUNTY
Decision #MD75-3052 (Hw)
40 FR 20555 - 5/9/75
(Hw) - See Anne Arundel County
CARROLL COUNTY
(Hw) - See Anne Arundel County
CECIL COUNTY
(Hw) - See Caroline County
(R) - See Baltimore County
CHARLES COUNTY
(D,Hw) - See Anne Arundel County
DORCHESTER COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
FREDERICK COUNTY
Decision #AQ-2076 (R)
39 FR 10069 - 3/15/74
Mod. #1 - 40 FR 15272 - 4/4/75
(Hw) - See Anne Arundel County
GARRETT COUNTY
(B,H,Hw) - See Allegany County

MARYLAND (Cont'd.)

HARFORD COUNTY
(B,H,R) - See Baltimore City
(Hw) - See Anne Arundel County
HOWARD COUNTY
(B,H) - See Baltimore City
(R) - See Baltimore County
(Hw) - See Anne Arundel City
KENT COUNTY
(Hw) - See Caroline County
(D) - See Arundel County
MONTGOMERY COUNTY
Decision #MD75-3062 (B)
40 FR 26203 - 6/20/75
(Hw) - See Anne Arundel County
PRINCE GEORGES COUNTY
(B) - See Montgomery County
(D,Hw) - See Anne Arundel County
QUEEN ANNES COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D,Hw) - See Anne Arundel County
SOMERSET COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
TALBOT COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
WASHINGTON COUNTY
(Hw) - See Anne Arundel County
WICOMICO COUNTY
Decision #AQ-2075 (R)
39 FR 10068 - 3/15/74
Mod. #1 - 39 FR 14849 - 4/26/74
(D) - See Anne Arundel County
(Hw) - See Caroline County
WORCESTER COUNTY
(D) - See Baltimore County
(Hw) - See Caroline County
Decision #AR-2012 (B)
39 FR 27991 - 8/2/74

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #MA75-2069 (B,H,Hw, & Marine)
40 FR 20557 - 5/9/75
Mod. #1 - 40 FR 27407 - 6/27/75
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
BERKSHIRE COUNTY
Decision #MA75-2070 (B,H,Hw)
40 FR 20581 - 5/9/75
Mod. #1 - 40 FR 27408 - 6/27/75
BRISTOL COUNTY
Decision #MA75-2071 (B,H,Hw,R, & Marine)
40 FR 19335 - 5/2/75
Mod. #1 - 40 FR 27409 - 6/27/75
(D) - See Barnstable County
DUKES COUNTY
(D) - See Barnstable County
ESSEX COUNTY
Decision #MA75-2072 (B,H,Hw, & Marine)
40 FR 18305 - 4/25/75
Mod.#1 - 40 FR 27410 - 6/27/75
(D) - See Barnstable County
FRANKLIN COUNTY
Decision #MA75-2006 (B,H,Hw)
40 FR 3112 - 1/17/75
Mod. #1 - 40 FR 7777 - 2/21/75
Mod. #2 - 40 FR 18277 - 4/25/75
Mod. #3 - 40 FR 27405 - 6/27/75
HAMPDEN COUNTY
Decision #MA75-2053 (B,H,Hw)
40 FR 12051 - 3/14/75
Mod. #1 - 40 FR 19327 - 5/2/75
Mod. #2 - 40 FR 28307 - 7/3/75
Decision #MA75-2054 (R)
40 FR 15297 - 4/4/75
HAMPSHIRE COUNTY
Decision #MA75-2008 (B,H,Hw)
40 FR 3121 - 1/17/75
Mod. #1 - 40 FR 7778 - 2/21/75
Mod. #2 - 40 FR 19327 - 5/2/75
Mod. #3 - 40 FR 28305 - 7/3/75
MIDDLESEX COUNTY
Decision #MA75-2073 (B,H,Hw,R, & Marine)
40 FR 19340 - 5/2/75
Mod. #1 - 40 FR 27412 - 6/27/75
(D) - See Barnstable County
NANTUCKET COUNTY
(D) - See Barnstable County
NORFOLK COUNTY
Decision #MA75-2074 (B,H,Hw,R)
40 FR 20586 - 5/9/75
Mod. #1 - 40 FR 27413 - 6/27/75
(D) - See Barnstable County

MASSACHUSETTS

PLYMOUTH COUNTY
Decision #MA75-2075 (B,H,Hw,R)
40 FR 20590 - 5/9/75
Mod. #1 - 40 FR 27413 - 6/27/75
SUFFOLK COUNTY
Decision #MA75-2076 (B,H,Hw,D,R)
& Marine)
40 FR 20595 - 5/9/75
Mod. #1 - 40 FR 23630 - 5/30/75
Mod. #2 - 40 FR 27414 - 6/27/75
WORCESTER COUNTY
Decision #MA75-2077 (B,H,Hw,R)
40 FR 21660 - 5/16/75
Mod. #1 - 40 FR 27415 - 6/27/75

MICHIGAN

STATEWIDE
Decision #MI75-2098 (Hw, W&S)
40 FR 30415 - 7/18/75
ALCONA COUNTY
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
(Hw, W&S) - See Statewide
(B,H) - See Alpena County
ALGER COUNTY
Decision #AR-3177 (B,H)
39 FR 44164 - 12/20/74
Mod. #1 - 40 FR 929 - 1/3/75
Mod. #2 - 40 FR 8695 - 2/28/75
Mod. #3 - 40 FR 22744 - 5/23/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
ALLEGAN COUNTY
Decision #AR-3102 (B,H)
39 FR 29784 - 8/16/74
Mod. #1 - 39 FR 33152 - 9/13/74
Mod. #2 - 39 FR 33911 - 9/20/74
Mod. #3 - 39 FR 34920 - 9/27/74
Mod. #4 - 40 FR 7781 - 2/21/75
Decision #AM-398 (R)
36 FR 15891 - 8/18/71
(Hw, W&S) - See Statewide
(D) - See Alcona County
ALPENA COUNTY
Decision #AR-3150 (B,H)
39 FR 36759 - 10/11/74
Mod. #1 - 40 FR 7795 - 2/21/75
Mod. #2 - 40 FR 15272 - 4/4/75
(Hw, W&S) - See Statewide
ANTRIM COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
ARENAC COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARAGA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARRY COUNTY
(Hw, W&S) - See Statewide
BAY COUNTY
Decision #MI75-2061 (B,H)
40 FR 17511 - 4/18/75
Mod. #1 - 40 FR 18328 - 5/2/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
BENZIE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

BERRIEN COUNTY
Decision #AR-3164 (B,H)
39 FR 37338 - 10/18/74
Mod. #1 - 40 FR 7796 - 2/21/75
Decision #AM-399 (R)
36 FR 15892 - 8/18/71
(D) - See Alcona County
(Hw, W&S) - See Statewide
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8/18/71
(Hw, W&S) - See Statewide
CALHOUN COUNTY
Decision #AR-3106 (B,H)
39 FR 29797 - 8/16/74
Mod. #1 - 39 FR 33154 - 9/13/74
Mod. #2 - 39 FR 33912 - 9/20/74
Mod. #3 - 39 FR 34922 - 9/27/74
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw, W&S) - See Statewide
CASS COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
CHARLEVOIX COUNTY
Decision #MI75-2049 (B,H)
40 FR 17508 - 4/18/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHEBOYGAN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHIPPEWA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CLARE COUNTY
(Hw, W&S) - See Statewide
CLINTON COUNTY
(Hw, W&S) - See Statewide
CRAWFORD COUNTY
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

DELTA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
DICKINSON COUNTY
(Hw, W&S) - See Statewide
EATON COUNTY
Decision #AM-8041 (R)
36 FR 24027 - 12/17/71
(Hw, W&S) - See Statewide
EMMET COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GENESEE COUNTY
(B,H) - See Bay County
Decision #MI75-2062 (R)
40 FR 17515 - 4/18/75
(Hw, W&S) - See Statewide
GLADWIN COUNTY
(Hw) - See Statewide
GOGEBIC COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRAND TRAVERSE COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRATIOT COUNTY
(Hw, W&S) - See Statewide
HILLSDALE COUNTY
(Hw, W&S) - See Statewide
HOUGHTON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
HURON COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
INGHAM COUNTY
Decision #AR-3113 (B,H)
39 FR 29820 - 8/16/74
Mod. #1 - 39 FR 33154 - 9/13/74
Mod. #2 - 39 FR 33914 - 9/20/74
Mod. #3 - 39 FR 35910 - 10/4/74
Mod. #4 - 40 FR 7787 - 2/21/75
(Hw, W&S) - See Statewide
(R) - See Eaton County

MICHIGAN (Cont'd.)

IONIA COUNTY
(Hw, W&S) - See Statewide
IOSCO COUNTY
(Hw, W&S) - See Statewide
(D) - See Alcona County
IRON COUNTY
(Hw, W&S) - See Statewide
ISABELLA COUNTY
(Hw, W&S) - See Statewide
JACKSON COUNTY
(Hw, W&S) - See Statewide
KALAMAZOO COUNTY
Decision #AR-3114 (B,H)
39 FR 29823 - 8/16/74
Mod. #1-39 FR 33914 - 9/20/74
Mod. #2-39 FR 36910 - 10/4/74
Mod. #3-40 FR 7788 - 2/21/75
(Hw, W&S) - See Statewide
(R) - See Branch County
KALKASKA COUNTY
(Hw, W&S) - See Statewide
KENT COUNTY
Decision #AR-3054 (B,H)
39 FR 25858 - 7/12/74
Mod. #1 - 39 FR 33155 - 9/13/74
Mod. #2 - 39 FR 34920 - 9/27/74
Mod. #3 - 40 FR 3862 - 1/24/75
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
(Hw, W&S) - See Statewide
KEWEENAW COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
LAKE COUNTY
(R) - See Genessee County
(Hw, W&S) - See Statewide
LAPEER COUNTY
(B,H) - See Bay County
(Hw, W&S) - See Statewide
LEELANAU COUNTY
(B,H) - See Grand Traverse County
(Hw, W&S) - See Statewide
LENAWEE COUNTY
(Hw, W&S) - See Statewide
LIVINGSTON COUNTY
(Hw, W&S) - See Statewide
LUCE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MACKINAC COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
MACOMB COUNTY
Decision #MI75-2063 (B,H,R)
40 FR 19345 - 5/2/75
(D) - See Alcona County
(W&S, Hw) - See Statewide

MICHIGAN (Cont'd.)

MANISTEE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MARQUETTE COUNTY
Decision #AR-3178 (R)
39 FR 44156 - 12/20/74
Mod. #1 - 40 FR 22734 - 5/23/75
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
MASON COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
MECOSTA COUNTY
(Hw, W&S) - See Statewide
MENOMINEE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MIDLAND COUNTY
(Hw, W&S) - See Statewide
MISSAUKEE COUNTY
(Hw, W&S) - See Statewide
MONROE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MONTCALM COUNTY
(Hw, W&S) - See Statewide
(R) - See Kent County
MONTMORENCY COUNTY
(B,H) - See Alpena County
(Hw, W&S) - See Statewide
MUSKEGON COUNTY
Decision #AR-3117 (B,H)
39 FR 28833 - 8/16/74
Mod. #1 - 39 FR 33915 - 9/20/74
Mod. #2 - 39 FR 35912 - 10/4/74
Mod. #3 - 39 FR 36716 - 10/11/74
Mod. #4 - 40 FR 7790 - 2/21/75
Decision #AM-403 (R)
36 FR 15896 - 8/18/71
(D) - See Alcona County
(Hw, W&S) - See Statewide
NEWAYGO COUNTY
(Hw, W&S) - See Statewide
OAKLAND COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OCEANA COUNTY
(B,H,R) - See Muskegon County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OGEMAW COUNTY
(Hw, W&S) - See Statewide
ONTONAGON COUNTY
(B,H) - See Baraga County
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

OSCEOLA COUNTY
(Hw, W&S) - See Statewide
OSCODA COUNTY
(B,H) - See Alpena County
(Hw, W&S) - See Statewide
OTSEGO COUNTY
(Hw, W&S) - See Statewide
OTTAWA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
(R) - See Allegan County
PRESQUE ISLE COUNTY
(B,H) - See Alpena County
(D) - See Alcona County
(Hw, W&S) - See Statewide
ROSCOMMON COUNTY
(Hw, W&S) - See Statewide
SAGINAW COUNTY
(B,H) - See Bay County
(Hw, W&S) - See Statewide
(R) - See Genessee County
SAINT CLAIR COUNTY
(B,H) - See Bay County
(Hw, W&S) - See Statewide
(R) - See Genessee County
SAINT JOSEPH COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
SANILAC COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
SHIAWASSEE COUNTY
(B,H) - See Bay County
(Hw, W&S) - See Statewide
(R) - See Genessee County
TUSCOLA COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
VAN BUREN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
WASHTENAW COUNTY
(B,H,R) - See Macomb County
(Hw, W&S) - See Statewide
(D) - See Alcona County
WAYNE COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
WEXFORD COUNTY
(Hw, W&S) - See Statewide

MINNESOTA

AITKIN COUNTY
Decision #MN75-2068 (H,Hw)
40 FR 19349 - 5/2/75
ANOKA COUNTY
Decision #AR-3166 (B,R)
39 FR 39705 - 11/8/74
Mod. #1 - 40 FR 12007 - 3/14/75
Mod. #2 - 40 FR 17461 - 4/18/75
Mod. #3 - 40 FR 22734 - 5/23/75
(H,Hw) - See Aitkin County
BECKER COUNTY
Decision #AQ-3104 (H,Hw)
39 FR 9369 - 3/8/74
BELTRAMI COUNTY
Decision #AR-3147 (H,Hw)
39 FR 36704 - 10/11/74
BENTON COUNTY
(H,Hw) - See Aitkin County
BIG STONE COUNTY
Decision #AQ-3105 (H,Hw)
39 FR 9370 - 3/8/74
BLUE EARTH COUNTY
(H,Hw) - See Aitkin County
BROWN COUNTY
None
CARLTON COUNTY
(H,Hw) - See Aitkin County
CARVER COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
(H,Hw) - See Aitkin County
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
(H,Hw) - See Beltrami County
COOK COUNTY
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
(H,Hw) - See Aitkin County
COTTONWOOD COUNTY
Decision #AQ-3134 (H,Hw)
39 FR 935 - 3/8/74
CROW WING COUNTY
(H,Hw) - See Aitkin County
DAKOTA COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.)

DODGE COUNTY
(H,Hw) - See Aitkin County
DOUGLAS COUNTY
(H,Hw) - See Big Stone County
FAIRBAULT COUNTY
(H,Hw) - See Aitkin County
FILLMORE COUNTY
(H,Hw) - See Aitkin County
FREEBORN COUNTY
(H,Hw) - See Aitkin County
GOODHUE COUNTY
(H,Hw) - See Aitkin County
GRANT COUNTY
(H,Hw) - See Big Stone County
HENNEPIN COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
HOUSTON COUNTY
(H,Hw) - See Aitkin County
HUBBARD COUNTY
(H,Hw) - See Becker County
ISANTI COUNTY
(H,Hw) - See Aitkin County
ITASKA COUNTY
(H,Hw) - See Aitkin County
JACKSON COUNTY
(H,Hw) - See Aitkin County
KANABEC COUNTY
(H,Hw) - See Aitkin County
KANDIYOHI COUNTY
(H,Hw) - See Big Stone County
KITTSON COUNTY
(H,Hw) - See Beltrami County
KOOCHICHING COUNTY
(H,Hw) - See Aitkin County
LAC QUI PARLE COUNTY
(H,Hw) - See Big Stone County
LAKE COUNTY
(H,Hw) - See Aitkin County
(D) - See Cook County
LAKE OF THE WOODS COUNTY
(H,Hw) - See Beltrami County
LE SHUEUR COUNTY
(H,Hw) - See Aitkin County
LINCOLN COUNTY -
(H,Hw) - See Cottonwood County

MISSISSIPPI

STATEWIDE
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #MS75-1067 (Hw, W&S)
40 FR 28354 - 7/3/75
Mod. #1 - 40 FR 31439 - 7/25/75
ADAMS COUNTY
(D,F,Hw, W&S) - See Statewide
ALCORN COUNTY
(D,F,Hw, W&S) - See Statewide
AMITE COUNTY
(D,F,Hw, W&S) - See Statewide
ATTALA COUNTY
(D,F,Hw, W&S) - See Statewide
BENTON COUNTY
(D,F,Hw, W&S) - See Statewide
BOLIVAR COUNTY
(D,F,Hw, W&S) - See Statewide
CALHOUN COUNTY
(D,F,Hw, W&S) - See Statewide
CARROLL COUNTY
(D,F,Hw, W&S) - See Statewide
CHICKASAW COUNTY
(D,F,Hw, W&S) - See Statewide
CHOCTAW COUNTY
(D,F,Hw, W&S) - See Statewide
CLAIBORNE COUNTY
(D,F,Hw, W&S) - See Statewide
CLARKE COUNTY
(D,F,Hw, W&S) - See Statewide
CLAY COUNTY
(Hw, W&S) - See Statewide
COAHOMA COUNTY
Decision #AR-4024 (R)
39 FR 31771 - 8/30/74
Mod. #1 - 40 FR 3086 - 1/17/75
(D,F,Hw, W&S) - See Statewide
COPIAH COUNTY
Decision #AQ-4120 (R)
39 FR 20302 - 6/7/74
(D,F,Hw, W&S) - See Statewide

MISSISSIPPI (Cont'd.)

COVINGTON COUNTY
(D,Hw,F,W&S) - See Statewide
DE SOTO COUNTY
(D,F,Hw, W&S) - See Statewide
FORREST COUNTY
Decision #MS75-1007 (R)
40 FR 3147 - 1/17/75
Decision #MS75-1020 (B)
40 FR 5966 - 2/7/75
Mod. #1 - 40 FR 7798 - 2/21/75
(D,F,Hw, W&S) - See Statewide
FRANKLIN COUNTY
(D,F,Hw, W&S) - See Statewide
GEORGE COUNTY
Decision #AP-174 (R)
38 FR 10584 - 4/27/74
Mod. #1 - 39 FR 8102 - 3/1/74
(D,F,Hw, W&S) - See Statewide
GREENE COUNTY
(D,F,Hw, W&S) - See Statewide
GRENADA COUNTY
(D,F,Hw, W&S)- See Statewide
HANCOCK COUNTY
Decision #MS75-1013 (B,H,Hw, W&S)
40 FR 4854 - 1/31/75
(D,F) - See Statewide
(R) - See George County
HARRISON COUNTY
(B,H,Hw, W&S) - See Hancock County
(R) - See George County
(D,F) - See Statewide

MISSISSIPPI (Cont'd.)

HINDS COUNTY
Decision #AR-4030 (B)
39 FR 32454 - 9/6/74
Mod. #1 - 39 FR 38806 - 11/1/74
Mod. #2 - 39 FR 41658 - 11/29/74
Mod. #3 - 40 FR 16479 - 4/11/75
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
HOLMES COUNTY
(D,F,Hw, W&S) - See Statewide
HUMPHREYS COUNTY
(D,F,Hw, W&S) - See Statewide
ISSAQUENA COUNTY
(D,F,Hw, W&S) - See Statewide
ITAWAMBA COUNTY
(D,F,Hw, W&S) - See Statewide.
JACKSON COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County
JASPER COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON DAVIS COUNTY
(D,F,Hw, W&S) - See Statewide
JONES COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Forest County
KEMPER COUNTY
(D,F,Hw, W&S) - See Statewide
LAFAYETTE COUNTY
(D,F,Hw, W&S) - See Statewide

MISSISSIPPI (cont'd)

LAMAR COUNTY
(D,F,Hw, W&S) - See Statewide
LAUDERDALE COUNTY
(D,F,Hw, W&S)- See Statewide
LAWRENCE COUNTY
(D,F,Hw, W&S) - See Statewide
LEAKE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
LEE COUNTY
(D,F,Hw, W&S) - See Statewide
LEFLORE COUNTY
(D,F,Hw, W&S) - See Statewide
LINCOLN COUNTY
(D,F,Hw, W&S) - See Statewide
LOWNDES COUNTY
(D,F,Hw, W&S) - See Statewide
MADISON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
MARION COUNTY
(D,F,Hw, W&S) - See Statewide
MARSHALL COUNTY
(D,F,Hw, W&S) - See Statewide
MONROE COUNTY
(D,F,Hw, W&S) - See Statewide
MONTGOMERY COUNTY
(D,F,Hw, W&S) - See Statewide

MISSISSIPPI (Cont'd)

NESHOBA COUNTY
(D,F,Hw, W&S) - See Statewide
NEWTON COUNTY
(D,F,Hw, W&S) - See Statewide
NOXUBEE COUNTY
(D,F,Hw, W&S) - See Statewide
OKTIBBEHA COUNTY
(D,F,Hw, W&S) - See Statewide
PANOLA COUNTY
(D,F,Hw, W&S) - See Statewide
PEARL RIVER COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County
PERRY COUNTY
(D,F,Hw, W&S) - See Statewide
PIKE COUNTY
(D,F,Hw, W&S) - See Statewide
PONTOTOC COUNTY
(D,F,Hw, W&S) - See Statewide
PRENTISS COUNTY
(D,F,Hw, W&S) - See Statewide
QUITMAN COUNTY
(D,F,Hw, W&S) - See Statewide
RANKIN COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County

MISSISSIPPI (Cont'd)

SCOTT COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SHARKEY COUNTY
(D,F,Hw, W&S) - See Statewide
SIMPSON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SMITH COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
STONE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See George County
SUNFLOWER COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
TALLAHATCHIE COUNTY
(D,F,Hw, W&S) - See Statewide
TATE COUNTY
(D,F,Hw, W&S) - See Statewide
TIPPAH COUNTY
(D,F,Hw, W&S) - See Statewide
TISHOMINGO COUNTY
(D,F,Hw, W&S) - See Statewide
TUNICA COUNTY
(D,F,Hw, W&S) - See Statewide
UNION COUNTY
(D,F,Hw, W&S) - See Statewide

MISSISSIPPI (Cont'd)

WALTHALL COUNTY
(D,F,Hw, W&S) - See Statewide
WARREN COUNTY
Decision #MS75-1044 (B)
40 FR 16530 - 4/11/75
(D,F,Hw, W&S) -
(R) - See Coahoma County
WASHINGTON COUNTY
Decision #AQ-4072 (B)
39 FR 5933 - 2/15/74
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
WAYNE COUNTY

(D,F,Hw, W&S) - See Statewide
WEBSTER COUNTY
(D,F,Hw, W&S) - See Statewide
WILKINSON COUNTY
(D,F,Hw, W&S) - See Statewide
WINSTON COUNTY
(D,F,Hw, W&S) - See Statewide
YALOBUSHA COUNTY
(D,F,Hw, W&S)- See Statewide
YAZOO COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County

MISSOURI

STATEWIDE
Decision #M075-4146 (H,Hw)
40 FR 32622 - 8/1/75
ADAIR COUNTY
(H,Hw) - See Statewide
ANDREW COUNTY
Decision #M075-4070 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Statewide
ATCHISON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
AUDRAIN COUNTY
(H,Hw) - See Statewide
BARRY COUNTY
(Hw) - See Statewide
BARTON COUNTY
(H,Hw) - See Statewide
BATES COUNTY
(H,Hw) - See Statewide
BENTON COUNTY
(H,Hw) - See Statewide
BOLLINGER COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
BUCHANAN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
BUTLER COUNTY
(Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
CALLAWAY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CAMDEN COUNTY
(H,Hw) - See Statewide
CAPE GIRARDEAU COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CARROLL COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CARTER COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

CASS COUNTY
Decision #MO75-4144 (B,H,Hw)
40 FR 32611 - 8/1/75
Decision #MO75-4145 (R)
40 FR 32617 - 8/1/75
(H,Hw) - See Statewide
CEDAR COUNTY
(H,Hw) - See Statewide
CHARITON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CHRISTIAN COUNTY
(Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
COOPER COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
DADE COUNTY
(H,Hw) - See Statewide
DALLAS COUNTY
(H,Hw) - See Statewide
DAVIESS COUNTY
(H,Hw) - See Statewide
DE KALB COUNTY
(H,Hw) - See Statewide
DENT COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
DUNKLIN COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
Decision #MO75-4143 (B)
40 FR 32608 - 8/1/75
Decision #MO75-4142 (R)
40 FR 32605 - 8/1/75
(D) - See Andrew County
(H,Hw) - See Statewide
GASCONADE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
GENTRY COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

GRUNDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HICKORY COUNTY
(H,Hw) - See Statewide
HOLT COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWARD COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWELL COUNTY
(Hw) - See Statewide
IRON COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
JASPER COUNTY
None
JEFFERSON COUNTY
(D) - See Cape Girdeau County
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LACLEDE COUNTY
(H,Hw) - See Statewide
LAFAYETTE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
LAWRENCE COUNTY
(H,Hw) - See Statewide
LEWIS COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(B,R) - See Franklin County
(H,Hw) - See Statewide
LINN COUNTY
(H,Hw) - See Statewide
LIVINGSTON COUNTY
(H,Hw) - See Statewide
MC DONALD COUNTY
(H,Hw) - See Statewide
MACON COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARIES COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

MARION COUNTY
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MILLER COUNTY
(H,Hw) - See Statewide
MISSISSIPPI COUNTY
(D) - See Cape Girardeau County
(Hw) - See Statewide
MONITEAU COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MONROE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NEW MADRID COUNTY
(Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NODAWAY COUNTY
(H,Hw) - See Statewide
OREGON COUNTY
(Hw) - See Statewide
OSAGE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
OZARK COUNTY
(Hw) - See Statewide
PEMISCOT COUNTY
(Hw) - See Statewide
PERRY COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
PETTIS COUNTY
(H,Hw) - See Statewide
PHELPS COUNTY
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PLATTE COUNTY
(B,R,H,Hw) - See Cass County
(D) - See Andrew County
POLK COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RALLS COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RAY COUNTY
(B,R) - See Cass County
(H,Hw) - See Statewide
(D) - See Andrew County
REYNOLDS COUNTY
(Hw) - See Statewide
RIPLEY COUNTY
(Hw) - See Statewide
ST. CHARLES COUNTY
(B,R) - See Franklin County
(D) - See Andrew County
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
ST. CLAIR COUNTY
(H,Hw) - See Statewide
ST. FRANCOIS COUNTY
(H,Hw) - See Statewide
ST. LOUIS COUNTY
(B,R) - See Franklin County
(D) - See Cape Girardeau County
(D) - See Andrew County
(H,Hw) - See Statewide
STE. GENEVIEVE COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SALINE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
SCHUYLER COUNTY
(H,Hw) - See Statewide
SCOTLAND COUNTY
(H,Hw) - See Statewide
SCOTT COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SHANNON COUNTY
(Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STODDARD COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd.)

STONE COUNTY
(Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
TANEY COUNTY
(Hw) - See Statewide
TEXAS COUNTY
(Hw) - See Statewide
VERNON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
WORTH COUNTY
(H,Hw) - See Statewide
WRIGHT COUNTY
(Hw) - See Statewide

MONTANA

STATEWIDE
Decision #MT75-5094 (B)
40 FR 31533 - 7/25/75
Decision #MT75-5093 (H,Hw)
40 FR 31522 - 7/25/75
BEAVERHEAD COUNTY
(B,H,Hw) - See Statewide
BIG HORN COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BROADWATER COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
CARTER COUNTY
(B,H,Hw) - See Statewide
CASCADE COUNTY
Decision #MT75-5091 (R)
40 FR 31503 - 7/25/75
(B,H,Hw) - See Statewide
CHOUTEAU COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
DANIELS COUNTY
(B,H,Hw) - See Statewide
DAWSON COUNTY
(B,H,Hw) - See Statewide
DEER LODGE COUNTY
(B,H,Hw) - See Statewide
Decision #MT75-5092 (R)
40 FR 31514 - 7/25/75
FALLON COUNTY
(B,H,Hw) - See Statewide
FERGUS COUNTY
(B,H,Hw) - See Statewide
FLATHEAD COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County

MONTANA (Cont'd.)

GALLATIN COUNTY
(B,H,Hw) - See Statewide
(R) - See Deer Lodge County
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GLACIER COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
GOLDEN VALLEY COUNTY
(B,H,Hw) - See Statewide
GRANITE COUNTY
(B,H,Hw) - See Statewide
HILL COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JUDITH BASIN COUNTY
(B,H,Hw) - See Statewide
LAKE COUNTY
(B,H,Hw) - See Statewide
LEWIS & CLARK COUNTY
(B,H,Hw) - See Statewide
LIBERTY COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MC CONE COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MEAGHER COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
MISSOULA COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
MUSSELSHELL COUNTY
(B,H,Hw) - See Statewide
PARK COUNTY
(B,H,Hw) - See Statewide
PETROLEUM COUNTY
(B,H,Hw) - See Statewide
PHILLIPS COUNTY
(B,H,Hw) - See Statewide
PONDERA COUNTY
(B,H,Hw) - See Statewide
POWDER RIVER COUNTY
(B,H,Hw) - See Statewide
POWELL COUNTY
(B,H,Hw) - See Statewide
PRAIRIE COUNTY
(B,H,Hw) - See Statewide
RAVALLI COUNTY
(B,H,Hw) - See Statewide

MONTANA (Cont'd.)

RICHLAND COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
ROSEBUD COUNTY
(B,H,Hw) - See Statewide
SANDERS COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
SHERIDAN COUNTY
(B,H,Hw) - See Statewide
SILVER BOW COUNTY
(R) - See Deer Lodge County
(B,H,Hw) - See Statewide
STILLWATER COUNTY
(B,H,Hw) - See Statewide
SWEET GRASS COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TOOLE COUNTY
(B,H,Hw) - See Statewide
TREASURE COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
WHEATLAND COUNTY
(B,H,Hw) - See Statewide
WIBAUX COUNTY
(B,H,Hw) - See Statewide
YELLOWSTONE COUNTY
(B,H,Hw) - See Statewide

NEBRASKA

ADAMS COUNTY
Decision #AR-92 (H,Hw)
39 FR 44917 - 12/27/74
ANTELOPE COUNTY
(H,Hw) - See Adams County
ARTHUR COUNTY
(H,Hw) - See Adams County
BANNER COUNTY
Decision #NE75-4113 (B)
40 FR 26218 - 6/20/75
(H,Hw) - See Adams County
BLAINE COUNTY
(H,Hw) - See Adams County
BOONE COUNTY
(H,Hw) - See Adams County
BOX BUTTE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
BOYD COUNTY
(H,Hw) - See Statewide
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
BROWN COUNTY
(H,Hw) - See Adams County
BUFFALO COUNTY
(H,Hw) - See Adams County
BURT COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
BUTLER COUNTY
(H,Hw) - See Adams County
CASS COUNTY
(Chann. Stab.) - See Boyd County
Decision #NE75-4112 (H,Hw)
40 FR 25400 - 6/13/75
Mod. #1 - 40 FR 27416 - 6/27/75
Mod. #2 - 40 FR 32553 - 8/1/75
CEDAR COUNTY
Decision #AQ-93 (B)
39 FR 15653 - 5/3/74
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
CHASE COUNTY
(H,Hw) - See Adams County
CHERRY COUNTY
(H,Hw) - See Adams County
CHEYENNE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
CLAY COUNTY
(H,Hw) - See Adams County
COLFAX COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd.)

CUMING COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
CUSTER COUNTY
(H,Hw) - See Adams County
DAKOTA COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
DAWES COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DAWSON COUNTY
(H,Hw) - See Adams County
DEUEL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DIXON COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
DODGE COUNTY
(H,Hw) - See Adams County
DOUGLAS COUNTY
Decision #NE75-4111 (B,R)
40 FR 25399 - 6/13/75
(H,Hw) - See Cass County
(Chann. Stab.) - See Boyd County
DUNDY COUNTY
(H,Hw) - See Adams County
FILLMORE COUNTY
(H,Hw) - See Adams County
FRANKLIN COUNTY
(H,Hw) - See Adams County
FRONTIER COUNTY
(H,Hw) - See Adams County
FURNAS COUNTY
(H,Hw) - See Adams County
GAGE COUNTY
(H,Hw) - See Adams County
GARDEN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
GARFIELD COUNTY
(H,Hw) - See Adams County
GOSPER COUNTY
(H,Hw) - See Adams County
GRANT COUNTY
(H,Hw) - See Adams County
GREELEY COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd)

HALL COUNTY
Decision #AQ-24 (B)
38 FR 24486 - 9/7/73
Mod. #1 - 38 FR 30330 - 11/2/73
(H,Hw) - See Adams County
HAMILTON COUNTY
(H,Hw) - See Adams County
HARLAN COUNTY
(H,Hw) - See Adams County
HAYES COUNTY
(H,Hw) - See Adams County
HITCHCOCK COUNTY
(H,Hw) - See Adams County
HOLT COUNTY
(H,Hw) - See Adams County
HOOKER COUNTY
(H,Hw) - See Adams County
HOWARD COUNTY
(H,Hw) - See Adams County
JEFFERSON COUNTY
(H,Hw) - See Adams County
JOHNSON COUNTY
(H,Hw) - See Adams County
KEARNEY COUNTY
(H,Hw) - See Adams County
KEITH COUNTY
(H,Hw) - See Adams County
KEYAPAHA COUNTY
(H,Hw) - See Adams County
KIMBALL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
KNOX COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
LANCASTER COUNTY
Decision #NE75-4085 (B)
40 FR 20599 - 5/9/75
Decision #AM-6140 (R)
36 FR 21736 - 11/12/71
(H,Hw) - See Adams County
LINCOLN COUNTY
(H,Hw) - See Adams County
LOGAN COUNTY
(H,Hw) - See Adams County
LOUP COUNTY
(H,Hw) - See Adams County
MC PHERSON COUNTY
(H,Hw) - See Adams County
MADISON COUNTY
(H,Hw) - See Adams County
MERRICK COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd.)

MORRILL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
NANCE COUNTY
(H,Hw) - See Adams County
NEMAHA COUNTY
Decision #M075-4070 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
NUCKOLLS COUNTY
(H,Hw) - See Adams County
OTOE COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
PAWNEE COUNTY
(H,Hw) - See Adams County
PERKINS COUNTY
(H,Hw) - See Adams County
PHELPS COUNTY
(H,Hw) - See Adams County
PIERCE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
PLATTE COUNTY
(H,Hw) - See Adams County
POLK COUNTY
(H,Hw) - See Adams County
RED WILLOW COUNTY
(H,Hw) - See Adams County
RICHARDSON COUNTY
(Chann. Stab.) - See Boyd County
(D) - See Nemaha County
(H,Hw) - See Adams County
ROCK COUNTY
(H,Hw) - See Adams County
SALINE COUNTY
(H,Hw) - See Adams County
SARPY COUNTY
(Chann. Stab.) - See Boyd County
(B,R) - See Douglas County
(H,Hw) - See Cass County
SAUNDERS COUNTY
(H,Hw) - See Adams County
(H,Hw) - See Cass County
SCOTTS BLUFF COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SEWARD COUNTY
(H,Hw) - See Adams County
SHERIDAN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SHERMAN COUNTY
(H,Hw) - See Adams County
SIOUX COUNTY
(B) - See Banner County
(H,Hw) - See Adams County

NEBRASKA (Cont'd)

STANTON COUNTY
(B) - See Cedar County
(Hw) - See Adams County
THAYER COUNTY
(Hw) - See Adams County
THOMAS COUNTY
(Hw) - See Adams County
THURSTON COUNTY
(Chann. Stab.) - See Boyd County
(Hw) - See Adams County
VALLEY COUNTY
(Hw) - See Adams County
WASHINGTON COUNTY
(H,Hw) - See Cass County
(Chann. Stab.) - See Boyd County
WAYNE COUNTY
(B) - See Cedar County
(Hw) - See Adams County
WEBSTER COUNTY
(Hw) - See Adams County
WHEELER COUNTY
(Hw) - See Adams County
YORK COUNTY
(Hw) - See Adams County

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #NV75-5095 (B,H,Hw)
40 FR 32635 - 8/1/75
CHURCHILL COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
Decision #NV75-5096 (R)(Excluding the Nevada Test Site)
40 FR 32646 - 8/1/75
(B,H,Hw) - See Statewide
Decision #NV75-5057 (B,H,Hw) (Nevada Test Site including the Tonopah Test Range
40 FR 20602 - 5/9/75
Mod. #1 - 40 FR 25326 - 6/13/75
DOUGLAS COUNTY
(B,H,Hw) - See Statewide
ELKO COUNTY
(B,H,Hw) - See Statewide
ESMERALDA COUNTY
(B,H,Hw) - See Statewide
EUREKA COUNTY
(B,H,Hw) - See Statewide
HUMBOLDT COUNTY
(B,H,Hw) - See Statewide
LANDER COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LYON COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
NYE COUNTY
(B,H,Hw) - See Clark Co. (Nevada Test Site)
(B,H,Hw) - See Statewide
ORMSBY COUNTY
(B,H,Hw) - See Statewide
PERSHING COUNTY
(B,H,Hw) - See Statewide
STOREY COUNTY
(B,H,Hw) - See Statewide
WASHOE COUNTY
Decision #NV75-5097 (R)
40 FR 32650 - 8/1/75
(B,H,Hw) - See Statewide
WHITE PINE COUNTY
(B,H,Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None
GRAFTON COUNTY
None
HILLSBORO COUNTY
Decision #NH75-2096 (B,H,Hw,R)
40 FR 30419 - 7/18/75
MERRIMACK COUNTY
Decision #NH75-2097 (B,H,Hw, & Marine)
40 FR 30422 - 7/18/75
ROCKINGHAM COUNTY
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
Decision #NH75-2098 (B,H,Hw,R, & Marine
40 FR 30426 - 7/18/75
STRAFFORD COUNTY
Decision #NH75-2099 (B,H,Hw, & Marine)
40 FR 30430 - 7/18/75
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #NJ75-3049 (B,H,Hw)
40 FR 26219 - 6/20/75
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
BERGEN COUNTY
Decision #NJ75-3050 (B,H,Hw)
40 FR 29501 - 7/11/75
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

BURLINGTON COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAMDEN COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAPE MAY COUNTY
Decision #NJ75-3068 (R)
40 FR 29437 - 7/11/75
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
ESSEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
GLOUCESTER COUNTY
(B,H,Hw) - See Camden County
(D) - See Atlantic County
HUDSON COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
HUNTERDON COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MERCER COUNTY
(B,H,Hw) - See Atlantic County
MIDDLESEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MONMOUTH COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
MORRIS COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
OCEAN COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
PASSAIC COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
SALEM COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
SOMERSET COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic
SUSSEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
UNION COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
WARREN COUNTY
(B,H,Hw) - See Bergen County

NEW MEXICO

STATEWIDE
Decision #NM75-4137 (Streets, Highways, Utilities and Light Engineering Construction)
40 FR 32656 - 8/1/75
Decision #NM75-4136 (Building, including residential in McKinley, Santa Fe, San Juan & Bernalillo Cos., but not on the Indian Reservation and Heavy engineering construction.
40 FR 32658 - 8/1/75
BERNALILLO COUNTY
(B,H,Hw,R) - See Statewide
CATRON COUNTY
(B,H,Hw) - See Statewide
CHAVES COUNTY
(B,H,Hw) - See Statewide
COLFAX COUNTY
(B,H,Hw) - See Statewide
CURRY COUNTY
(B,H,Hw) - See Statewide
DE BACA COUNTY
(B,H,Hw) - See Statewide
DONA ANA COUNTY
(B,H,Hw) - See Statewide
Decision #NM75-4014 (R)
40 FR 3148 - 1/17/75
EDDY COUNTY
(B,H,Hw) - See Statewide
GRANT COUNTY
(B,H,Hw) - See Statewide
GUADALUPE COUNTY
(B,H,Hw) - See Statewide
HARDING COUNTY
(B,H,Hw) - See Statewide
HIDALGO COUNTY
(B,H,Hw) - See Statewide
LEA COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LOS ALAMOS COUNTY
(B,H,Hw) - See Statewide
LUNA COUNTY
(B,H,Hw) - See Statewide
McKINLEY COUNTY
(R) - See San Juan County
(B,H,Hw,R) - See Statewide
MORA COUNTY
(B,H,Hw) - See Statewide

NEW MEXICO (Cont'd.)

MORA COUNTY
(B,H,Hw) - See Statewide
OTERO COUNTY
(R) - See Dona Ana County
(B,H,Hw) - See Statewide
QUAY COUNTY
(B,H,Hw) - See Statewide
RIO ARRIBA COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
SANDOVAL COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
Decision #NM75-5004 (R)(Navajo Indian Reservation)
40 FR 3921 - 1/24/75
(B,H,Hw,R) - See Statewide
SAN MIGUEL COUNTY
(B,H,Hw) - See Statewide
SANTE FE COUNTY
(B,H,Hw,R) - See Statewide
SIERRA COUNTY
(B,H,Hw) - See Statewide
SOCORRO COUNTY
(B,H,Hw) - See Statewide
TAOS COUNTY
(B,H,Hw) - See Statewide
TORRANCE COUNTY
(B,H,hw) - See Statewide
UNION COUNTY
(B,H,Hw) - See Statewide
VALENCIA COUNTY
(B,H,Hw) - See Statewide

NEW YORK

ALBANY COUNTY
Decision #NY75-3031 (B,H,Hw)
40 FR 16545 - 4/11/75
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AR-2101 (B,H,Hw)
39 FR 44925 - 12/27/74
Mod. #1 - 40 FR 5984 - 2/7/75
Mod. #2 - 40 FR 7799 - 2/21/75
Decision #NY75-3016 (R)
40 FR 7852 - 2/21/75
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
BROOME COUNTY
Decision #NY75-3032 (B,H,Hw)
40 FR 16549 - 4/11/75
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #NY75-3033 (D)
40 FR 16554 - 4/11/75
CHAUTAUGUA COUNTY
Decision #AR-2014 (B,H,Hw)
39 FR 28735 - 8/9/74
Mod. #1 - 40 FR 3863 - 1/24/75
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None
CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None

NEW YORK (Cont'd)

DUTCHESS COUNTY
Decision #NY75-3034 (B,H,Hw)
40 FR 16559 - 4/11/75
(D) - See Bronx County
ERIE COUNTY
Decision #NY75-3035 (B,H,Hw)
40 FR 16565 - 4/11/75
(D) - See Cayuga County
ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESEE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #NY75-3036 (B,H,Hw)
40 FR 16571 - 4/11/75
Mod. #1-40 FR 24455 - 6/6/75
(D) - See Cayuga County
KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None

NEW YORK (Cont'd)

MONROE COUNTY
Decision #NY75-3063 (B, H,Hw)
40 FR 26233 - 6/20/75
Mod. #1 - 40 FR 27416 - 6/27/75
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #NY75-3038 (B,H,Hw)
40 FR 16581 - 4/11/75
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County.
NIAGARA COUNTY
Decision #NY75-3039 (B,H,Hw)
40 FR 16586 - 4/11/75
(D) - See Cayuga County
ONEIDA COUNTY
Decision #NY75-3040 (B,H,Hw)
40 FR 16589 - 4/11/75
Mod. #1 - 40 FR 24456 - 6/6/75
ONONDAGA COUNTY
Decision #NY75-3041 (B,H,Hw)
40 FR 16595 - 4/11/75
Mod. #1 - 40 FR 24457 - 6/6/75
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #NY75-3042 (B,H,Hw)
40 FR 16599 - 4/11/75
Mod. #1 - 40 FR 25327 - 6/13/75
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R) - See Bronx County

NEW YORK (Cont'd)

RENSSELAER COUNTY
Decision #NY75-3043 (B,H,Hw)
40 FR 16606 - 4/11/75
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Bronx County
ST LAWRENCE COUNTY
(D) - See Cayuga County
SARATOGA COUNTY
Decision #AR-2097 (B,H,Hw)
39 FR 44919 - 12/27/74
SCHENECTADY COUNTY
Decision #NY75-3044 (B,H,Hw)
40 FR 16610 - 4/11/75
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
Decision #NY75-3046 (B,H,Hw)
40 FR 16619 - 4/11/75
SUFFOLK COUNTY
Decision #NY75-3045 (B,H,Hw)
40 FR 16614 - 4/11/75
(D) - See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None

NEW YORK (cont'd)

TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
Decision #NY75-3047 (B,H,Hw)
40 FR 16624 - 4/11/75
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #NY75-3048 (B,H,Hw)
40 FR 16631 - 4/11/75
(D) - See Bronx County
WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #NC75-1015 (H,Hw)
40 FR 4857 - 1/31/75
Decision #NC75-1002 (Sewer & Water)
40 FR 3149 - 1/17/75
ALAMANCE COUNTY
Decision #AQ-4078 (R)
39 FR 7010 - 2/22/74
(Sewer & Water, H,Hw) - See Statewide
ALEXANDER COUNTY
(Sewer & Water, H,Hw) - See Statewide
ALLEGHANY COUNTY
(Sewer & Water, H,Hw) - See Statewide
ANSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ASHE COUNTY
(Sewer & Water, H,Hw) - See Statewide
AVERY COUNTY
Decision #AR-4017 (B)
39 FR 28739 - 8/9/74
Mod. #1 - 39 FR 43466 - 12/13/74
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

BEAUFORT COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
BERTIE COUNTY
Decision #AQ-4079 (R)
39 FR 7010 - 2/22/74
Mod. #1 - 40 FR 3087 - 1/17/75
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
BLADEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
BRUNSWICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
Decision #AR-4031 (R)
39 FR 32441 - 9/6/74
BUNCOMBE COUNTY
Decision #AR-4005 (B)
39 FR 24778 - 7/5/74
Mod. #1 - 39 FR 43465 - 12/13/74
Decision #NC75-1014 (R)
40 FR 6111 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4105 (B)
39 FR 14842 - 4/26/74
Decision #AQ-4117 (R)
39 FR 18397 - 5/24/74
(Sewer & Water, H,Hw) - See Statewide
CABARRUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CALDWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CAMDEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
CARTERET COUNTY
Decision #AQ-4083 (R)
39 FR 8101 - 3/1/74
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CASWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CATAWBA COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
CHATHAM COUNTY
Decision #NC75-1049 (B)
40 FR 18273 - 4/25/75
Decision #AR-4044 (R)
39 FR 36882 - 10/11/74
Mod. #1 - 40 FR 3087 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHOWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
CLAY COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLEVELAND COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
COLUMBUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CRAVEN COUNTY
(R) - See Carteret County
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
CUMBERLAND COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
CURRICTUCK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DARE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DAVIDSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
DAVIE COUNTY
(Sewer & Water, H,Hw) - See Statewide
DUPLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
DURHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
EDGECOMBE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
FORSYTH COUNTY
Decision #AR-4019 (R)
39 FR 29702 - 8/16/74
(Sewer & Water, H,Hw) - See Statewide
FRANKLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
GASTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
GATES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
GRAHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
GRANVILLE COUNTY
(Sewer & Water, H,Hw) - See Statewide
GREENE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
GUILFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County

NORTH CAROLINA (Cont'd.)

HALIFAX COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
HARNETT COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HAYWOOD COUNTY
(R) - See Buncombe County
(R) - See Cumberland County
(Sewer & Water, H,Hw) - See Statewide
HENDERSON COUNTY
R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
HERTFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
HOKE COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HYDE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
IREDELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
JACKSON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
JOHNSTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
JONES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LEE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
LENOIR COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LINCOLN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Burke County
MCDOWELL COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
MACON COUNTY
(Sewer & Water, H,Hw) - See Statewide
MADISON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
MARTIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
MECKLENBURG COUNTY
Decision #AP-161 (B)
38 FR 5753 - 3/2/73
Mod. #1 - 38 FR 7166 - 3/16/73
Mod. #2 - 38 FR 31770 - 11/16/73
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

MITCHELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
(B) - See Avery County
MONTGOMERY COUNTY
(Sewer & Water, H,Hw) - See Statewide
MOORE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
NASH COUNTY
(Sewer & Water, H,Hw) - See Statewide
NEW HANOVER COUNTY
Decision #NC75-1054 (B)
40 FR 22723 - 5/23/75
(R) - See Brunswick County
(D) - See BeaufortCounty
(Sewer & Water, H,Hw) - See Statewide
NORTHAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
ONSLOW COUNTY
Decision #AR-4048 (B)
39 FR 38078 - 10/25/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Brunswick County
ORANGE COUNTY
(Sewer & Water, H,Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
PASQUOTANK COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PENDER COUNTY
(R) - See Brunswick County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERSONS COUNTY
(Sewer & Water, H,Hw) - See Statewide
PITT COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
POLK COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
RANDOLPH COUNTY
(R) - See Alamance County
(Sewer & Water, H,Hw) - See Statewide
RICHMOND COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROBESON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROCKINGHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County
ROWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

RUTHERFORD COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
SAMPSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Chatham County
SCOTLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
STANLY COUNTY
(Sewer & Water, H,Hw) - See Statewide
STOKES COUNTY
(Sewer & Water, H,Hw) - See Statewide
SURRY COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Forsyth County
SWAIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
TRANSYLVANIA COUNTY
Decision #AR-4042 (B)
39 FR 34906 - 9/27/74
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
TYRRELL County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
UNION COUNTY
(Sewer & Water, H,Hw) - See Statewide
VANCE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WAKE COUNTY
Decision #AQ-4032 (B)
38 FR 31093 - 11/9/73
Mod. #1 - 39 FR 5066 - 2/8/74
(Sewer & Water, H,Hw) - See Statewide
WARREN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WASHINGTON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
WATAUGA COUNTY
(B) - See Avery County
(Sewer & Water, H,Hw) - See Statewide
WAYNE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
WILKES COUNTY
Decision #AR-4063 (B)
39 FR 42803 - 12/6/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5984 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
WILSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(I.) - See Bertie County
YADKIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
YANCEY COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #AR-1053 (Hw)
39 FR 42823 - 12/6/74
Mod. #1 - 40 FR 14211 - 3/28/75
ADAMS COUNTY
(Hw) - See Statewide
BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
BURLEIGH COUNTY
(Hw) - See Statewide
Decision #ND75-5058 (B)
40 FR 22776 - 5/23/75
Mod. #1 - 40 FR 26184 - 6/20/75
CASS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
GRANT COUNTY
(Hw) - See Statewide
GRIGGS COUNTY
(Hw) - See Statewide
HETTINGER COUNTY
(Hw) - See Statewide
KIDDER COUNTY
(Hw) - See Statewide
LAMOURE COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
McHENRY COUNTY
(Hw) - See Statewide
McINTOSH COUNTY
(Hw) - See Statewide
McKENZIE COUNTY
(Hw) - See Statewide
McLEAN COUNTY
(Hw) - See Statewide
MERCER COUNTY
(Hw) - See Statewide
MORTON COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
MOUNTRAIL COUNTY
(Hw) - See Statewide
NELSON COUNTY
(Hw) - See Statewide
OLIVER COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
PEMBINA COUNTY
(Hw) - See Statewide
RAMSEY COUNTY
(Hw) - See Statewide
RANSOM COUNTY
(Hw) - See Statewide
RENVILLE COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
(B) - See Burleigh County

NORTH DAKOTA (Cont'd)

ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
STUTSMAN COUNTY
(Hw) - See Statewide
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WARD COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WELLS COUNTY
(Hw) - See Statewide
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

STATEWIDE
Decision #OH75-2056 (H,Hw)
40 FR 1530 - 4/4/75
Mod. #1 - 40 FR 18282 - 4/25/75
Mod. #2 - 40 FR 25328 - 6/13/75
ADAMS COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
ALLEN COUNTY
Decision #OH75-2034 (B)
40 FR 5967 - 2/7/75
(H,Hw) - See Statewide
ASHLAND COUNTY
(H,Hw) - See Statewide
ASHTABULA COUNTY
Decision #AR-3169 (B,R)
39 FR 40401 - 11/15/74
Mod. #1 - 40 FR 14214 - 3/28/75
Decision #IL75-5075 (D)
40 FR 27418 - 6/27/75
(H,Hw) - See Statewide
ATHENS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
AUGLAIZE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BELMONT COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
BUTLER COUNTY
Decision #AR-3033 (B)
39 FR 30774 - 8/23/74
Mod. #1 - 40 FR 16492 - 4/11/75
Decision #AP-683 (R)
38 FR 14049 - 5/25/73
(H,Hw) - See Statewide
CARROLL COUNTY
(H,Hw) - See Statewide
CHAMPAIGN COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
Decision #AR-3034 (B)
39 FR 30776 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
Decision #AP-684 (R)
38 FR 14049 - 5/25/73
(H,Hw) - See Statewide
CLERMONT COUNTY
Decision #AM-685 (R)
38 FR 14050 - 5/25/73
(B) - See Hamilton County
(D) - See Adams County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLUMBIANA COUNTY
(H,Hw) - See Statewide
COSHOCTON COUNTY
(H,Hw) - See Statewide

OHIO (Cont'd)

CRAWFORD COUNTY
(H,Hw) - See Statewide
CUYAHOGA COUNTY
Decision #AR-3035 (B,R)
39 FR 30778 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
(H,Hw) - See Statewide
DARKE COUNTY
(H,Hw) - See Statewide
DEFIANCE COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
Decision #AM-420 (R)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/16/73
(H,Hw) - See Statewide
ERIE COUNTY
Decision #AR-3172 (B)
39 FR 41102 - 11/22/74
Mod. #1-40 FR 15276 - 4/4/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
FAIRFIELD COUNTY
(R) - See Delaware County
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
Decision #AR-3036 (B)
39 FR 30780 - 8/23/74
Mod. #1 - 40 FR 37330 - 10/18/74
Mod. # 2- 40 FR 15274 - 4/4/75
(R) - See Delaware County
(H,Hw) - See Statewide
FULTON COUNTY
(B) - See Lucas County
(H,Hw) - See Statewide
GALLIA COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
GEAUGA COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
Decision #AR-3037 (B)
39 FR 30782 - 8/23/74
Mod. #1 -40 FR 15275 - 4/4/75
Decision #AM-422 (R)
36 FR 15965 - 8/18/71
Mod. #1 - 37 FR 8619 - 4/28/72
(H,Hw) - See Statewide
GUERNSEY COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
Decision #AR-3038 (B)
39 FR 30784 - 8/23/74
Mod. #1 - 40 FR 15275 - 4/4/75
(D) - See Adams County
(R) - See Clermont County
(H,Hw) - See Statewide

OHIO (Cont'd)

HANCOCK COUNTY
Decision #AR-3173 (B)
39 FR 41105 - 11/22/74
Mod. #1 - 40 FR 15276 - 4/4/75
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HIGHLAND COUNTY
(H,Hw) - See Statewide
HOCKING COUNTY
(H,Hw) - See Statewide
HOLMES COUNTY
(H,Hw) - See Statewide
HURON COUNTY
(B) - See Erie County
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(B,R) - See Cuyahoga County
(D) - See Ashtabula County
(H,Hw) - See Statewide
LAWRENCE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
LICKING COUNTY
Decision #AR-3039 (B)
39 FR 30786 - 8/23/74
Mod. #1-40 FR 16492 - 4/11/75
Mod. #2 - 40 FR 27416 - 6/27/75
(H,Hw) - See Statewide
(R) - See Delaware County
LOGAN COUNTY
(H,Hw) - See Statewide
LORAIN COUNTY
Decision #AR-3040 (B,R)
39 FR 30663 - 8/23/74
Mod. #1 - 40 FR 16493 - 4/11/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
LUCAS COUNTY
Decision #OH75-2060 (B)
40 FR 17529 - 4/10/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
MADISON COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide

OHIO (Cont'd.)

MAHONING COUNTY
Decision #AR-3042 (B,R)
39 FR 30790 - 8/23/74
Mod. #1 - 40 FR 7799 - 2/21/75
Mod. #2 - 40 FR 16493 - 4/11/75
Mod. #3 - 40 FR 27416 - 6/27/75
Mod. #4 - 40 FR 29448 - 7/11/75
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MEIGS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MERCER COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MIAMI COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
MONROE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(B) - See Greene County
(R) - See Greene County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
MORROW COUNTY
(H,Hw) - See Statewide
MUSKINGUM COUNTY
Decision #AR-3043 (B)
39 FR 30792 - 8/23/74
Mod. #1 - 40 FR 17462 - 4/18/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
OTTAWA COUNTY
(R) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
PAULDING COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(H,Hw) - See Statewide
PICKAWAY COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide
PIKE COUNTY
Decision #AR-3176 (B)
39 FR 43451 - 12/13/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5985 - 2/7/75
Mod. #3 - 40 FR 17464 - 4/18/75
(H,Hw) - See Statewide
PORTAGE COUNTY
Decision #AR-3044 (B,R)
39 FR 30794 - 8/23/74
(H,Hw) - See Statewide

OHIO (Cont'd.)

PREBLE COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RICHLAND COUNTY
(H,Hw) - See Statewide
ROSS COUNTY
(B) - See Pike County
(H,Hw) - See Statewide
SANDUSKY COUNTY
(B) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
SCIOTO COUNTY
(B) - See Pike County
(D) - See Adams County
(H,Hw) - See Statewide
SENECA COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STARK COUNTY
Decision #AR-3045 (B,R)
39 FR 30796 - 8/23/74
Mod. #1 - 40 FR 17463 - 4/18/75
(H,Hw) - See Statewide
SUMMITT COUNTY
Decision #AR-3046 (B,R)
39 FR 30798 - 8/23/74
Mod. #1 - 39 FR 34927 - 9/27/74
Mod. #2 - 40 FR 17463 - 4/18/75
(H,Hw) - See Statewide
TRUMBULL COUNTY
Decision #AR-3047 (B,R)
39 FR 30800 - 8/23/74
Mod. #1 - 40 FR 17463 - 4/18/75
(H,Hw) - See Statewide
TUSCARAWAS COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VAN WERT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
VINTON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(R) - See Butler County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WILLIAMS COUNTY
(H,Hw) - See Statewide
WOOD COUNTY
(H,Hw) - See Statewide
WYANDOT COUNTY
(H,Hw) - See Statewide

OKLAHOMA

STATEWIDE (Except the City of Muskogee)
Decision #AQ-124 (Constr., alteration, and/or repair of streets, highways, runways, erosion control structures, well drilling, and water and sewer utilities)
39 FR 24194 - 6/28/74
ADAIR COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
ALFALFA COUNTY
(H,Hw) - See Statewide
ATOKA COUNTY
(H,Hw) - See Statewide
BEAVER COUNTY
(H,Hw) - See Statewide
BECKHAM COUNTY
(H,Hw) - See Statewide
BLAINE COUNTY
(H,Hw) - See Statewide
BRYAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4016 (R)
40 FR 3151 - 1/17/75
CADDO COUNTY
(B) - See CAnadian County
(H,Hw) - See Statewide
CANADIAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4080 (B)
40 FR 17531 - 4/18/75
Mod. #1 - 40 FR 22736 - 5/23/75
Mod. #2 - 40 FR 26185 - 6/20/75
Mod. #3 - 40 FR 30387 - 7/18/75
Mod. #4 - 40 FR 31440 - 7/25/75
Decision #AP-304 (R)
37 FR 15789 - 8/4/72
Mod. #1 - 37 FR 28799 - 12/28/72
Mod. #2 - 38 FR 4078 - 2/9/73
CARTER COUNTY
(H,Hw) - See Statewide
CHEROKEE COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
CHOCTAW COUNTY
(H,Hw) - See Statewide
CIMARRON COUNTY
(H,Hw) - See Statewide
CLEVELAND COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
COAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
Decision #OK75-4017 (R)
40 FR 3152 - 1/17/75
Decision #OK75-4116 (B)
40 FR 27434 - 6/27/75
COTTON COUNTY
(H,Hw) - See Statewide
CRAIG COUNTY
(H,Hw) - See Statewide
CREEK COUNTY
(B) - See Tulsa County
(H,Hw) - See Statewide

OKLAHOMA (cont'd)

CUSTER COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(H,Hw) - See Statewide
GARFIELD COUNTY
Decision #OK75-4133 (B)
40 FR 31558 - 7/25/75
(H,Hw) - See Statewide
GARVIN COUNTY
(H,Hw) - See Statewide
GRADY COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREER COUNTY
(H,Hw) - See Statewide
HARMON COUNTY
(H,Hw) - See Statewide
HARPER COUNTY
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
JOHNSTON COUNTY
(H,Hw) - See Statewide
KAY COUNTY
(H,Hw) - See Statewide
KINGFISHER COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
KIOWA COUNTY
(H,Hw) - See Statewide
LATIMER COUNTY
(H,Hw) - See Statewide
LEFLORE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
LOGAN COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
LOVE COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

McCLAIN COUNTY
H,Hw) - See Statewide
(B) - See Canadian County
McCURTAIN COUNTY
(H,Hw) - See Statewide
MCINTOSH COUNTY
Decision #AR75-4139 (B)
40 FR 32670 - 8/1/75
(H,Hw) - See Statewide
MAJOR COUNTY
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MAYES COUNTY
(H,Hw) - See Statewide
MURRAY COUNTY
(H,Hw) - See Statewide
MUSKOGEE COUNTY
Decision #OK75-4069 (B,H,Hw)
40 FR 14257 - 3/28/75
Mod. #1 - 40 FR 16495 - 4/11/75
Mod. #2 - 40 FR 18283 - 4/25/75
Mod. #3 - 40 FR 26185 - 6/20/75
Mod. #4 - 40 FR 31440 - 7/25/75
Mod. #5 - 40 FR 32553 - 8/1/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
NOWATA COUNTY
(H,Hw) - See Statewide
OKFUSKEE COUNTY
(H,Hw) - See Statewide
OKLAHOMA COUNTY
(B,R) - See Canadian County
(H,Hw) - See Statewide
OKMULGEE COUNTY
(H,Hw) - See Statewide
OSAGE COUNTY
(H,Hw) - See Statewide
(R) - See Tulsa County
OTTAWA COUNTY
(H,Hw) - See Statewide
PAWNEE COUNTY
(H,Hw) - See Statewide
PAYNE COUNTY
(H,Hw) - See Statewide
PITTSBURG COUNTY
Decision #OK75-4138 (B)
40 FR 32668 - 8/1/75
(H,Hw) - See Statewide
PONTOTOC COUNTY
(H,Hw) - See Statewide
POTTAWATOMIE COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County

OKLAHOMA (Cont'd.)

PUSHMATAHA COUNTY
(H,Hw) - See Statewide
ROGERS COUNTY
(H,Hw) - See Statewide
ROGERS MILLS COUNTY
(H,Hw) - See Statewide
SEMINOLE COUNTY
(B) - See Oklahoma County
(H,Hw) - See Statewide
SEQUOYAH COUNTY
(H,Hw) - See Statewide
STEPHENS COUNTY
(H,Hw) - See Statewide
TEXAS COUNTY
(H,Hw) - See Statewide
TILLMAN COUNTY
(H,Hw) - See Statewide
TULSA COUNTY
Decision #OK75-4140 (B)
40 FR 32672 - 8/1/75
(H,Hw) - See Statewide
Decision #OK75-4015 (R)
40 FR 3150 - 1/17/75
WAGONER COUNTY
Decision #AR-93 (B)
40 FR 44903 - 12/27/74
Mod. #1 - 40 FR 5985 - 2/7/75
Mod. #2 - 40 FR 15277 - 4/4/75
Mod. #3 - 40 FR 16494 - 4/11/75
Mod. #4 - 40 FR 32552 - 8/1/75
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WASHITA COUNTY
(H,Hw) - See Statewide
WOODS COUNTY
(H,Hw) - See Statewide
WOODWARD COUNTY
(H,Hw) - See Statewide

OREGON

STATEWIDE
Decision #OR75-5089 (B,H,Hw,D)
40 FR 31560 - 7/25/75
BAKER COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
Decision #OR75-5042 (R)
40 FR 15312 - 4/4/75
(B,H,Hw,D) - See Statewide
CLATSOP COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,D) - See Statewide
DESCHUTES COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
GILLIAM COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(H,Hw,B,D) - See Statewide
HARNEY COUNTY
(B,H,Hw,D) - See Statewide
HOOD RIVER COUNTY
(H,Hw,B,D) - See Statewide
JACKSON COUNTY
(H,Hw,B,D) - See Statewide
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
JOSEPHINE COUNTY
(B,H,Hw,D) - See Statewide
KLAMATH COUNTY
(B,H,Hw,D) - See Statewide
LAKE COUNTY
(B,H,Hw,D) - See Statewide
LANE COUNTY
Decision #AR-1015 (R)
39 FR 29702 - 8/16/74
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
LINN COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Lane County

OREGON (Cont'd.)

MALHEUR COUNTY
(B,H,Hw,D) - See Statewide
MARION COUNTY
(R) - See Lane County
(B,H,Hw,D) - See Statewide
MORROW COUNTY
(B,H,Hw,D) - See Statewide
MULTNOMAH COUNTY
(R) - See Clackamas County
(B,H,Hw,D) - See Statewide
POLK COUNTY
(B,H,Hw,D) - See Statewide
SHERMAN COUNTY
(B,H,Hw,D) - See Statewide
TILLAMOOK COUNTY
(B,H,Hw,D) - See Statewide
UMATILLA COUNTY
(B,H,Hw,D) - See Statewide
UNION COUNTY
(B,H,Hw,D) - See Statewide
WALLOWA COUNTY
(B,H,Hw,D) - See Statewide
WASCO COUNTY
(B,H,Hw,D) - See Statewide
WASHINGTON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clackamas County
WHEELER COUNTY
(B,H,Hw,D) - See Statewide
YAMHILL COUNTY
(B,H,Hw,D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #PA75-3067 (H,Hw)
40 FR 29519 - 7/11/75
Decision #AR-2099 (B)
39 FR 44931 - 12/27/74
Mod. #1 - 40 FR 4790 - 1/31/75
Mod. #2 - 40 FR 5986 - 2/7/75
Mod. #3 - 40 FR 15282 - 4/4/75
Mod. #4 - 40 FR 22740 - 5/23/75
Mod. #5 - 40 FR 25332 - 6/13/75
Mod. #6 - 40 FR 29449 - 7/11/75
ALLEGHENY COUNTY
Decision #AR-2033 (B)
39 FR 35048 - 9/27/74
Mod. #1 - 39 FR 44157 - 12/20/74
Mod. #2 - 40 FR 15279 - 4/4/75
Mod. #3 - 40 FR 28308 - 7/3/75
Decision #PA75-3070 (R)
40 FR 30433 - 7/18/75
ARMSTRONG COUNTY
Decision #PA75-3029 (H,Hw)
40 FR 15318 - 4/4/75
Mod. #1 - 40 FR 17471 - 4/18/75
Mod. #2 - 40 FR 19332 - 5/2/75
Mod. #3 - 40 FR 31447 - 7/25/75
Decision #AR-2034 (B)
39 FR 35051 - 9/27/74
Mod. #1 - 39 FR 44157 - 12/20/74
Mod. #2 - 40 FR 4789 - 1/31/75
Mod. #3 - 40 FR 15278 - 4/4/75
Mod. #4 - 40 FR 28308 - 7/3/75
BEAVER COUNTY
Decision #PA75-3026 (H,Hw)
40 FR 14266 - 3/28/75
Mod. #1 - 40 FR 17467 - 4/18/75
Mod. #2 - 40 FR 31444 - 7/25/75
Decision #PA75-3023 (B)
40 FR 12055 - 3/14/75
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 28311 - 7/3/75
BEDFORD COUNTY
Decision #PA75-3028 (H,Hw)
40 FR 15313 - 4/4/75
Mod. #1 - 40 FR 17468 - 4/18/75
Mod. #2 - 40 FR 31445 - 7/25/75
Decision #AQ-2084 (B)
39 FR 11808 - 3/29/74
Mod. #1 - 39 FR 13411 - 4/12/74
Mod. #2 - 39 FR 20919 - 6/14/74
Mod. #3 - 39 FR 28008 - 8/2/74
Mod. #4 - 39 FR 37332/-410/10/74
Mod. #5 - 39 FR 44158 - 12/20/74
Mod. #6 - 40 FR 15278 - 4/4/75
Mod. #7 - 40 FR 22737 - 5/23/75
BERKS COUNTY
Decision #PA75-3055 (B)
40 FR 27436 - 6/27/75
Mod. #1 - 40 FR 29452 - 7/11/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.)

BLAIR COUNTY
Decision #PA75-3057 (B)
40 FR 23686 - 5/30/75
Mod. #1 - 40 FR 31450 - 7/25/75
(H,Hw) - See Armstrong County
BRADFORD COUNTY
(H,Hw) - See Adams County
BUCKS COUNTY
Decision #PA75-3011 (B)
40 FR 4781 - 1/31/75
Mod. #1 - 40 FR 12016 - 3/14/75
Mod. #2 - 40 FR 17466 - 4/18/75
Mod. #3 - 40 FR 24460 - 6/6/75
Mod. #4 - 40 FR 25232 - 6/13/75
Decision #AR-2006 (R)
39 FR 25905 - 7/12/74
Mod. #1 - 39 FR 28012 - 8/2/74
Mod. #2 - 39 FR 38814 - 11/1/74
Mod. #3 - 40 FR 12015 - 3/14/75
Mod. #4 - 40 FR 17466 - 4/18/75
Mod. #5 - 40 FR 24460 - 6/6/75
Mod. #6 - 40 FR 25331 - 6/13/75
Decision #AR-2028 (H,Hw)
39 FR 33984 - 9/20/74
Mod. #1 - 40 FR 17464 - 4/18/75
Mod. #2 - 40 FR 24460 - 6/6/75
Mod. #3 - 40 FR 25331 - 6/13/75
BUTLER COUNTY
Decision #AR-2036 (B)
39 FR 33988 - 9/20/74
Mod. #1 - 39 FR 41111 - 11/22/74
Mod. #2 - 39 FR 44912 - 12/27/74
Mod. #3 - 40 FR 15279 - 4/4/75
Mod. #4 - 40 FR 18283 - 4/25/75
Mod. #5 - 40 FR 28309 - 7/3/75
Decision #PA75-3051 (H,Hw)
40 FR 17583 - 4/18/75
Mod. #1 - 40 FR 31449 - 7/25/75
CAMBRIA COUNTY
Decision #PA75-3059 (B)
40 FR 28361 - 7/3/75
Mod. #1 - 40 FR 31451 - 7/25/75
(H,Hw) - See Butler County
CAMERON COUNTY
Decision #PA75-3121 (B)
40 FR 12947 - 3/21/75
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 16495 - 4/11/75
Mod. #3 - 40 FR 22741 - 5/23/75
(H,Hw) - See Bedford County
CARBON COUNTY
(H,Hw) - See Adams County
CENTRE COUNTY
Decision #AQ-2061 (H,Hw)
39 FR 6008 - 2/15/74
Mod. #1 - 39 FR 9357 - 3/8/74
Mod. #2 - 39 FR 14121 - 4/19/74
Mod. #3 - 39 FR 22373 - 6/21/74
Mod. #4 - 39 FR 33918 - 9/20/74

PENNSYLVANIA (Cont'd.

CHESTER COUNTY
(H,Hw,R) - See Bucks
CHESTER COUNTY (Cont'd.)
Decision #AR-2003 (B)
39 FR 25895 - 7/12/74
Mod. #1 - 39 FR 28012 - 8/2/74
Mod. #2 - 39 FR 38813 - 11/1/74
Mod. #3 - 40 FR 12014 - 3/14/75
Mod. #4 - 40 FR 17465 - 4/18/75
Mod. #5 - 40 FR 24459 - 6/6/75
Mod. #6 - 40 FR 25329 - 6/13/75
CLARION COUNTY
(B) - See Cameron County
(H,Hw) - See Bedford County
COLUMBIA COUNTY
(H,Hw) - See Adams County
CRAWFORD COUNTY
Decision #AR-2098 (B)
39 FR 44928 - 12/27/74
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 22740 - 5/23/75
Mod. #3 - 40 FR 31443 - 7/25/75
(H,Hw) - See Armstrong County
CUMBERLAND COUNTY
Decision #PA75-3027 (B)
40 FR 14268 - 3/28/75
Mod. #1 - 40 FR 22741 - 5/23/75
Mod. #2 - 40 FR 29451 - 7/11/75
(H,Hw) - See Adams County
DELAWARE COUNTY
Decision #AR-2002 (B)
39 FR 25892 - 7/12/74
Mod. #1 - 39 FR 28012 - 8/2/74
Mod. #2 - 39 FR 38813 - 11/1/74
Mod. #3 - 40 FR 10882 - 3/7/75
Mod. #4 - 40 FR 17465 - 4/18/75
Mod. #5 - 40 FR 24459 - 6/6/75
(H,Hw,R) - See Bucks County
ELK COUNTY
Decision #PA75-3058 (B)
40 FR 28358 - 7/3/75
Mod. #1 - 40 FR 31449 - 7/25/75
(H,Hw) - See Bedford County
ERIE COUNTY
Decision #PA75-3054 (B)
40 FR 28355 - 7/3/75
Mod. #1 - 40 FR 31450 - 7/25/75
(H,Hw) - See Butler County
FAYETTE COUNTY
(B) - See Butler County
(H,Hw) - See Butler County
FOREST COUNTY
Decision #AQ-2121 (B)
39 FR 18398 - 5/24/74
Mod. #1 - 39 FR 20920 - 6/14/74
Mod. #2 - 39 FR 28008 - 3/2/74

PENNSYLVANIA (Cont'd.

FOREST COUNTY (Cont'd.)
Mod. #3 - 39 FR 37332 - 10/18/74
Mod. #4 - 39 FR 38812 - 11/1/74
Mod. #5 - 39 FR 44911 - 12/27/74
Mod. #6 - 40 FR 15278 - 4/4/75
Mod. #7 - 40 FR 22737 - 5/23/75
(H,Hw) - See Bedford County
FRANKLIN COUNTY
Decision #AR-2001 (B)
39 FR 24803 - 7/5/74
Mod. #1 - 39 FR 26562 - 7/19/74
Mod. #2 - 39 FR 28010 - 8/2/74
Mod. #3 - 39 FR 40406 - 11/15/74
Mod. #4 - 39 FR 44157 - 12/20/74
(H,Hw) - See Bedford County
FULTON COUNTY
(H,Hw) - See BedfordCounty
GREENE COUNTY
(H,Hw) - See Centre County
HUNTINGDON COUNTY
(H,Hw) - See Bedford County
INDIANA COUNTY
Decision #AR-2037 (B)
39 FR 31859 - 8/30/74
Mod. #1 - 39 FR 44912 - 12/27/74
Mod. #2 - 40 FR 4789 - 1/31/75
Mod. #3 - 40 FR 15279 - 4/4/75
Mod. #4 - 40 FR 28309 - 7/3/75
(H,Hw) - See Armstrong County
JEFFERSON COUNTY
(B) - See Cameron County
(H,Hw) - See Centre County
JUNIATA COUNTY
(B) - See Cumberland County
(H,Hw) - See Adams County
LACKAWANNA COUNTY
Decision #PA75-3056 (B)
40 FR 25401 - 6/13/75
Mod. #1 - 40 FR 29452 - 7/11/75
LANCASTER COUNTY
Decision #AR-2030 (B)
39 FR 31857 - 8/30/74
Mod. #1 - 39 FR 40406 - 11/15/74
Mod. #2 - 39 FR 44912 - 12/27/74
Mod. #3 - 40 FR 4789 - 1/31/75
Mod. #4 - 40 FR 5986 - 2/7/75
Mod. #5 - 40 FR 14215 - 3/28/75
Mod. #6 - 40 FR 22739 - 5/23/75
Mod. #7 - 40 FR 29448 - 7/11/75
(H,Hw) - See Adams County
LAWRENCE COUNTY
Decision #AR-2045 (B)
39 FR 37345 - 10/18/74
Mod. #1 - 39 FR 44913 - 12/27/74
Mod. #2 - 40 FR 15280 - 4/4/75
Mod. #3 - 40 FR 28310 - 7/3/75
Mod. #4 - 40 FR 31441 - 7/25/75
(H,Hw) - See Butler County

PENNSYLVANIA (Cont'd.)

LEBANON COUNTY
Decision #PA75-3053 (B)
40 FR 22782 - 5/23/75
Mod. #1 - 40 FR 29451 - 7/11/75
LEHIGH COUNTY
Decision #PA75-3019 (B)
40 FR 8755 - 2/28/75
Mod. #1 - 40 FR 14216 - 3/28/75
Mod. #2 - 40 FR 25333 - 6/13/75
Mod. #3 - 40 FR 27417 - 6/27/75
Mod. #4 - 40 FR 28310 - 7/3/75
Mod. #5 - 40 FR 29450 - 7/11/75
(H,Hw) - See Adams County
LUZERNE COUNTY
Decision #PA75-3025 (B)
40 FR 12982 - 3/21/75
Mod. #1 - 40 FR 25333 - 6/13/75
Mod. #2 - 40 FR 29450 - 7/11/75
(H,Hw) - See Adams County
LYCOMING COUNTY
Decision #PA75-3065 (B)
40 FR 29517 - 7/11/75
(H,Hw) - See Adams County
MC KEAN COUNTY
(H,Hw) - See Adams County
(B) - See Forest County
MERCER COUNTY
Decision #AR-2046 (B)
39 FR 37349 - 10/18/74
Mod. #1 39 FR 44913 - 12/27/74
Mod. #2 - 40 FR 15281 - 4/4/75
Mod. #3 - 40 FR 28310 - 7/3/75
Mod. #4 - 40 FR 31442 - 7/25/75
(H,Hw) - See Butler County
MIFFLIN COUNTY
(H,Hw) - See Bedford County
MONROE COUNTY
(H,Hw) - See Adams County
MONTGOMERY COUNTY
Decision #AR-2004 (B)
39 FR 25898 - 7/12/74
Mod. #1 39 FR 28012 - 8/2/74
Mod. #2 - 39 FR 37333 - 10/18/74
Mod. #3 - 39 FR 38813 - 11/1/74
Mod. #4 - 40 FR 12014 - 3/14/75
Mod. #5 - 40 FR 17465 - 4/18/75
Mod. #6 - 40 FR 24460 - 6/6/75
Mod. #7 - 40 FR 25330 - 6/13/75
Mod. #8 - 40 FR 26186 - 6/20/75
(H,Hw,R) - See Bucks County
MONTOUR COUNTY
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.

NORTHAMPTON COUNTY
Decision #PA75-3015 (B)
40 FR 6947 - 2/14/75
Mod. #1 - 40 FR 8698 - 2/28/75
Mod. #2 - 40 FR 15282 - 4/4/75
Mod. #3 - 40 FR 25332 - 6/13/75
Mod. #4 - 40 FR 28310 - 6/13/75
Mod. #5 - 40 FR 29450 - 7/11/75
NORTHUMBERLAND COUNTY
Decision #AR-2095 (B)
39 FR 43494 - 12/13/74
Mod. #1 - 40 FR 12016 - 3/14/75
Mod. #2 - 40 FR 22739 - 5/23/75
Mod. #3 - 40 FR 29449 - 7/11/75
(H,Hw) - See Adams County
PERRY COUNTY
(H,Hw) - See Adams County
PHILADELPHIA COUNTY
Decision #AR-2005 (B)
39 FR 25902 - 7/12/74
Mod. #1 - 39 FR 28012 - 8/2/74
Mod. #2 - 39 FR 38814 - 11/1/74
Mod. #3 - 40 FR 12015 - 3/14/75
Mod. #4 - 40 FR 17465 - 4/18/75
Mod. #5 - 40 FR 24460 - 6/6/75
Mod. #6 - 40 FR 25331 - 6/13/75
Mod. #7 - 40 FR 25186 - 6/20/75
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
(H,Hw,R) - See Bucks County
PIKE COUNTY
(H,Hw) - See Adams County
POTTER COUNTY
(H,Hw) - See Bedford County
SCHUYKILL COUNTY
Decision #PA75-3017 (B)
40 FR 7854 - 2/21/75
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 19331 - 5/2/75
Mod. #3 - 40 FR 22741 - 5/23/75
Mod. #4 - 40 FR 29450 - 7/11/75
(H,Hw) - See Adams County
SNYDER COUNTY
(H,Hw) - See Adams County
SOMERSET COUNTY
(H,Hw) - See Butler County
SULLIVAN COUNTY
Decision #AQ-2070 (B)
39 FR 10070 - 3/15/74
Mod. #1 - 39 FR 26562 - 7/19/74
Mod. #2 - 39 FR 44911 - 12/27/74
Mod. #3 - 40 FR 4789 - 1/31/75
Mod. #4 - 40 FR 15278 - 4/4/75
Mod. #5 - 40 FR 24459 - 6/6/75
Mod. #6 - 40 FR 29448 - 7/11/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.

SUSQUEHANNA COUNTY
(B) - See Lackawanna County
(H,Hw) - See Adams County
TIOGA COUNTY
(H,Hw) - See Adams County
UNION COUNTY
(H,Hw) - See Adams County
VENANGO COUNTY
Decision #AQ-2043 (B)
39 FR 7011 - 2/22/74
Mod. #1 - 39 FR 18408 - 5/24/74
Mod. #2 - 39 FR 20919 - 6/14/74
Mod. #3 - 39 FR 28008 - 8/2/74
Mod. #4 - 39 FR 41110 - 11/22/74
Mod. #5 - 40 FR 15277 - 4/4/75
Mod. #6 - 40 FR 22736 - 5/23/75
(H,Hw) - See Armstrong County
WARREN COUNTY
Decision #AQ-2085 (B)
39 FR 14115 - 4/19/74
Mod. #1 - 39 FR 20920 - 6/14/74
Mod. #2 - 39 FR 28008 - 8/2/74
Mod. #3 - 39 FR 37332 - 10/18/74
Mod. #4 - 39 FR 38811 - 11/1/74
Mod. #5 - 39 FR 44911 - 12/27/74
Mod. #6 - 40 FR 22739 - 5/23/75
(H,Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #AR-2039 (B)
39 FR 35054 - 9/27/74
Mod. #1 - 39 FR 44912 - 12/27/74
Mod. #2 - 40 FR 4790 - 1/31/75
Mod. #3 - 40 FR 15280 - 4/4/75
Mod. #4 - 40 FR 28309 - 7/3/75
(H,Hw) - See Butler County
WAYNE COUNTY
(H,Hw) - See Adams County
WESTMORELAND COUNTY
Decision #AR-2038 (B)
39 FR 31862 - 8/30/74
Mod. #1 - 39 FR 44913 - 12/27/74
Mod. #2 - 40 FR 4790 - 1/31/75
Mod. #3 - 40 FR 15280 - 4/4/75
Mod. #4 - 40 FR 28309 - 7/3/75
(H,Hw) - See Butler County
WYOMING COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(B,H,Hw) - See Adams Co. (Excluding New Cumberland Depot)
(B) - See Cumberland County (New Cumberland Depot)
(H,Hw) - See Adams County (New Cumberland Depot)
(B) - See Lackawanna County

PUERTO RICO

PUERTO RICO
Decision #AR-2016 (R)
39 FR 28859 - 8/9/74
Decision #AQ-2052 (B)
39 FR 5161 - 2/8/74
Decision #AQ-2019 (H,Hw)
38 FR 24847 - 9/14/73
Mod. #1 - 39 FR 27395 - 7/26/74

RHODE ISLAND

STATEWIDE
Decision #CT75-5045 (D)
40 FR 15294 - 4/4/75
BRISTOL COUNTY
Decision #RI75-2031 (B,H,Hw,R, & Marine)
40 FR 6128 - 2/7/75
Mod. #1 - 40 FR 12017 - 3/14/75
Mod. #2 - 40 FR 28311 - 7/3/75
Mod. #3 - 40 FR 32553 - 8/1/75
(D) - See Statewide
KENT COUNTY
(B,H,Hw, & Marine) - See Bristol County
(D) - See Statewide
NEWPORT COUNTY
Decision #RI75-2090 (B,H,Hw,R, & Marine)
40 FR 28364 - 7/3/75
Mod. #1 - 40 FR 31451 - 7/25/75
Mod. #2 - 40 FR 32553 - 8/1/75
PROVIDENCE COUNTY
(D) - See Statewide
(B,H,Hw,R, & Marine) - See Bristol County
WASHINGTON COUNTY
Decision #RI75-2091 (B,H,Hw,R, & Marine)
40 FR 29523 - 7/11/75
Mod. #1 - 40 FR 32554 - 8/1/75
(D) - See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #SC75-1031 (H,Hw)
40 FR 12058 - 3/14/75
Decision #AP-157 (Sewer & Water)
38 FR 4619 - 2/16/73
ABBEVILLE COUNTY
Decision #AR-4003 (B)
39 FR 26554 - 7/19/74
(Sewer & Water, H,Hw) - See Statewide
AIKEN COUNTY
Decision #SC75-1029 (R)
40 FR 10900 - 3/7/75
(Sewer & Water, H,Hw) - See Statewide
ALLENDALE COUNTY
Decision #SC75-1045 (R)
40 FR 16636 - 4/11/75
(Sewer & Water, H,Hw) - See Statewide
ANDERSON COUNTY
Decision #SC75-1004 (R)
40 FR 3154 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
BAMBERG COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
BARNWELL COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
BEAUFORT COUNTY
Decision #SC75-1026 (B)
40 FR 8692 - 2/28/75
Mod. #1 - 40 FR 16496 - 4/11/75
Mod. #2 - 40 FR 27417 - 6/27/75
Decision #HD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
BERKELEY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #SC75-1021 (R)
40 FR 7859 - 2/21/75
Decision #SC75-1055 (B)
40 FR 22785 - 5/23/75
Mod. #1 - 40 FR 25336 - 6/13/75
CALHOUN COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
CHARLESTON COUNTY
(B,R) - See Berkeley County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
Decision #SC75-1017 (R)
40 FR 4785 - 1/31/75
Mod. #1 - 40 FR 12017 - 3/14/75
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

CHESTER COUNTY
Decision #AR-4009 (B)
39 FR 25778 - 7/12/74
(Sewer & Water, H,Hw) - See Statewide
CHESTERFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLARENDON COUNTY
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
(Sewer & Water, H,Hw) - See Statewide
COLLETON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
DARLINGTON COUNTY
Decision #SC75-1041 (B)
40 FR 14194 - 3/28/75
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DILLON COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DORCHESTER COUNTY
(R) - See Berkeley County
EDGEFIELD COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
FAIRFIELD COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
FLORENCE COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
GEORGETOWN COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
GREENVILLE COUNTY
Decision #SC75-1038 (B)
40 FR 12951 - 3/21/75
Mod. #1 - 40 FR 16496 - 4/11/75
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
GREENWOOD COUNTY
(Sewer & Water, H,Hw) - See Statewide
HAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
KERSHAW COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

LANCASTER COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
LAURENS COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
LEE COUNTY
((R)-SSee Clarendon County
(Sewer & Water, H,Hw) - See Statewide
LEXINGTON COUNTY
Decision #AR-4004 (R)
39 FR 24779 - 7/7/74
Decision #SC75-1042 (R)
40 FR 14271 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
McCORMICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
MARION COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
MARLBORO COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
NEWBERRY COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
OCONEE COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
ORANGEBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Allendale County
PICKENS COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
RICHLAND COUNTY
(B,R) - See Lexington County
(Sewer & Water, H,Hw) - See Statewide
SALUDA COUNTY
(Sewer & Water, H,Hw) - See Statewide
SPARTANBURG COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
SUMTER COUNTY
Decision #AQ-4097 (B)
39 FR 12581 - 4/5/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Clarendon County
UNION COUNTY
(R) - See CherokeeCounty
(Sewer & Water, H,Hw) - See Statewide
(B) - See Abbeville County
WILLIAMSBURG COUNTY
(R)- See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
YORK COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH DAKOTA

STATEWIDE
DDecision#SD75-5013 (H,Hw)
40 FR 4858 - 1/31/75
AURORA COUNTY
(H,Hw) - See Statewide
BEADLE COUNTY
(H,Hw) - See Statewide
BENNET COUNTY
(H,Hw) - See Statewide
BON HOMME COUNTY
(H,Hw) - See Statewide
BROOKINGS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BRULE COUNTY
(H,Hw) - See Statewide
BUFFALO COUNTY
(H,Hw) - See Statewide
BUTTE COUNTY
(H,Hw) - See Statewide
CAMPBELL COUNTY
(H,Hw) - See Statewide
CHARLES MIX COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw)P - See Statewide
CODINGTON COUNTY
(H,Hw) - See Statewide
CORSON COUNTY
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DAVISON COUNTY
(H,Hw) - See Statewide
DAY COUNTY
(H,Hw) - See Statewide
DEUEL COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
DOUGLAS COUNTY
(H,Hw) - See Statewide
EDMUNDS COUNTY
(H,Hw) - See Statewide
FALL RIVER COUNTY
(H,Hw) - See Statewide
FAULK COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

GREGORY COUNTY
(H,Hw) - See Statewide
HAAKON COUNTY
(H,Hw) - See Statewide
HAMLIN COUNTY
(H,Hw) - See Statewide
HAND COUNTY
(H,Hw) - See Statewide
HANSON COUNTY
(H,Hw) - See Statewide
HARDING COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(H,Hw) - See Statewide
HYDE COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JERAULD COUNTY
(H,Hw) - See Statewide
JONES COUNTY
(H,Hw) - See Statewide
KINGSBURY COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(H,Hw) - See Statewide
LAWRENCE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LYMAN COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

MARSHALL COUNTY
(H,Hw) - See Statewide
Mc COOK COUNTY
(H,Hw) - See Statewide
Mc PHERSON COUNTY
(H,Hw) - See Statewide
MEADE COUNTY
Decision #SD75-5044 (B)
40 FR 15327 - 4/4/75
(H,Hw) - See Statewide
MELLETTE COUNTY
(H,Hw) - See Statewide
MINER COUNTY
(H,Hw) - See Statewide
MINNEHAHA COUNTY
Decision #SD75-5043 (B)
40 FR 15326 - 4/4/75
(H,Hw) - See Statewide
Decision #AQ-1091 (R)
39 FR 8146 - 3/1/74
Mod. #1 - 39 FR 14856 - 4/26/74
(H,Hw) - See Statewide
MOODY COUNTY
(H,Hw) - See Statewide
PENNINGTON COUNTY
(B) - See Meade County
(H,Hw) - See Statewide
PERKINS COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
SANBORN COUNTY
(H,Hw) - See Statewide
SHANNON COUNTY
(H,Hw) - See Statewide
SPINK COUNTY
(H,Hw) - See Statewide
STANLEY COUNTY
(H,Hw) - See Statewide
SULLY COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

TODD COUNTY
(H,Hw) - See Statewide
TRIPP COUNTY
(H,Hw) - See Statewide
TURNER COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
WALWORTH COUNTY
(H,Hw) - See Statewide
WASHABAUGH COUNTY
(H,Hw) - See Statewide
YANKTON COUNTY
(H,Hw) - See Statewide
ZIEBACH COUNTY
(H,Hw) - See Statewide

TENNESSEE

STATEWIDE
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #AR-4046 (Hw)
40 FR 940 - 1/3/75
ANDERSON COUNTY
Decision #TN75-1053 (B)(Oak Ridge, Energy Research Development Administration Only)
40 FR 24464 - 6/6/75
Mod. #1 - 40 FR 31452 - 7/25/75
(Hw) - See Statewide
(F) - See Statewide
BEDFORD COUNTY
(F,Hw) - See Statewide
BENTON COUNTY
(F,Hw) - See Statewide
BLEDSOE COUNTY
(F,Hw) - See Statewide
BLOUNT COUNTY
(F,Hw) - See Statewide
BRADLEY COUNTY
(F,Hw) - See Statewide
CAMPBELL COUNTY
(F,Hw) - See Statewide
CANNON COUNTY
(F,Hw) - See Statewide
CARROLL COUNTY
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
(F,Hw) - See Statewide
CARTER COUNTY
Decision #TN75-1068 (B)
40 FR 30434 - 7/18/75
Decision #AQ-4128 (R)
39 FR 24198 - 6/28/74
(F,Hw) - See Statewide
CHEATHAM COUNTY
Decision #AQ-4061 (R)
39 FR 3426 - 1/25/74
Mod. #1 - 40 FR 7800 - 2/21/75
(F,Hw) - See Statewide
CHESTER COUNTY
(F,Hw) - See Statewide
CLAIBORNE COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D.)

CLAY COUNTY
(F,Hw) - See Statewide
COCKE COUNTY
(F,Hw) - See Statewide
COFFEE COUNTY
(F,Hw) - See Statewide
CROCKETT COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
CUMBERLAND COUNTY
(F,Hw) - See Statewide
DAVIDSON COUNTY
Decision #TN75-1057 (B)
40 FR 26239 - 6/20/75
Mod. #1 - 40 FR 30387 - 7/18/75
(R) - See Cheatham County
(F,Hw) - See Statewide
DECATUR COUNTY
(F,Hw) - See Statewide
DEKALB COUNTY
(F,Hw) - See Statewide
DICKSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
DYER COUNTY
Decision #AQ-4073 (B)
39 FR 5947 - 2/15/74
Mod. #1 - 39 FR 9357 - 3/8/74
(F,Hw) - See Statewide
(D) - See Carroll County
FAYETTE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
FENTRESS COUNTY
(F,Hw) - See Statewide
FRANKLIN COUNTY
(F,Hw) - See Statewide
GIBSON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(B) - See Dyer County

TENNESSEE (Cont'd)

GILES COUNTY
(F,Hw) - See Statewide
GRAINGER COUNTY
(F,Hw) - See Statewide
GREENE COUNTY
(F,Hw) - See Statewide
GRUNDY COUNTY
(F,Hw) - See Statewide
HAMBLEN COUNTY
(F,Hw) - See Statewide
HAMILTON COUNTY
Decision #TN75-1072 (B,H)
40 FR 31567 - 7/25/75
(F,Hw) - See Statewide
HANCOCK COUNTY
(F,Hw) - See Statewide
HARDEMAN COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HARDIN COUNTY
(F,Hw) - See Statewide
HAWKINS COUNTY
(F,Hw) - See Statewide
HAYWOOD COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HENDERSON COUNTY
(F,Hw) - See Statewide
HENRY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HICKMAN COUNTY
(F,Hw) - See Statewide
HOUSTON COUNTY
(F,Hw) - See Statewide
HUMPHREYS COUNTY
(F,Hw) - See Statewide
JACKSON COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D)

JEFFERSON COUNTY
(F,Hw) - See Statewide
JOHNSON COUNTY
(F,Hw)- See Statewide
KNOX COUNTY
Decision #TN75-1052 (B)
40 FR 23688 - 5/30/75
Mod. #1 - 40 FR 31452 - 7/25/75
Decision #AQ-4051 (R)
39 FR 2321 - 1/18/74
(F,Hw) - See Statewide
LAKE COUNTY
Decision #AQ-4074 (R)
39 FR 5947 - 2/15/74
(F,Hw) - See Statewide
LAUDERDALE COUNTY
(D) - See Carroll County
(F,Hw) - SeetStatewide
LAWRENCE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
LEWIS COUNTY
(F,Hw) - See Statewide
LINCOLN COUNTY
(F,Hw) - See Statewide
LOUDON COUNTY
(F,Hw) - See Statewide
MC MINN COUNTY
(F,Hw) - See Statewide
MC NAIRY COUNTY
(F,Hw) - See Statewide
MACON COUNTY
(F,Hw) - See Statewide
MADISON COUNTY
Decision #TN75-1051 (B)
40 FR 21666 - 5/16/75
(D) - See Carroll County
(F,Hw) - See Statewide
MARION COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide

TENNESSEE (Cont'd)

MARSHALL COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MAURY COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MEIGS COUNTY
(F,Hw) - See Statewide
MONROE COUNTY
(F,Hw) - See Statewide
MONTGOMERY COUNTY
(F,Hw) - See Statewide
MOORE COUNTY
(F,Hw) - See Statewide
MORGAN COUNTY
(F,Hw) - See Statewide
OBION COUNTY
(R) - See Lake County
(D) - See Carroll County
(F) - See Statewide
OVERTON COUNTY
(F,Hw) - See Statewide
PERRY COUNTY
(F,Hw) - See Statewide
PICKETT COUNTY
(F,Hw) - See Statewide
POLK COUNTY
(F,Hw) - See Statewide
PUTNAM COUNTY
(F,Hw) - See Statewide
RHEA COUNTY
(F,Hw) - See Statewide
ROANE COUNTY
(B) - See Anderson Co. (Oak Ridge, Energy Research Development Administration Only)
(F,Hw) - See Statewide
ROBERTSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (Cont'd)

RUTHERFORD COUNTY
Decision #AQ-4114 (B)
39 FR 16980 - 5/10/74
Mod. #1 - 39 FR 28013 - 8/2/74
Mod. #2 - 39 FR 29726 - 8/16/74
Mod. #3 - 39 FR 31782 - 8/30/74
Mod. #4 - 40 FR 3088 - 1/17/75
(F,Hw) - See Statewide
(R) - See Cheatham County
SCOTT COUNTY
(F,Hw) - See Statewide
SEQUATCHIE COUNTY
(F,Hw) - See Statewide
SEVIER COUNTY
(F,Hw) - See Statewide
SHELBY COUNTY
Decision #TN75-1070 (B,H,W&S, & Utility)
40 FR 30435 - 7/18/75
Decision #AP-152 (R)
38 FR 4176 - 2/9/73
(D) - See Carroll County
(F,Hw) - See Statewide
SMITH COUNTY
(F,Hw) - See Statewide
STEWART COUNTY
(F,Hw) - See Statewide
SULLIVAN COUNTY
(B) - See Carter County
(F,Hw) - See Statewide
(R) - See Carter County
SUMNER COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
TIPTON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
TROUSDALE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (cont'd)

UNICOI COUNTY
(F,Hw) - See Statewide
UNION COUNTY
(F,Hw) - See Statewide
VAN BUREN COUNTY
(F,Hw) - See Statewide
WARREN COUNTY
(F,Hw) - See Statewide
WASHINGTON COUNTY
(B) - See Carter County
(R) - See Carter County
(F,Hw) - See Statewide
WAYNE COUNTY
(F,Hw) - See Statewide
WEAKLEY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
WHITE COUNTY
(F,Hw) - See Statewide
WILLIAMSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
WILSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TEXAS

STATEWIDE (Excluding Dallas-Fort Worth Regional Airport)
Decision #TX75-4086 (H (Excluding tunnels and dams), Hw
Incidental shore work, and paving and utilities incidental to general building construction)
40 FR 21667 - 5/16/75
ANDERSON COUNTY
(H,Hw) - See Statewide
ANDREWS COUNTY
(H,Hw) - See Statewide
ANGELINA COUNTY
(H,Hw) - See Statewide
ARANSAS COUNTY
(H,Hw) - See Statewide
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
ARCHER COUNTY
(H,Hw) - See Statewide
ARMSTRONG COUNTY
Decision #TX75-4135 (B)
40 FR 31569 - 7/25/75
Mod. #1 - 40 FR 31454 - 7/25/75
Decision #TX75-4118 (R)
40 FR 29529 - 7/11/75
(H,Hw) - See Statewide
ATASCOSA COUNTY
(H,Hw) - See Statewide
AUSTIN COUNTY
(H,Hw) - See Statewide
BAILEY COUNTY
(H,Hw) - See Statewide
Decision #TX75-4003 (R)
40 FR 3158 - 1/17/75
BANDERA COUNTY
(H,Hw) - See Statewide
BASTROP COUNTY
Decision #AR-1 (R)
39 FR 24809 - 7/5/74
(H,Hw) - See Statewide
BAYLOR COUNTY
(H,Hw) - See Statewide
BEE COUNTY
Decision #TX75-4004 (R)
40 FR 3160 - 1/17/75
(H,Hw) - See Statewide
BELL COUNTY
(H,Hw) - See Statewide
Decision #TX75-4110 (B)
40 FR 23692 - 5/30/75
Mod. #1 - 40 FR 26187 - 6/20/75
Mod. #2 - 40 FR 29453 - 7/11/75
Mod. #3 - 40 FR 30388 - 7/18/75
Mod. #4 - 40 FR 31453 - 7/25/75

TEXAS (Cont'd)

BEXAR COUNTY
Decision #TX75-4109 (R)
40 FR 23690 - 5/30/75
(H,Hw) - See Statewide
Decision #AR-45 (B)
39 FR 34015 - 9/20/74
Mod. #1 - 39 FR 35915 - 10/4/74
Mod. #2 - 39 FR 39675 - 11/8/74
Mod. #3 - 39 FR 44158 - 12/20/74
BLANCO COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
BORDEN COUNTY
(H,Hw) - See Statewide
BOSQUE COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
BOWIE COUNTY
Decision #TX75-4104 (B)
40 FR 22796 - 5/23/75
Mod. #1 - 40 FR 30388 - 7/18/75
Mod. #2 - 40 FR 31453 - 7/25/75
(H,Hw) - See Statewide
BRAZORIA COUNTY
(H,Hw) - See Statewide
Decision #AR-11 (R)
39 FR 29910 - 8/16/74
Mod. #1 - 40 FR 24461 - 6/6/75
Mod. #2 - 40 FR 29453 - 7/11/75
(H,Hw) - See Statewide
BRAZOS COUNTY
Decision #TX75-4106 (B)
40 FR 22799 - 5/23/75
Mod. #1 - 40 FR 24461 - 6/6/75
(H,Hw) - See Statewide
BREWSTER COUNTY
(H,Hw) - See Statewide
BRISCOE COUNTY
(H,Hw) - See Statewide
BROOKS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BURLESON COUNTY
(H,Hw) - See Statewide
BURNETT COUNTY
(H,Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
CALHOUN COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CALLAHAN COUNTY
(H,Hw) - See Statewide
CAMERON COUNTY
Decision #TX75-4091 (B)
40 FR 21681 - 5/16/75
Mod. #1 - 40 FR 30387 - 7/18/75
(H,Hw) - See Statewide

TEXAS (Cont'd.)

CAMERON COUNTY (Cont'd.)
Decision #TX75-4093 (R)
40 FR 21683 - 5/16/75
CAMP COUNTY
(H,Hw) - See Statewide
CARSON COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CASS COUNTY
(H,Hw) - See Statewide
CASTRO COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CHAMBERS COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CHEROKEE COUNTY
(H,Hw) - See Statewide
CHILDRESS COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
COCHRAN COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
COKE COUNTY
(H,Hw) - See Statewide
COLEMAN COUNTY
(H,Hw) - See Statewide
COLLIN COUNTY
Decision #AQ-87 (R)
39 FR 10106 - 3/15/74
Decision #TX75-4102 (B-excluding Dallas-Fort Worth Regional Airport)
40 FR 22791 - 5/23/75
(H,Hw) - See Statewide
COLLINGSWORTH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
COLORADO COUNTY
(H,Hw) - See Statewide
COMAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
CONCHO COUNTY
(H,Hw) - See Statewide
COOKE COUNTY
(H,Hw) - See Statewide
CORYELL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
COTTLE COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd.)

CRANE COUNTY
(H,Hw) - See Statewide
Decision #TX75-4006 (R)
40 FR 3163 - 1/17/75
CROCKETT COUNTY
(H,Hw) - See Statewide
CROSBY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
CULBERSON COUNTY
(H,Hw) - See Statewide
DALLAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
DALLAS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DAWSON COUNTY
(H,Hw) - See Statewide
DEAF SMITH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DELTA COUNTY
(H,Hw) - See Statewide
DENTON COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DE WITT COUNTY
(H,Hw) - See Statewide
DICKENS COUNTY
(H,Hw) - See Statewide
DIMMIT COUNTY
Decision #TX75-4010 (B,R)
40 FR 3172 - 1/17/75
(H,Hw) - See Statewide
DONLEY COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DUVAL COUNTY
(H,Hw) - See Statewide
EASTLAND COUNTY
(H,Hw) - See Statewide
ECTOR COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
EDWARDS COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
EL PASO COUNTY
Decision #TX75-4114 (B)
40 FR 26240 - 6/20/75
Mod. #1 - 40
Mod. #2 - 40 FR 29453 - 7/11/75
Mod. #3 - 40 FR 30389 - 7/18/75
Mod. #4 - 40 FR 31453 - 7/25/75
(H,Hw) - See Statewide
ERATH COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

FALLS COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
FANNIN COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
FISHER COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
FOARD COUNTY
(H,Hw) - See Statewide
FORT BEND COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FREESTONE COUNTY
(H,Hw) - See Statewide
FRIO COUNTY
(H,Hw) - See Statewide
GAINES COUNTY
(H,Hw) - See Statewide
GALVESTON COUNTY
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
Decision #TX75-4096 (B)
40 FR 21689 - 5/16/75
Mod. #1 - 40 FR 25334 - 6/13/75
Mod. #2 - 40 FR 29452 - 7/11/75
Mod. #3 - 40 FR 30387 - 7/18/75
Mod. #4 - 40 FR 31452 - 7/25/75
GARZA COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
GILLESPIE COUNTY
(H,Hw) - See Statewide
GLASSCOCK COUNTY
(H,Hw) - See Statewide
GOLIAD COUNTY
(H,Hw) - See Statewide
GONZALES COUNTY
(H,Hw) - See Statewide
GRAY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
GRAYSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
GREGG COUNTY
Decision #TX75-4092 (B)
40 FR 21682 - 5/16/75
(H,Hw) See Statewide

TEXAS (Cont'd)

GRIMES COUNTY
(H,Hw) - See Statewide
GUADALUPE COUNTY
(H,Hw) - See Statewide
HALE COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HALL COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
HANSFORD COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HARDEMAN COUNTY
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRIS COUNTY
(B) - See Galveston County
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
HARRISON COUNTY
Decision #TX75-4103 (B)
40 FR 22795 - 5/23/75
Mod. #1 - 40 FR 30388 - 7/18/75
Mod. #2 - 40 FR 31453 - 7/25/75
(H,Hw) - See Statewide
HARTLEY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HAYS COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
HEMPHILL COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HENDERSON COUNTY
(H,Hw) - See Statewide
HIDALGO COUNTY
(R,B) - See Cameron County
(H,Hw) - See Statewide
HILL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
HOCKLEY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HOOD COUNTY
(B) - See Collin County
Decision #TX75-4011 (R)
40 FR 3173 - 1/17/75
(H,Hw) - See Statewide

TEXAS (Cont'd)

HOPKINS COUNTY
(H,Hw) - See Statewide
HOUSTON COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
Decision #TX75-4095 (B,R)
40 FR 21687 - 5/16/75
(H,Hw) - See Statewide
HUDSPETH COUNTY
(H,Hw) - See Statewide
HUNT COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
IRION COUNTY
(H,Hw) - See Statewide
JACK COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JEFF DAVIS COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
Decision #TX75-4117 (B,R)
40 FR 29527 - 7/11/75
Mod. #1 - 40 FR 31453 - 7/25/75
(D) - See Aransas County
(Hw) - See Statewide
JIM HOGG COUNTY
(H,Hw) - See Statewide
(B,R) - See Dimmit County
JIM WELLS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
JONES COUNTY
(H,Hw) - See Statewide
KARNES COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

KAUFMAN COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
KENDALL COUNTY
(H,Hw) - See Statewide
KENEDY COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
KENT COUNTY
(H,Hw) - See Statewide
KERR COUNTY
(H,Hw) - See Statewide
KIMBLE COUNTY
(H,Hw) - See Statewide
KING COUNTY
(H,Hw) - See Statewide
KINNEY COUNTY
(H,Hw) - See Statewide
KLEBERG COUNTY
Decision #TX75-4099 (B)
40 FR 22787 - 5/23/75
Mod. #1 - 40 FR 27417 - 6/27/75
Mod. #2 - 40 FR 30387 - 7/18/75
Mod. #3 - 40 FR 31452 - 7/25/75
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
KNOX COUNTY
(H,Hw) - See Statewide
LAMAR COUNTY
(H,Hw) - See Statewide
LAMB COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
LAMPASAS COUNTY
(H,Hw) - See Statewide
LA SALLE COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
LAVACA COUNTY
(H,Hw) - See Statewide
LEE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County

TEXAS (Cont'd)

LEON COUNTY
(H,Hw) - See Statewide
LIBERTY COUNTY
(H,Hw) - See Statewide
LIMESTONE COUNTY
(H,Hw) - See Statewide
LIPSCOMB COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
LIVE OAK COUNTY
(H,Hw) - See Statewide
LLANO COUNTY
(H,Hw) - See Statewide
LOVING COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
LUBBOCK COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
Decision #TX75-4094 (B)
40 FR 21685 - 5/16/75
Mod. #1 - 40 FR 26186 - 6/20/75
Mod. #2 - 40 FR 29452 - 7/11/75
Mod. #3 - 40 FR 30387 - 7/18/75
LYNN COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
McCULLOCH COUNTY
(H,Hw) - See Statewide
McLENNAN COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
McMULLEN COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

MASON COUNTY
(H,Hw) - See Statewide
MATAGORDA COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
(D) - See Aransas County
MAVERICK COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MENARD COUNTY
(H,Hw) - See Statewide
MIDLAND COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
MILAM COUNTY
(H,Hw) - See Statewide
MILLS COUNTY
(H,Hw) - See Statewide
MITCHELL COUNTY
(H,Hw) - See Statewide
MONTAGUE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
MOORE COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
MORRIS COUNTY
(H,Hw) - See Statewide
MOTLEY COUNTY
(H,Hw) - See Statewide
NACOGDOCHES COUNTY
(H,Hw) - See Statewide
NAVARRO COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

NEWTON COUNTY
(H,Hw) - See Statewide
NOLAN COUNTY
(H,Hw) - See Statewide
NUECES COUNTY
(B) - See Kleberg County
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
OCHILTREE COUNTY
(R) (B) - See Armstrong County
(H,Hw) - See Statewide
OLDHAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
ORANGE COUNTY
(R)(B) - See Jefferson County
(Hw) - See Statewide
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
PANOLA COUNTY
(H,Hw) - See Statewide
PARKER COUNTY
(H,Hw) - See Statewide
(R) - See Hood County
PARMER COUNTY
(H,Hw) - See Statewide
PECOS COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
POLK COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
PRESIDIO COUNTY
(H,Hw) - See Statewide
RAINS COUNTY
(H,Hw) - See Statewide
RANDALL COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
REAGAN COUNTY
(H,Hw) - See Statewide
REAL COUNTY
(H,Hw) - See Statewide
RED RIVER COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

REEVES COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
REFUGIO COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
ROBERTSON COUNTY
(H,Hw) - See Statewide
ROCKWALL COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
RUNNELS COUNTY
(H,Hw) - See Statewide
RUSK COUNTY
(H,Hw) - See Statewide
SABINE COUNTY
(H,Hw) - See Statewide
SAN AUGUSTINE COUNTY
(H,Hw) - See Statewide
SAN JACINTO COUNTY
(H,Hw) - See Statewide
SAN PATRICIO COUNTY
(R) - See Bee County
(D) - See Aransas County
(H,Hw) - See Statewide
SAN SABA COUNTY
(H,Hw) - See STatewide
SCHLEICHER COUNTY
(H,Hw) - See Statewide
SCURRY COUNTY
(H,Hw) - See Statewide
SHACKELFORD COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
SHERMAN COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
SMITH COUNTY
(H,Hw) - See Statewide
SOMERVELL COUNTY
(H,Hw) - See Statewide
STARR COUNTY
(H,Hw) - See Statewide
(B)(R) - See Cameron County
STEPHENS COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

STERLING COUNTY
(H,Hw) - See Statewide
STONEWALL COUNTY
(H,Hw) - See Statewide
SUTTON COUNTY
(H,Hw) - See Statewide
SWISHER COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
TARRANT COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
Decision #AQ-117 (R)
39 FR 22400 - 6/21/74
TAYLOR COUNTY
Decision #TX75-4098 (B)
40 FR 22786 - 5/23/75
(H,Hw) - See Statewide
TERRELL COUNTY
(H,Hw) - See Statewide
TERRY COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
THROCKMORTON COUNTY
(H,Hw) - See Statewide
TITUS COUNTY
(H,Hw) - See Statewide
TOM GREEN COUNTY
Decision #TX75-4088 (B)
40 FR 21677 - 5/16/75
(H,Hw) - See Statewide
TRAVIS COUNTY
Decision #TX75-4101 (B)
40 FR 22789 - 5/23/75
Mod. #1 - 40 FR 25334 - 6/13/75
Mod. #2 - 40 FR 29452 - 7/11/75
Mod. #3 - 40 FR 30388 - 7/18/75
(R) - See Bastrop County
(H,Hw) - See Statewide
TRINITY COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(H,Hw) - See Statewide
UPSHUR COUNTY
(H,Hw) - See Statewide
UPTON COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
UVALDE COUNTY
(H,Hw) - See STatewide
VAL VERDE COUNTY
(H,Hw) - See Statewide
VAN ZANDT COUNTY
(H,Hw) - See Statewide
VICTORIA COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County

TEXAS (Cont'd.)

WALKER COUNTY
(H,Hw) - See Statewide
(R) - See Brazoria County
WALLER COUNTY
(H,Hw) - See Statewide
WARD COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WASHINGTON COUNTY
(H,Hw) - See Statewide
WEBB COUNTY
(B,R) - See Dimmit County
(H,Hw) - See STatewide
WHARTON COUNTY
(H,Hw) - See Statewide
WHEELER COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
WICHITA COUNTY
Decision #TX75-4087 (R)
40 FR 21675 - 5/16/75
Decision #TX75-4108 (B)
40 FR 22803 - 5/23/75
Mod. #1 - 40 FR 24461 - 6/6/75
Mod. #2 - 40 FR 26187 - 6/20/75
Mod. #3 - 40 FR 27417 - 6/27/75
(H,Hw) - See Statewide
WILBARGER COUNTY
(H,Hw) - See Statewide
WILLACY COUNTY
(R)(B) - See Cameron County
(H,Hw) - See Statewide
(D) - See Aransas County
WILLIAMSON COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
WILSON COUNTY
(H,Hw) - See Statewide
WINKLER COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
WOOD COUNTY
(H,Hw) - See Statewide
YOAKUM COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
YOUNG COUNTY
(H,Hw) - See Statewide
ZAPATA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
ZAVALA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide

UTAH

STATEWIDE
Decision #UT75-5026 (B,H,Hw)
40 FR 7860 - 2/21/75
Mod. #1 - 40 FR 14216 - 3/28/75
Mod. #2 - 40 FR 17472 - 4/18/75
Mod. #3 - 40 FR 18283 - 4/25/75
Mod. #4 - 40 FR 26187 - 6/20/75
BEAVER COUNTY
(B,H,Hw) - See Statewide
BOX ELDER COUNTY
(B,H,Hw) - See Statewide
CACHE COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
DAGGETT COUNTY
(B,H,Hw) - See Statewide
DAVIS COUNTY
(B,H,Hw) - See Statewide
DUCHESNE COUNTY
(B,H,Hw) - See Statewide
EMERY COUNTY
(B,H,Hw) - See Statewide
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GRAND COUNTY
(B,H,Hw) - See Statewide
IRON COUNTY
(B,H,Hw) - See Statewide
JUAB COUNTY
(B,H,Hw) - See Statewide
KANE COUNTY
(B,H,Hw) - See Statewide
MILLARD COUNTY
(B,H,Hw) - See Statewide
MORGAN COUNTY
(B,H,Hw) - See Statewide
PIUTE COUNTY
(B,H,Hw) - See Statewide
RICH COUNTY
(B,H,Hw) - See Statewide
SALT LAKE COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
(B,H,Hw) - See Statewide
SANPETE COUNTY
(B,H,Hw) - See Statewide
SEVIER COUNTY
(B,H,Hw) - See Statewide
SUMMIT COUNTY
(B,H,Hw) - See Statewide
TOOELE COUNTY
(B,H,Hw) - See Statewide
UINTAH COUNTY
(B,H,Hw) - See Statewide
UTAH COUNTY
(B,H,Hw) - See Statewide
WASATCH COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

UTAH (Cont'd)

WAYNE COUNTY
(B,H,Hw) - See Statewide
WEBER COUNTY
(B,H,Hw) - See Statewide

VERMONT

Statewide (Except Rutland County)
Decision #AQ-3184 (Hw)
39 FR 24203 - 6/28/74
Mod. #1 - 39 FR 27397 - 7/26/74
Mod. #2 - 40 FR 16497 - 4/11/75
Mod. #3 - 40 FR 21657 - 5/16/75
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
None
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AP-805 (Hw)
38 FR 11279 - 5/4/73
Mod. #1 - 38 FR 13127 - 5/18/73
Mod. #2 - 40 FR 15284 - 4/4/75
Mod. #3 - 40 FR 23631 - 5/30/75
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
ALBERMARLE COUNTY
Decision #AM-1874 (Hw)
36 FR 16342 - 8/20/71
Mod. #1 - 40 FR 15284 - 4/4/75
ALEXANDRIA CITY
Decision #MD75-3062 (B)
40 FR 26203 - 6/20/75
Mod. #1 - 40 FR 28312 - 7/3/75
Mod. #2 - 40 FR 29453 - 7/11/75
ALLEGHANY COUNTY
Decision #AM-1875 (Hw)
36 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72
Mod. #2 - 40 FR 15284 - 4/4/75
AMELIA COUNTY
Decision #AR-2032 (Hw)
39 FR 31871 - 8/30/74
AMHERST COUNTY
Decision #AQ-2032 (Hw)
38 FR 33259 - 11/30/73
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(D) - See Accomack County
AUGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
Mod. #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
BATH COUNTY
(Hw) - See Alleghany County
BEDFORD CITY
(Hw) - See Bedford County
BEDFORD COUNTY
Decision #AQ-2021 (Hw)
38 FR 27744 - 10/5/73
BLAND COUNTY
Decision #AQ-2020 (Hw)
38 FR 27744 - 10/5/73
Mod. #1 - 40 FR 15285 - 4/4/75
BOTETOURT COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

BRISTOL CITY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA CITY
(Hw) - See Alleghany County
CAMPBELL COUNTY
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AQ-2031 (Hw)
38 FR 33258 - 11/30/73
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTSVILLE CITY
(Hw) - See Albermarle County
CHESAPEAKE CITY
Decision #VA75-3005 (B)
40 FR 944 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 17473 - 4/18/75
Mod. #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29455 - 7/11/75
Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
Mod. #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
CLIFTON FORGE CITY
(Hw) - See Alleghany County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Alleghany County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albermarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKENSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
EMPORIA CITY
(Hw) - See Accomack County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(B) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Chesapeake City
(B,H,W&S) - See York County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County
FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County

VIRGINIA (Cont'd)

FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bedford County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GRAYSON COUNTY
(Hw) - See Bland County
GREENE COUNTY
(Hw) - See Albermarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
Decision #AQ-2103 (R)
39 FR 14119 - 4/19/74
Mod. #1 - 15612 - 5/3/74
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Allegheny County
HENRICO COUNTY
Decision #VA75-3006 (B)
40 FR 946 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 17473 - 4/18/75
Mod. #3 - 40 FR 22743 - 5/23/75
(Hw) - See Amelia County

VIRGINIA (Cont'd.)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Alleghany County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(D,Hw) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(D,Hw) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albermarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County
MADISON COUNTY
(Hw) - See Alemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(D,Hw) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
(R) - See Hampton City
NORFOLK CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(D,Hw) - See Accomack County
NORTON CITY
(Hw) - See Bland County
NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albemarle County

VIRGINIA (Cont'd)

PAGE COUNTY
(Hw) - See Alleghany County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG CITY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albermarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
Decision #VA75-3069 (B)
40 FR 29438 - 7/11/75
(Hw) - See Bedford County
RAPPAHANNOCK COUNTY
(Hw) - See Albermarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKBRIDGE COUNTY
(Hw) - See Alleghany County
ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
RUSSELL COUNTY
(Hw) - See Bland County
SALEM CITY
(Hw) - See Bedford County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Alleghany County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County

VIRGINIA (Cont'd.)

SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Alleghany County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM-9321 (R)
37 FR 10266 - 5/19/72
(Hw,B) - See Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Alleghany County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Alleghany County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
Decision #VA75-3004 (B,H,S&N)
40 FR 941 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 21657 - 5/16/75
Mod. #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29454 - 7/11/75
(R) - See James City
(D,Hw) - See Accomack County

WASHINGTON

STATEWIDE
Decision #WA75-5090 (B,H,Hw,D)
40 FR 31571 - 7/25/75
ADAMS COUNTY
(B,H,Hw,D) - See Statewide
ASOTIN COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CHELAN COUNTY
(B,H,Hw,D) - See Statewide
CLALLAM COUNTY
Decision #WA75-5064 (R)
40 FR 23695 - 5/30/75
Mod. #1 - 40 FR 29455 - 7/11/75
(B,H,Hw,D) - See Statewide
CLARK COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COWLITZ COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
FERRY COUNTY
(B,H,Hw, D) - See Statewide
FRANKLIN COUNTY
(B,H,Hw,D) - See Statewide
GARFIELD COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(B,H,Hw,D) - See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
ISLAND COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KING COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
KITSAP COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KITTITAS COUNTY
(B,H,Hw,D) - See Statewide
KLICKITAT COUNTY
(B,H,Hw,D) - See Statewide

WASHINGTON (Cont'd)

LEWIS COUNTY
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
MASON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
OKANOGAN COUNTY
(B,H,Hw,D) - See Statewide
PACIFIC COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
PEND OREILLE COUNTY
(B,H,Hw,D) - See Statewide
PIERCE COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
SAN JUAN COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
SKAGIT COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
SKAMANIA COUNTY
(B,H,Hw,D) - See Statewide
SNOHOMISH COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
SPOKANE COUNTY
(B,H,Hw,D) - See Statewide
STEVENS COUNTY
(B,H,Hw,D) - See Statewide
THURSTON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
WAHKIAKUM COUNTY
(B,H,Hw,D) - See Statewide
WALLA WALLA COUNTY
(B,H,Hw,D) - See Statewide
WHATCOM COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
WHITMAN COUNTY
(B,H,Hw,D) - See Statewide
YAKIMA COUNTY
Decision #AQ-1109 (R)
39 FR 18416 - 5/24/74
(B,H,Hw,D) - See Statewide
(B,H,Hw,D) - See Statewide

WASHINGTON, D. C.

WASHINGTON, D. C.
Decision #DC75-3061 (B,Hw, W&S)
40 FR 26242 - 6/20/75
Mod. #1 - 40 FR 28312 - 7/3/75
Mod. #2 - 40 FR 29455 - 7/11/75
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75

WEST VIRGINIA

STATEWIDE
Decision #WV75-3009 (H,Hw)
40 FR 4883 - 1/31/75
Mod. #1 - 40 FR 10883 - 3/7/75
Mod. #2 - 40 FR 14217 - 3/28/75
BARBOUR COUNTY
Decision #WV75-3007 (B)
40 FR 6136 - 2/7/75
Mod. #1 - 40 FR 8700 - 2/28/75
Mod. #2 - 40 FR 10883 - 3/7/75
Mod. #3 - 40 FR 14217 - 3/28/75
Mod. #4 - 40 FR 16497 - 4/11/75
Mod. #5 - 40 FR 21659 - 5/16/75
(H,Hw) - See Statewide
BERKELEY COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
BRAXTON COUNTY
(H,Hw) - See Statewide
BROOKE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CABELL COUNTY
(B) - See Barbour County
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CALHOUN COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CLAY COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
DODDRIDGE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
FAYETTE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GILMER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREENBRIER COUNTY
(H,Hw) - See Statewide
HAMPSHIRE COUNTY
(H,Hw) - See Statewide
HANCOCK COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
HARDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd)

JACKSON COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County
JEFFERSON COUNTY
(H,Hw) - See Statewide
KANAWHA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
Decision #AR-2058 (R)
39 FR 35948 - 10/4/74
Mod. #1 - 39 FR 44913 - 12/27/74
(H,Hw) - See Statewide
LEWIS COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LOGAN COUNTY
(H,Hw) - See Statewide
MC DOWELL COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MARSHALL COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MASON COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MINERAL COUNTY
(H,Hw) - See Statewide
MINGO COUNTY
(H,Hw) - See Statewide
MONOGALIA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MONROE COUNTY
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NICHOLAS COUNTY
(H,Hw) - See Statewide
OHIO COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
PENDLETON COUNTY
(H,Hw) - See Statewide
PLEASANT COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County

WEST VIRGINIA (Cont'd.)

PRESTON COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
RALEIGH COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RITCHIE COUNTY
(H,Hw) - See Statewide
(B) - See Barbour County
ROANE COUNTY
(H,Hw) - See Statewide
SUMMERS COUNTY
(H,Hw) - See Statewide
TAYLOR COUNTY
(H,Hw) - See Statewide
TUCKER COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
UPSHUR COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WAYNE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WEBSTER COUNTY
(H,Hw) - See Statewide
WETZEL COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WIRT COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WOOD COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WYOMING COUNTY
(H,Hw) - See Statewide

WISCONSIN

STATEWIDE
Decision #WI75-2047 (Hw)
40 FR 8757 - 2/28/75
Decision #WI75-2048 (H, Sewer, Tunnel, & Water)
40 FR 12059 - 3/14/75
ADAMS COUNTY
(H,Hw,W&S) - See Statewide
ASHLAND COUNTY
Decision #IL75-5079 (B)
40 FR 29490 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
(H,Hw,W&S) - See Statewide
Decision #AR-3151 (B,R)
39 FR 36706 - 10/11/74
Mod. #1 - 40 FR 21657 - 5/16/75
BARRON COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
BAYFIELD COUNTY
(B,D,R) - See Ashland County
(H,Hw,W&S) - See Statewide
BROWN COUNTY
Decision #AR-3153 (B)
39 FR 36825 - 10/11/74
Mod. #1 - 40 FR 21658 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
BUFFALO COUNTY
(H,Hw,W&S) - See Statewide
BURNETT COUNTY
(H,Hw,W&S) - See Statewide
CALUMET COUNTY
(H,Hw,W&S) - See Statewide
CHIPPEWA COUNTY
(H,Hw,W&S) - See Statewide
(B,R) - See Eau Clair County
CLARK COUNTY
(H,Hw,W&S) - See Statewide
COLUMBIA COUNTY
(H,hw,W&S) - See Statewide
CRAWFORD COUNTY
(H,Hw,W&S) - See Statewide
DANE COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3155 (B,R)
39 FR 36829 - 10/11/74
Mod. #1 - 40 FR 18284- 4/25/75
DODGE COUNTY
(H,Hw,W&S) - See Statewide
DOOR COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
DOUGLAS COUNTY
(B,R) - See Ashland County
DUNN COUNTY
(B) - See PolkdCounty
(H,Hw,W&S) - See Statewide
EAU CLAIR COUNTY
Decision #AR-3154 (B,R)
39 FR 36827 - 10/11/74
Mod. #1 - 40 FR 18284 - 4/25/75
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

FLORENCE COUNTY
(H,Hw,W&S) - See Statewide
FOND DU LAC COUNTY
(H,Hw,W&S) - See Statewide
FOREST COUNTY
(H,Hw,W&S) - See Statewide
GRANT COUNTY
(H,Hw,W&S) - See Statewide
GREEN COUNTY
(B) - See Rock County
(H,Hw,W&S) - See Statewide
GREEN LAKE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
IOWA COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
IRON COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
JACKSON COUNTY
(H,Hw,W&S) - See Statewide
JEFFERSON COUNTY
(H,Hw,W&S) - See Statewide
JUNEAU COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3158 (B)
39 FR 36835 - 10/11/74
Mod. #1 - 40 FR 18285 - 4/25/75
KENOSHA COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3159 (B,R)
39 FR 36837 - 10/11/74
Mod. #1 - 39 FR 41662 - -1/29/74
KEWAUNEE COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
LA CROSSE COUNTY
Decision #AR-3160 (B,R)
39 FR 36839 - 10/11/74
Mod. #1 - 40 FR 18286 - 4/25/75
(H,Hw,W&S) - See Statewide
LA FAYETTE COUNTY
(H,Hw,W&S) - See Statewide
LANGLADE COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide
LINCOLN COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide
MANITOWOC COUNTY
(H,Hw,W&S) - See Statewide
MARATHON COUNTY
Decision #AR-3161 (B)
39 FR 36840 - 10/11/74
Mod. #1 - 40 FR 18286 - 4/25/75
(H,Hw,W&S) - See Statewide
MARINETTE COUNTY
(D) - See Ashland County

WISCONSIN (Cont'd.

MARQUETTE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
MENOMINEE COUNTY
(H,Hw,W&S) - See Statewide
MILWAUKEE COUNTY
Decision #AR-3162 (B,R)
39 FR 36843 - 10/11/74
Mod. #1 - 40 FR 18287 - 4/25/75
(H,Hw,W&S) - See Statewide
MONROE COUNTY
(H,Hw,W&S) - See Statewide
OCONTO COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
ONEIDA COUNTY
(H,Hw,W&S) - See Statewide
OUTAGAMIE COUNTY
(H,Hw,W&S) - See Statewide
OZAUKEE COUNTY
(B,R) - See Milwaukee County
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
PEPIN COUNTY
(B,R) - See Eau Clair County
(H,Hw,W&S) - See Statewide
PIERCE COUNTY
(H,Hw,W&S) - See Statewide
POLK COUNTY
Decision #AR-3152 (B)
39 FR 36823 - 10/11/74
Mod. #1 - 40 FR 18284 - 4/25/75
(H,Hw,W&S) - See Statewide
PORTAGE COUNTY
(H,Hw,W&S) - See Statewide
PRICE COUNTY
(H,Hw,W&S) - See Statewide
RACINE COUNTY
Decision #WI75-2064 (B,R)
40 FR 21691 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
RICHLAND COUNTY
(H,Hw,W&S) - See Statewide
ROCK COUNTY
Decision #AR-3156 (B)
39 FR 36831 - 10/11/74
Mod. #1 - 40 FR 21658 - 5/16/75
(H,Hw,W&S) - See Statewide
RUSK COUNTY
(H,Hw,W&S) - See Statewide
SAINT CROIX COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
SAUK COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
SAWYER COUNTY
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.

SHAWANO COUNTY
(H,Hw,W&S) - See Statewide
SHEBOYGAN COUNTY
(D) - See Ashland County
TAYLOR COUNTY
(H,Hw,W&S) - See Statewide
TREMPEALEAU COUNTY
(H,Hw,W&S) - See Statewide
VERNON COUNTY
(H,Hw,W&S) - See Statewide
VILAS COUNTY
(H,Hw,W&S) - See Statewide
WALWORTH COUNTY
(H,Hw,W&S) - See Statewide
WASHBURN COUNTY
(H,Hw,W&S) - See Statewide
WASHINGTON COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUKESHA COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUPACA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
WASHARA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - SeeSStatewide
WINNEBAGO COUNTY
Decision #AR-3157 (B)
39 FR 36833 - 10/11/74
Mod. #1 - 40 FR 20562 - 5/9/75
(H,Hw,W&S) - See Statewide
WOOD COUNTY
(H,Hw,W&S) - See Statewide

WYOMING

STATEWIDE
Decision #WY75-5011 (Hw)
40 FR 4879 - 1/31/75
Mod. #1 - 40 FR 16497 - 4/11/75
Mod. #2 - 40 FR 26187 - 6/20/75
ALBANY COUNTY
(Hw) - See Statewide
BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
Decision #WY75-5073 (B,H)
40 FR 26247 - 6/20/75
(Hw) - See Statewide
CROOK COUNTY
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GOSHEN COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - SeeSStatewide
NATRONA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
NIOBRARA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide

WYOMING (Cont'd.)

WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK
(Hw) - See Statewide

[FR Doc.75-23380 Filed 9-4-75;8:45 am]

federal register

FRIDAY, SEPTEMBER 5, 1975

PART VII:

DEPARTMENT OF THE INTERIOR

■

PRIVACY ACT OF 1974

Notice of Systems of Records

DEPARTMENT OF THE INTERIOR

Office of the Secretary

PRIVACY ACT OF 1974

Notices of Systems of Records

Notice is hereby given that the Department of the Interior proposes to adopt notices describing the systems of records subject to section 3 of the Privacy Act of 1974, 5 U.S.C. Section 552a, which it maintains. Although the Act requires publication for comment of only that portion of each notice which describes the "routine uses" of a system of records, the Department is publishing and invites comment upon all parts of each notice.

The proposed notices are the product of a several month effort by the Department to identify records which it maintains, which are subject to the Privacy Act. In making final decisions about the coverage of the Act, the Department was guided by the guidelines for Privacy Act implementation published by the Office of Management and Budget in the FEDERAL REGISTER for July 9, 1975 (40 FR 28949–28978).

The format for the proposed notices is the format recommended by the Office of the Federal Register in the FEDERAL REGISTER for June 19, 1975 (40 FR 25988–25990).

The following remarks should clarify some of the principles which guided the Department in identifying records subject to the Act, in making decisions concerning the configuration of these records into systems of records, and in preparation of notices describing these systems.

The provisions of section 3 of the Privacy Act apply generally to all "records" which are maintained in a "system of records." The term "record" is defined by the Act to mean "any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph." 5 U.S.C. Section 552a(a)(4). The term "individual," which is necessarily crucial in interpreting the term "record," is defined to mean "a citizen of the United States or an alien lawfully admitted for permanent residence." 5 U.S.C. Section 552a(a)(1). The term "system of records" means "a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual." 5 U.S.C. Section 552a(a)(5).

In synthesizing these three definitions, the Department developed several principles which it applied in considering the application of the Act to records in its files.

First, the Department concluded that the Act did not reach records concerning individuals acting in an entrepreneurial or proprietary capacity, as opposed to records containing purely personal information about individuals. This conclusion is based, in part, on the plain words of the definition of "individual." Natural persons may be citizens; artificial persons cannot. Orient Ins. Co. v. Daggs, 172 U.S. 557 (1869). Fictional business entities thus cannot be citizens. Information on such an entity, even though the entity may be closely tied with a natural person, is not "information about an individual." The Department's conclusion is reinforced by the legislative history of the Act. As pointed out and discussed in more detail in the OMB guidelines, the Senate Report states that the definition of individual is intended to "distinguish between the rights which are given to the citizen as an individual under this Act and the rights of proprietorships, businesses and corporations which are not intended to be covered by this Act." S. Rept. 1183, 93d Cong., 2d Sess. 79 (1974).

Based on this conclusion, the Department has not included as systems collections of records appearing to pertain only to businesses (including sole proprietorships, partnerships, and corporations).

The Department recognizes, however, that in some instances records pertaining to very small business may have a dual character. Information concerning the finances of a sole proprietorship may, in some cases, also be personal financial information concerning the proprietor in his individual capacity. Because of this possibility, the Department has included as systems some collections of records which contain primarily entrepreneurial information, but which may contain some small amount of information which is personal in character. In most cases, the notices for these systems contain a statement under the heading "Category of Individual" explaining the basis on which they were included. It is the Department's understanding that the collections of records covered by these system notices are "systems" subject to the Act only to the extent that they contain personal information. The entrepreneurial component of the collections is not subject to the Act.

The Department intends to follow closely any litigation which should develop on this difficult point and, if necessary, will adjust its notices to accommodate the law which develops out of such litigation.

Second, the Department concluded that collections of records containing personal information about individuals were not "systems" if that information is not retrieved by individual name or identifier. This reading seems to be the only one which can be given to the definition of "system of records."

Despite this conclusion, the Department has been fairly liberal in deciding whether personal information "is" retrieved by individual name or identifier. Included among the Department's systems are several from which information can physically be retrieved by individual name, but for which there is no significant history of use of this capability. It was the Department's conclusion with respect to these systems that the potential for such retrieval ought to be viewed as bringing them within the Act because the information in the systems was information in which individuals may have some privacy interest.

With respect to personal information not retrieved by individual name and thus not subject to the Act, the Department of course, will, in the spirit of the Privacy Act, exercise appropriate caution in the handling and dissemination of records. In particular, invocation of the sixth exemption from the Freedom of Information Act's disclosure requirements will be seriously considered when such information is sought in a Freedom of Information request.

Third, the Department concluded that the Privacy Act does not reach records kept by employees which are not official records. It is the Department's view that personal records maintained by an employee are not under its control and, accordingly not "maintained by an agency" within the meaning of 5 U.S.C. section 552a(a)(4). In reaching this conclusion, the Department relied upon the analysis offered at page 28952 of the OMB guidelines.

The Department views this conclusion as excluding only a fairly narrow category of records from coverage by the Act, however. The type of records excluded are mainly personal telephone lists; birthday and similar lists developed by employees on their own time for purposes of exchanging greeting cards or gifts; and similar documents.

Fourth, the Department concluded that the Act does not apply to published works, including library books and standard research and reference authorities. The basis of this conclusion is the doctrine of statutory interpretation that legislation ought not to be interpreted so as to yield an absurd result. Even though a library book may contain personal information and may be retrievable by individual name through a card catalogue, application of the Privacy Act protections to that book would serve no sensible purpose. The publication of a book containing very sensitive personal information concerning a person may give rise to an action for damages, see, e.g., Garner v. Triangle Publications, 97 F. Supp. 546 (S.D.N.Y. 1951), but locking up the Government's copies of the book cannot reasonably be viewed as ameliorating the invasion of privacy which has occurred or protecting the individual from further invasions of privacy or adverse consequences stemming therefrom. Further, it would necessarily be beyond the capability of the Department to assure that the contents of the books in its many libraries are timely and accurate.

Fifth, the Department concluded that mailing lists containing solely lists of names and addresses are not "systems of records." The definition of "record," as quoted above, offers as examples of items of information within its scope information concerning "education, financial transactions, medical history, and criminal or employment history." Applying the principle of ejusdem generis, the Department is of the view that the words "item, collection or grouping of information" must be read as applying to things of the same general kind or class as those mentioned. The Department does not view an individual's address, without

more, as being in the same class as the specifically enumerated items in the definition.

The Department's conclusion on this point does not mean that mailing lists which it maintains are open to the world. Subsection (n) of 5 U.S.C. § 552a precludes the sale of mailing lists and the Department will observe this prohibition. Further, where mailing lists are requested under the Freedom of Information Act, it will be the policy of the Department to consider carefully the application of exemption (6) and to withhold such lists where, even though disclosure in and of itself may not constitute an invasion of privacy, the requester will use the list in such a way as to invade personal privacy by, for example, conducting a commercial solicitation. See, Wine Hobby USA, Inc. v. I.R.S., 502 F.2d 133 (3rd Cir. 1974).

Further, mailing lists integrated with information beyond name and address are covered in the Department's system notices.

Finally, the Department concluded that, in resolving close questions concerning the application of the Act to records, it should view the Act as applicable if there was a significant possibility that the records might be used to make determinations adverse to an individual. As a result of this decision, the Department included as systems several collections of records which it might not have otherwise included. For example, the Supervisor's Record of Employees System, Interior/Office of the Secretary—16 is defined to include a supervisor's personal notes concerning employee conduct. An argument could have been made for excluding such notes on the ground that they are not "official records," but was not because of the possibility that these records might be used in making adverse determinations about employees.

The Department has not generally prepared notices covering records which are or will be covered in general Government-wide notices issued by other agencies. The principal category of records excluded from the Department's notices by this decision is official personnel records. These records will be covered in a series of general notices issued by the Civil Service Commission, which is, in any event, the technical owner of official personnel records in the hands of the Department.

In configuring collections of records subject to the Act into systems for purposes of notice publication, the Department's policy was to aggregate similar records maintained in widely dispersed locations geographically into either bureau- or Department-wide systems. Three factors influenced this decision. First, the Department concluded that such aggregation would promote greater uniformity and central direction in the handling and maintenance of records within the system, hence reducing the possibility of abuses. Second, the Department concluded that keeping the number of system notices which it needed to publish at a minimum would permit individuals to more readily identify general groupings of records which might contain information pertaining to them. Finally, the Department concluded that preparing separate notices for each component of decentralized systems would involve an unjustifiable expenditure of the taxpayers' money. Rather than the approximately 200 notices which the Department is proposing, this approach would have compelled preparation and publication of 5000 or more notices.

In organizing the proposed notices for publication, the Department has grouped the notices by bureau. While the Department views itself, for Privacy Act purposes, as a single agency, it was felt that organization of notices by bureau would facilitate easy location of records by individuals seeking to determine if the Department maintains records pertaining to them. This will be particularly so because a large portion of the Department's notices relate to administrative management matters (payroll, property management, travel, and so forth) which would be of particular interest to employees in the various bureaus of the Department.

The notices are organized in the following order:

Office of the Secretary
Office of the Solicitor
Office of Hearings and Appeals (OHA)
Fish and Wildlife Service (FWS)
Geological Survey (GS)
Bureau of Indian Affairs (BIA)
Bureau of Land Management (BLM)
Bureau of Mines (Mines)
Mining Enforcement and Safety Administration (MESA)
National Park Service (NPS)
Bureau of Outdoor Recreation (BOR)
Bureau of Reclamation (Reclamation)
Alaska Power Administration
Bonneville Power Administration (BPA)
Southeastern Power Administration
Southwestern Power Administration

It should be noted that under the category of Office of the Secretary, the Department has included not only notices covering records maintained exclusively within offices making up the Office of the Secretary, but several notices describing Department-wide systems of records.

Within the notice format, the Department has made one deviation which may not have been required by the Act or the format guidelines developed by the Office of the Federal Register. It has been persuasively argued that the "routine uses" for records subject to the Act can be distinguished from the primary or main use which is made of the records. The basis of this distinction is subsection 552a(a)(7), which defines "routine use" to mean use of a record "for a purpose which is compatible with the purpose for which it was collected." This definition suggests that use of a record for the purpose for which it was collected is not a routine use and, hence, that only corollary uses are "routine uses." While the Department views this distinction as a correct interpretation of the Act, it has nevertheless not applied the distinction in developing the "Routine Uses" section of its system notices. Rather, in preparing the "Routine Uses" section of notices, the Department has in most cases, included both the principal uses for which records in a system are used as well as corollary uses. Ordinarily, the principal uses are listed first, corollary uses are listed second.

The reason for this decision was to avoid confusion among readers of the Department's notices. The meaning of "routine uses" for purposes of the Act is obviously different from the colloquial meaning of the term and persons not versed in the details of the Privacy Act might well be misled by listing only corollary uses as "routine uses."

The impact of this decision is that many uses of records not involving their transfer outside of the Department of the Interior are listed as "routine uses," when, in a strict sense, they are not really "routine uses." For purposes of applying subsections (b) and (c) of 5 U.S.C. § 552a, which relate to conditions of disclosure and accounting for disclosures, the Department nevertheless will treat internal disclosures to officers or employees having a need for records in the performance of their duties as disclosures permitted by subsection (b)(1), rather than as disclosures under subsection (b)(3), which permits disclosures for "routine uses."

In developing the "Location" item of system notices, the Department determined that listing all locations of decentralized systems in each notice would lead to undue repetition, since a number of systems share common locations. Accordingly, the "Location" item on some notices lists only the categories of offices maintaining records within the system and not the address of each individual office. Final publication of the notices in September will be accompanied by publication of an Appendix listing all of the facilities of the Department and the addresses of these facilities. Persons interested in a particular system will be able to determine the addresses of the facilities at which it is located by cross-referencing the Appendix.

One final matter must be mentioned. The Department is continuing to review and evaluate its record and it is anticipated that an additional group of notices will be published prior to September 27, the effective date of the Act. If time permits, these notices will be published in their entirety as proposed notices. If not, only the "Routine Uses" sections will be published in proposed form. Whichever approach is utilized, the "routine uses" sections of these notices will not be finalized for 30 days after their initial publication, as is required by 5 U.S.C. § 552a(e)(11).

Comments on the proposed notices may be submitted to the Assistant Solicitor, General Legal Services, Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, Washington, D.C. 20240. All comments received on or before September 17, 1975, will be considered. Copies of the comments may be inspected in Room 6525 at the above address.

Pursuant to the authority vested in the Secretary of the Interior by 5 U.S.C. 301 and 552a and 43 U.S.C. 1460, the system of records notices set out below are, accordingly, proposed.

RICHARD R. HITE,
Deputy Assistant Secretary of the Interior.

AUGUST 22, 1975.

System name: COMMITTEE MANAGEMENT FILES -- INTERIOR, OFFICE OF THE SECRETARY--1.

System location: (1) DEPARTMENT COMMITTEE MANAGEMENT OFFICER AND BUREAU COMMITTEE MANAGEMENT OFFICERS. (2) HEADQUARTERS OFFICE OF ALL BUREAUS. (SEE APPENDIX FOR ADDRESSES.)

Categories of individuals covered by the system: MEMBERS OF ADVISORY COMMITTEES AND CANDIDATES FOR ADVISORY COMMITTEE MEMBERSHIP.

Categories of records in the system: BIOGRAPHIES AND RECORDS OF COMMITTEE PARTICIPATION.

Authority for maintenance of the system: 5 U.S.C. APP.I.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) TRANSFER TO OMB IN CONNECTION WITH ITS COMMITTEE MANAGEMENT RESPONSIBILITIES (2) PRESS RELEASES ANNOUNCING APPOINTMENTS. (3) TRANSFER TO OTHER FEDERAL AGENCIES WHICH HAVE JOINT RESPONSIBILITY FOR ADVISORY COMMITTEES OR WHICH RECEIVE OR UTILIZE ADVICE OF THE COMMITTEES. (4) TRANSFER TO THE U.S. DEPARTMENT OF JUSTICE IN THE EVENT OF LITIGATION OR POTENTIAL LITIGATION INVOLVING THE RECORDS OR THE SUBJECT MATTER OF THE RECORDS. (5) TRANSFER IN THE EVENT THERE IS INDICATED A VIOLATION OR POTENTIAL VIOLATION OF A STATUTE, REGULATION, RULE, ORDER OR LICENSE, WHETHER CIVIL, CRIMINAL OR REGULATORY IN NATURE, TO THE APPROPRIATE AGENCY OR AGENCIES, WHETHER FEDERAL, STATE, LOCAL OR FOREIGN, CHARGED WITH THE RESPONSIBILITY OF INVESTIGATION OR PROSECUTING SUCH VIOLATION OR CHARGED WITH ENFORCING OR IMPLEMENTING THE STATUTE, RULE, REGULATION, ORDER OR LICENSE VIOLATED OR POTENTIALLY VIOLATED.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) STORAGE -- MAINTAINED IN FILE FOLDERS. (2) RETRIEVABILITY -- FILED BY COMMITTEE OR BUREAU. (3) SAFEGUARD -- MAINTAINED WITH SAFEGUARDS MEETING THE REQUIREMENTS OF 43 CFR 2.51 FOR MANUAL RECORDS. (4) DISPOSAL -- DEPARTMENT COMMITTEE MANAGEMENT OFFICE RECORDS ARE MAINTAINED NO LONGER THAN TWO YEARS. BUREAU RECORDS ARE SUBJECT TO BUREAU DISPOSAL SCHEDULES.

System manager(s) and address: DEPARTMENT COMMITTEE MANAGEMENT OFFICER, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C. 20240.

Notification procedure: SYSTEM MANAGER. A WRITTEN AND SIGNED REQUEST STATING THAT THE REQUESTER SEEKS INFORMATION CONCERNING RECORDS PERTAINING TO HIM IS REQUIRED. SEE 43 CFR 2.60.

Record access procedures: A REQUEST FOR ACCESS MAY BE ADDRESSED TO THE SYSTEM MANAGER. THE REQUEST MUST BE IN WRITING AND BE SIGNED BY THE REQUESTER. THE REQUEST MUST MEET THE CONTENT REQUIREMENTS OF 43 CFR 2.63.

Contesting record procedures: A PETITION FOR AMENDMENT SHALL BE ADDRESSED TO THE SYSTEM MANAGER AND MUST MEET THE REQUIREMENTS OF 43 CFR 2.71.

Record source categories: INDIVIDUAL MEMBERS OR CANDIDATES FOR MEMBERSHIP. PERSONS recommending or proposing or having knowledge of the qualifications of an individual.

System name: Security Clearance Files -- Interior, Office of the Secretary--2.

System location: Office of the Secretary, Office of Management Operations (AMO), Division of Enforcement and Security Management, Room 6226, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Office of the Secretary personnel, Heads of Bureaus, and their respective Bureau Security Officers whose duties have been designated critical sensitive or non-critical sensitive.

Categories of records in the system: Contains copies of SF-85 or SF-86 and/or SF-171 supplied by individual concerned as well as copies of letters of transmittal between Interior and U.S. Civil Service Commission concerning the individuals' background investigation. Further, contains copy of certification of clearance status and briefing and/or debriefing certificate signed by individual as appropriate.

Authority for maintenance of the system: Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of Office of the Secretary personnel and Heads of Bureaus and their respective Security Officers who have been granted a security clearance, as well as those persons in a pending clearance status awaiting the results and adjudication of Civil Service Commission investigations, or those persons whose clearance has been terminated in the last two years due to administrative downgrading, transfer to other agencies, employment retirement, or death. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violations or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) Disclosure to a federal, state, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in 8 x 10 1/2 inch folders. (2) Retrievability -- indexed by name. (3) Safeguards -- stored in a locked room in manipulation-proof 3-way combination lock steel safes. Access granted only to cleared personnel on official business. (4) Retention and disposal -- records are maintained in active status until the individual is debriefed; held for two years and then destroyed.

System manager(s) and address: Chief, Division of Enforcement and Security Management, AMO, Room 6222, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Same as the above. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: Same as the above. The request must be in writing, signed by the requester, and meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained as well as data furnished by other Federal agencies on the person concerned.

System name: Secretarial Subject Files -- Interior, Office of the Secretary--3.

System location: Office of the Secretary, Office of Management Operations (AMO), Central Files Section, Room 6013, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Those who have had correspondence with the Office of the Secretary.

Categories of records in the system: Index cards containing the name, dates, and subject codes for retrieval of subject files, subject files of correspondence.

Authority for maintenance of the system: 5 U.S.C. 301, 43 U.S.C. 1457, 44 U.S.C. 3101, Reorganization Plan 3 of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1)These subject files reflect all operational, program, and policy decisions of the Secretary of the Interior, Solicitor, Assistant Secretaries, Deputy

Assistant Secretaries, and their immediate staff assistants; (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records; (3) Transfer to other Federal agencies or entities having a subject matter interest in the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- index cards maintained on 3' x 5' cards, correspondence filed in 9 1/2' x 12' folders. (2) Retrievability -- indexed by name. (3) Safeguards -- stored in locked office. (4) Retention and Disposal -- permanent.

System manager(s) and address: Records Manager, AMO, Room 6013, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Same as the above. See 43 CFR 2.60 for submission requirements.

Record access procedures: Same as the above. See 43 CFR 2.63 for submission requirements.

Contesting record procedures: Same as the above. See 43 CFR 2.71 for submission requirements.

Record source categories: Correspondence or documents signed at the Secretarial level.

System name: Financial Interest Statements and Ethics Counselor Decisions -- Interior, Office of the Secretary--4.

System location: (1) Office of Audit and Investigation, U.S. Department of the Interior, 18th and C St., N.W., Washington, D.C. 20240. (2) Bureau and office Ethics Counsellors, Deputy Ethics Counsellors and Assistant Ethics Counsellors. (A list may be obtained from the Department Ethics Counsellor, Office of Audit and Investigation.)

Categories of individuals covered by the system: Current or past Interior Department employees required to file Statement of Employment and Financial Interest as required in 43 CFR 20.735-22.

Categories of records in the system: Contains Statement of Employment and Financial Interest (form DI-212 or DI-213) for present or past incumbents in positions required to file such statements by 43 CFR 20.735-22(a). Also contains record of conflict of interest decisions, analysis of financial holdings, employee statement, Solicitor's comments, head of bureau or office comments, and supervisor comments on present or past employees as requested by the bureau or office counselors or needed by the Departmental counselor.

Authority for maintenance of the system: (1) 5 USC 7301. (2) 43 USC 11. (3) 30 USC 6. (4) 43 USC 31. (5) 18 USC 201-209. (6) 25 USC 68. (7) E.O. 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1)Review of employee interests to determine compliance with applicable statutes and regulations. (2) Disclosure to the auditors and Civil Service Commission to perform oversight reviews; (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records; (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in file folders; (2) Retrievability -- filed alphabetically by position or employee name; (3) Safeguards -- maintained in locked file cabinet in locked office; (4) Disposal schedule -- 43 CFR, Part 20.735-22(e)(2) requires disposal two years after employee leaves position requiring the filing of the Statement.

System manager(s) and address: Department Ethics Counselor, 18th and C Street, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries may be addressed to the System manager, as indicated above, or to the Bureau or Office Ethics Counselor as listed in 43 CFR 20.735-22(c). (See 43 CFR 2.60 for details on inquiries.)

Record access procedures: A request for access may be addressed to the System Manager (for information regarding the entire system) or to the Bureau or Office Ethics Counselor as listed in 43 CFR 20.735-22(c) (for information regarding the specific bureau or office system). The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager or to the appropriate Bureau or Office Ethics Counselor as listed in 43 CFR 20.735-22(c), and must meet the requirements of 43 CFR 2.71.

Record source categories: Present or past Interior employees required to file Financial Interest Statements, Ethics Counselors, employee's supervisors, or the Solicitor.

System name: Audit Files and Workpapers -- Interior, Office of the Secretary--5.

System location: Office of Audit and Investigation at the following locations: (1) 18th and C St., N.W., Washington, D.C. 20240. (2) Eastern Region, 801 19th St., N.W., Washington, D.C. 20240. (3) Central Region, 1841 Wadsworth, Lakewood, Colorado 80215. (4) Central Region, Suboffice, Rm. 334, Old Post Office Bldg., 123 4th St. S.W., Albuquerque, New Mexico 87102. (5) Western Region, Federal Office Bldg., Rm. W2219, 2800 Cottage Way, Sacramento, California 95825. (6) Western Region Suboffice, 2149 N.E. Hoyt St., Portland, Oregon 97232. (7) Audit site during process of an audit.

Categories of individuals covered by the system: Individuals who are or have been subject to an audit.

Categories of records in the system: Information such as earnings, employment history, debts, performance, and other personal information.

Authority for maintenance of the system: (1) 5 U.S.C. 301. (2) 43 U.S.C. 1457. (3) 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Development and presentation of audit reports which routinely are transmitted throughout the Department and frequently to the U.S. Congress and Federal, State and local government agencies. (2) Transfer to another Federal agency or a state or local government body having partial or complete jurisdiction over the auditee; (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records; (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in binders and file folders; (2) Retrievability -- indexed by audit assignment number and report title, state or bureau; (3) Safeguards -- those files and reports whose contents include items subject to the Privacy Act will be locked and access restricted; (4) Disposal -- (a) grants: last audit retained in office; five years retained in Archives. (b) contracts: current fiscal year plus one past retained in office; five years retained in Archives. (c) internal: two years retained in office; five years retained in Archives. Disposal is authorized after expiration of above time periods.

System manager(s) and address: Director of Audit and Investigation, Office of Audit and Investigation, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Same as above. (See 43 CFR 2.60 for details on inquiries.)

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individuals and from records about the individuals.

System name: Investigative Records -- Interior, Office of the Secretary--6.

System location: Division of Investigation, Office of Audit and Investigation, Office of the Secretary, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Departmental employees, prospective employees, contractors, subcontractors

(prospective contractors and subcontractors), grantees, subgrantees, persons doing business with the Department, private citizens who have contact with the Department or geographical areas under its jurisdiction.

Categories of records in the system: Investigative reports and material pertaining to allegations of violations of law, such as, misconduct by employees, irregularities by contractors, grantees, etc., and irregularities involving the integrity of the policies and practices of the Interior and real and personal property under its jurisdiction.

Authority for maintenance of the system: (1) Reorganization Plan No. 3 of 1950, 43 U.S.C. 1951n. (2) 5 U.S.C. 7301. (3) Executive Order No. 11222. 18 U.S.C. 201n. (4) 43 U.S.C. 11. (5) 30 U.S.C. 6. (6) 43 U.S.C. 31. (7) 25 U.S.C. 68.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1)Ensure compliance with Federal Statutes, regulations, policies, and procedures. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation order or license violated or potentially violated. (4) Disclosure to a federal, state, or local agency maintaining civil, criminal or other relevant enforcment information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – file folders. (2) Retrievability – by name. (3) Safeguards – locked file cabinets within locked rooms. Access to authorized persons only. (4) Retention and Disposal – reports of complete field investigations are disposed of after 30 years. Matters not subjected to full field investigation are disposed of after 15 years. Destruction is by shredding or burning under supervision.

System manager(s) and address: Chief, Division of Investigation, Office of Audit and Investigation, Room 7356, Interior Building, 18th and C Streets, N.W., Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from certain provisions of the Privacy Act, including 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f), under the specific exemption authority provided by 5 U.S.C. 552a(k).

System name: Parking Assignment Records – Interior, Office of the Secretary–7.

System location: Office of Management Operations (AMO), Division of General Services, Room 6221, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Individual requesting a parking permit or joining a carpool.

Categories of records in the system: The records contain the individual's name, social security number, telephone number at work, service computation date, vehicle model, state of registration, license tag number and the individual's residence address and location of employment.

Authority for maintenance of the system: 40 U.S.C. 471, et seq., FMC 74-1 FPMR Temporary Regulation D-43.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Assignment of parking permits and assistance in locating carpools. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the record or the subject matter of the record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on computer printout. (2) Retrievability – indexed by name of individual, social security number, zip code of individual's residence, and organization location. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal – records maintained on a current basis.

System manager(s) and address: Chief, Division of General Services, AMO, Room 6221, U. S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Same as the above. A written and signed request that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: Same as the above. The request must be in writing, signed by the requester, and meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Data furnished by the individual.

System name: Safety Management Information System – Interior, Office of the Secretary–8.

System location: (1) Division of Safety Management, Office of Management Services, Office of the Secretary, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) All field offices and bureau headquarters retain copies of source document. (See Appendix for addresses.)

Categories of individuals covered by the system: Employees, contractors, concessioners and public visitors to Interior facilities who have been involved in an accident resulting in personal injury, and/or property damage.

Categories of records in the system: Contains the name, social security number (employees only), occupation, date and location of accident; data elements about the accident for analytical purposes; and descriptive narrative concerning the reason for the loss producing event.

Authority for maintenance of the system: (1) Executive Order 11807 (September 28, 1974). (2) 29 CFR 1960.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provide summary data of injury and property loss information to bureaus in a number of formats for analytical purposes in establishing program to reduce or eliminate loss producing problem areas (2) Provide listings of individual cases to bureaus to insure that all accidents occuring are reported through the Safety Management Information System. (3)Provide to the Department of Labor quarterly listings of fatalities and disabling injuries and illnesses in compliance with 29 CFR 1960.6. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained on magnetic tape, with copies of source document maintained at bureau safety management headquarters, regional, and field offices where accident is reported. (2) Retrievability -- system is indexed by bureau assigned document control number. (3) Safeguards – maintained with safeguards meeting the 'Computer Security Guidelines for Implementing the Privacy Act of 1974.' (4) Disposal – data stored on magnetic tape is retained as a permanent record. Source documents are to be retained at the field level for five years following end of the calendar year to which the record relates.

System manager(s) and address: Assistant Director for Safety Management, Office of Management Services, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System manager or the field office in which the source document pertaining to the individual would be filed. The source document contained in the field office need not be maintained more than five calendar years past the date of the record as indicated in records disposal. A written and signed request stating that the requester seeks information concerning records pertaining to him/her is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or the field safety office in which the source document for the individual would be filed. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Supervisor of employee involved in accident. Investigation conducted by supervisor of employee and may include safety professionals and other management officials of the involved bureau or office.

System name: Safety Career Opportunity Plan for Employees -- Interior, Office of the Secretary--9.

System location: Division of Safety Management, Office of Management Services, Office of the Secretary, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Individuals who have filed to be included in the SCOPE system.

Categories of records in the system: Contains records concerning education, job experience and grade level of safety professionals and others interested in entering the safety profession.

Authority for maintenance of the system: 5 U.S.C. 301, 3101; 43 U.S.C. 1457; Departmental Manual, Part 395 Safety Management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide listing of eligible safety professionals to persons requesting same when filling a position. (2) To obtain listing of safety professionals eligible for an announced vacancy in order to provide a copy of the vacancy announcement to all interested, eligible persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained on magnetic tape, with copies of source document maintained in Division of Safety Management files. (2) Retrievability -- system is indexed by name. (3) Safeguards -- maintained with the safeguards meeting the 'Computer Security Guidelines for Implementing the Privacy Act of 1974.' (4) Disposal -- data stored on magnetic tape is kept current by periodic up-date with each record remaining in the SCOPE system until an individual requests that it be corrected or removed.

System manager(s) and address: Assistant Director for Safety Management, Office of Management Services, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D. C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Freedom of Information Files -- Interior, Office of the Secretary-10.

System location: Office of the Assistant Secretary -- Program Development and Budget, U.S. Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240.

Categories of individuals covered by the system: (1) Individuals who have filed appeals under Department of the Interior Freedom of Information appeal procedures. (2) Individuals whose Freedom of Information requests to bureaus and offices have required longer than 10 days to process. (3) Individuals whose Freedom of Information requests to bureaus and offices have been denied in whole or part.

Categories of records in the system: Appeals, recommendations of Solicitor, Director of Communications, Program Assistant Secretaries and other officials, decisions of Assistant Secretary -- Program Development and Budget, extension of time and initial decisions issued by bureaus and offices.

Authority for maintenance of the system: 5 U.S.C. 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Decisions on Freedom of Information appeals. (2) Preparation of annual report to the Congress. (3) Disclosure to other agencies of the Federal Government having a subject matter interest in an appeal or bureau or office decision. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by individual name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- not authorized.

System manager(s) and address: Assistant Secretary -- Program Development and Budget, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Bureaus and offices of the Department, appellants.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to have access to information compiled in reasonable anticipation of a civil action or proceeding.

System name: Payroll, Attendance and Leave -- Interior, Office of the Secretary-- 11.

System location: (1) Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) Input documents supplied by all offices serviced by the Office of Secretarial Operations -- Fiscal. (See Appendix for Addresses).

Categories of individuals covered by the system: Employees of the Office of the Secretary, the other Departmental Offices, the Defense Electric Power Administration, Delaware River Basin Commission, Susquehanna River Basin Commission, the American Revolution Bicentennial Administration, and Commission of Fine Arts.

Categories of records in the system: Contains data concerning employee attendance, pay, allowances, awards, deductions, leave, employer contributions, duty station and mailing address.

Authority for maintenance of the system: 5 U.S.C. 5101 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal of data to U.S. Treasury to issue checks to employees and make distributions of pay according to employee authorizations for savings bonds, allotments and other authorized purposes. (2) Reporting retirement deductions to the Civil Service Commission; tax withholding to the Internal Revenue Service and appropriate State, Commonwealth, Territorial and local taxing authorities; FICA deductions to the Social Security Administration; union dues deductions to labor unions; withholdings for health insurance to the carriers and the Civil Service Commission; charity contributions to agents of charitable institutions; annual W-2 statements to taxing authorities and employees; employment and earnings to State employment security agencies and the U.S. Department of Labor. (3) Other reports and statements that either are or will be required by legislation or implementing regulations. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State,

local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (6) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (7) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual, punch card, microfilm and printout form. (2) Retrievability -- indexed by social security number and/or employee name. (3) Safeguards -- maintained in locked room when not being used. (4) Disposal -- retained on site until audited by GAO or transferred to a Federal Records Storage Center in accordance with the fiscal records program approved by GAO, if appropriate, or the applicable GSA General Record Schedule.

System manager(s) and address: Chief, Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W. Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Employee, previous employers, employing office, official personnel records, and Internal Revenue Service.

System name: Travel -- Interior, Office of the Secretary--12.

System location: (1) Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) Input documents supplied by all offices serviced by the Office of Secretarial Operations - Fiscal. (See Appendix for addresses.)

Categories of individuals covered by the system: Employees of the Office of the Secretary, the other Departmental Offices, the Defense Electric Power Administration, Delaware River Basin Commission, Susquehanna River Basin Commission, the American Revolution Bicentennial Administration, and persons serving without compensation to the extent authorized under 5 U.S.C. 5703.

Categories of records in the system: Name, address, destination, itinerary, mode and purpose, dates, expenses, advances, claims, reimbursements, and authorizations.

Authority for maintenance of the system: 5 U.S.C. 5701 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal to U.S. Treasury for Payment. (2) Transmittal to State Department for passports. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (5) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (6) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual, machine readable and printout form. (2) Retrievability -- indexed by employee name and/or account number. (3) Safeguards -- maintained in locked room when not in use. (4) Disposal -- disposal is governed by General Records Schedule 9 issued by the Administrator of the General Services Administration pursuant to section 505(b) of the Federal Records Act of 1950 (44 U.S.C. 395(b).)

System manager(s) and address: Chief, Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Employee, employing office, and standard travel document references.

System name: Position Control -- Interior, Office of the Secretary--13.

System location: Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Employees of the Office of the Secretary, the Other Departmental Offices, the Defense Electric Power Administration, Delaware River Basin Commission, Susquehanna River Basin Commission, the American Revolution Bicentennial Administration, and Commission of Fine Arts.

Categories of records in the system: Contains descriptive data concerning position incumbents which is obtained from the Departmental Integrated Personnel/Payroll System.

Authority for maintenance of the system: 5 U.S.C. 301, 3101, 43 U.S.C. 1457, Office of Management and Budget Circular A-64 (Revised).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmitted to employing and approving offices for use in processing requests for personnel actions. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual, punch card, magnetic tape, magnetic disk and printout form. (2) Retrievability -- indexed by organization and management account. (3) Safeguards -- maintained in locked room when not in use. (4) Disposal -- records are maintained on a current basis and printouts are disposed of when superseded.

System manager(s) and address: Chief, Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Street, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Departmental Integrated Personnel/Payroll System.

System name: Accounts Receivable -- Interior, Office of the Secretary--14.

System location: Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: All debtors including employees, former employees, business firms, private citizens and institutions. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations, other business entities and organizations. These records are not subject to the Privacy Act.)

Categories of records in the system: Name, address, amount and basis including goods, services or overpayments therefore.

Authority for maintenance of the system: (1) 5 U.S.C. 5701-09. (2) FPMR 101-7. (3) Treasury Fiscal Requirements Manual. (4) 31 U.S.C. 952.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Billing and followup. (2) Reporting. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form. (2) Retrievability -- indexed by appropriation or fund to be credited. (3) Safeguards -- maintained in locked room when not in use. (4) Disposal -- retained until payment is received and then incorporated in collection records.

System manager(s) and address: Chief, Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Debtor, accounting records.

System name: Cash Receipts -- Interior, Office of the Secretary--15.

System location: Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Persons paying for goods or services, returning overpayments or otherwise delivering cash. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations, other business entities and organizations. These records are not subject to the Privacy Act.)

Categories of records in the system: Individuals name, the goods or services purchased, check number, date and treasury deposit number.

Authority for maintenance of the system: 31 U.S.C. 66 (a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Collection and deposit processing. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual and machine readable. (2) Retrievability -- date and name. (3) Safeguards -- maintained in locked room when not in use. (4) Disposal -- retained on site until audited by GAO or transferred to a Federal Records Center in accordance with the fiscal records program approved by GAO, if appropriate, or the applicable GSA General Record Schedule.

System manager(s) and address: Chief, Office of Secretarial Operations - Fiscal, U.S. Department of the Interior, 18th and C Streets, N.W. Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual remitters.

System name: Supervisors' Records of Employees -- Interior, Office of the Secretary--16.

System location: Authorized to be maintained by immediate supervisors and one additional organizational level at all facilities of the Department of Interior. (See Appendix for addresses.)

Categories of individuals covered by the system: Current employees and employees departed within the past one year.

Categories of records in the system: These records relate to individuals while employed by the Department of the Interior and contain such information as: emergency addressee information; record of personnel actions; record of employee/supervisor discussions; copies of officially recommended actions such as personnel actions, awards, disciplinary actions, and training requests.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 3101, 43 U.S.C. 1457, Reorganization Plan 3 of 1950, Executive Order 10561 (September 13, 1954).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) The employee record is used as a source of data to initiate requests for personnel actions, to plan and schedule training, to counsel employees on their performance, to establish a basis for proposing commendations or disciplinary actions, and to carry out their personnel management responsibilities in general. (2) To complete reference checks or supervisory appraisals. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained on SF-7B's and/or authorized attachments thereto. (2) Retrievability -- records are indexed by any combination of name or Social Security Account Number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- records are maintained on current employees and on former employees for one year after the employee vacates the position he holds in the bureau.

System manager(s) and address: The Personnel Officer of each bureau of the Department for the records maintained in his bureau. (See Appendix for addresses of bureau headquarters offices.) The Chief, Division of Personnel Services, Office of Secretarial Operations, U.S. Department of the Interior, Washington, D.C. 20240 for records maintained by offices in the Office of the Secretary and the other Departmental offices.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by contacting his supervisor and/or the Personnel Officer who services the installation where the employee is (or was) employed. See 43 CFR 2.60 for procedures.

Record access procedures: Requests for access to records should be addressed to the requester's supervisor and/or the Personnel Officer servicing the installation where the employee is (or was) employed. See 43 CFR 2.63 for procedures.

Contesting record procedures: A petition for amendment should be addressed to the appropriate System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by agency officials.

System name: Private Relief Claimants – Interior, Office of the Secretary–17.

System location: Office of Legislation, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Individual claimants against the United States seeking remedy through private relief bills for claims involving the programs and activities of the Department of the Interior.

Categories of records in the system: Copies of relief bills and congressional committee reports, Departmental reports on bills, correspondence.

Authority for maintenance of the system: 5 U.S.C. 301, 43 U.S.C. 1457, 44 U.S.C. 310f.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Reporting to the Congress on the basis and validity of claims. (2) Disclosure to another Federal agency having a subject matter interest in a claim. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained manually in file folders. (2) Retrievability – cross-indexed by name of claimant. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – retired to Federal Records Center after three Congresses.

System manager(s) and address: Director, Office of Legislation, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to Chief, Service Branch, Office of Legislation, U.S. Department of the Interior, Washington, D.C. 20240. The inquiry must be in writing and state that the individual seeks information concerning records pertaining to him. See 43 CFR 2.60.

Record access procedures: Same as Notification. See 43 CFR 2.63 for additional content requirements for requests.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Congress, individual claimants, bureaus and offices of the Department.

System name: Youth Conservation Corps (YCC) Enrollee Records - - Interior, Office of the Secretary–18.

System location: (1) All USDI Federal Camp Directors' Offices. Addresses of YCC Camp Directors may be obtained each year by writing to the System Manager. (2) Administrative Services Center, Bureau of Reclamation, Salt Lake City, Utah 84147.

Categories of individuals covered by the system: Enrollees of current year USDI Federal YCC program.

Categories of records in the system: (1)Current Enrollees: USDI Application Forms; USDI Medical History Forms; Personal and Statistical Information. (2) Optional: Evaluation of enrollee's performance by camp staff; Accident, injury and treatment forms. (3) Past Enrollees: List of names and addresses. (4) Current Alternates: USDI Application Forms.

Authority for maintenance of the system: PL 93-408.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of current and past enrollees and current alternates. (2) Selection of alternate upon enrollee withdrawal from program. (3) Enrollee participation record for school credit. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information and other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (6) Disclosure to the U.S. Department of Agriculture in connection with joint administration of YCC program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in personnel jackets. (2) Safeguards – stored in metal filing cabinets with three way combination locks or key locks. (3) Retention and Disposal – records are maintained until the end of the current program. At termination, a list of the names and addresses of enrollees is retained, while the parental permission portion of USDI Application Forms and all USDI Medical History Forms and any completed Accident, injury and treatment forms are forwarded to the Administrative Services Center, Bureau of Reclamation, Salt Lake City, Utah 84147. All other non-record information in the system of records is destroyed. The list of enrollee names and addresses is retained. Disposal schedule is pending. The application forms of current alternates are destroyed at the termination of the current program.

System manager(s) and address: Director, Office of Manpower Training and Youth Activities, Department of the Interior, Office of the Secretary, Washington, D.C. 20240.

Notification procedure: System Manager and camp directors. Camp director will only be able to provide information from records maintained at the camp. See 43 CFR 2.60.

Record access procedures: System Manager or camp directors. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, medical doctor, school or other official.

System name: Youth Conservation Corps (YCC) Enrollee Payroll Records File – Interior, Office of the Secretary--19.

System location: Administrative Services Center, Bureau of Reclamation, P.O. Box 11568, Salt Lake City, Utah 84147. Records are joint records of the U.S. Department of the Interior, Office of Manpower Training and Youth Activities and the U.S. Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Youth accepted into the YCC program.

Categories of records in the system: Personnel, pay, statistical and termination data compiled by camp officials.

Authority for maintenance of the system: PL 93-408.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of current and past enrollees. (2) Payroll purposes for current enrollees. (3) To develop demographic characteristics of enrollee population for statistical purposes. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the

issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (6) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (7) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (8) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (9) Disclosure to another Federal agency to which an employee has transferred. (10) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (11) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – current and past personal and statistical information on magnetic tape and printouts. (2) Retrievability – tape reels are coded by number. (3) Safeguards – tapes are stored in a tape file and vault while printouts are stored in a locked metal filing cabinet. (4) Retention and Disposal – current payroll information is purged from magnetic tapes at the termination of the program after being transferred to a single magnetic tape which is retaining permanently. Other material disposal regulations are pending.

System manager(s) and address: (1) Director, Division of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C. 20250. (2) Director, Office of Manpower Training and Youth Activities, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Managers. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Managers. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Managers and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, camp personnel.

System name: Youth Conservation Corps (YCC) Enrollee Medical Records – Interior, Office of the Secretary–20.

System location: Administrative Services Center, Bureau of Reclamation, P.O. Box 11568, Salt Lake City, Utah 84147.

Categories of individuals covered by the system: Enrollees of past Interior Federal YCC programs.

Categories of records in the system: (1) U.S.D.I. Medical History Forms. (2) Accident, injury and treatment forms. (3) Parental permission portion of the U.S.D.I. Application forms.

Authority for maintenance of the system: PL 93-408.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Adjudication of FEC Medical claims. (2) Adjudication of tort claims. (3) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (4) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (5) Disclosure to the U.S. Department of Agriculture in connection with joint administration of YCC program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – manual records. (2) Retrievability – by individual name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal – pending.

System manager(s) and address: Director, Office of Manpower Training and Youth Activities, Department of the Interior, Office of the Secretary, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, medical doctor, and camp official compiling accident or medical treatment information.

System name: Youth Conservation Corps (YCC) Research File – Interior, Office of the Secretary–21.

System location: Institute for Social Research, University of Michigan, Ann Arbor, Michigan 48106. Records are joint records of the U.S. Department of the Interior, Office of Manpower Training and Youth Activities and the U.S. Department of Agriculture, Forest Service.

Categories of individuals covered by the system: A random sample of 600 1973 YCC enrollees.

Categories of records in the system: The file contains questionnaire responses, environmental education scores, and verbal skills test data of questionnaire respondents:

Authority for maintenance of the system: PL 93-408.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The file may be used for future research on long term values gained from the YCC experience.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – file is on a magnetic tape. (2) Retrievability – data on each person is identified by a case number. It can be retrieved by matching the case number with a mailing list containing case numbers, name and address. (3) Safeguards – only the research staff have access to the mailing list. (4) Retention and Disposal – files are being retained indefinitely for possible future longitudinal studies of long range benefit.

System manager(s) and address: (1) Director, Division of Manpower and Youth Conseration Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C. 20250. (2) Director, Office of Manpower Training and Youth Activities, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: The individual covered in the sample.

System name: Youth Conservation Corps (YCC) Recruitment Files – Interior, Office of the Secretary–22.

System location: Office of the YCC recruiter in each State. Address of State recruiter may be obtained each year by writing to the System Managers as listed below.

Categories of individuals covered by the system: Youth between the ages of 15 and 18 who file an application to attend a Forest Service, Department of the Interior, or State Grant YCC camp.

Categories of records in the system: The system consists of application forms submitted by eligible youth.

Authority for maintenance of the system: Public Law 93-408.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Selection is made from among applications of all eligible applicants. Persons selected are either offered employment in a YCC camp or placed on an alternate list to be used in case of declinations. Applications of those selected are sent to camps operated by the Forest Service, Department of the Interior, States, Counties, Cities, and other subgrantees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual. (2) Retrievability -- applications are filed alphabetically by name of individual applicant. (3) Safeguards -- records are kept locked in confidential files. (4) Retention and Disposal -- pending.

System manager(s) and address: (1) Director, Division of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C. 20250. (2) Director, Office of Manpower Training and Youth Activities, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries should be made to one of the above offices for information regarding this system of records.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceeding paragraph.

Contesting record procedures: A petition for amendment should be submitted to the appropriate System Manager.

Record source categories: The records in this system originate in two ways: (1) The YCC application form prepared by the applicant and any additions or corrections thereto, also prepared by the applicant. (2) Additional information added to the file by the State recruiter concerning the applicant's selection, nonselection, declination, etc.

System name: Health Unit Medical Records -- Interior, Office of the Secretary--23.

System location: (1) Division of Medical and Health Services, Interior Bldg., 18th and C Streets, N.W., Washington, D.C. 20240. (2) Former employees: National Personnel Records Center, 111 Winnebago St., St. Louis, MO 63118.

Categories of individuals covered by the system: (1) Present Interior Department employees. (2) Former Interior Department employees.

Categories of records in the system: Medical records including documentation of screening examinations and tests; immunization records; law enforcement personnel periodic examinations; medical and health unit records; records pertaining to employees in these special programs: Alcoholic and Drug Abuse Programs, Troubled Employee Program.

Authority for maintenance of the system: 5 U.S.C. 3301, P.L. 91-616, P.L. 92-255, P.L. 93-282, P.L. 79-658 (5 U.S.C. 7901), OMB Circular A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Medical counseling and referral. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) As a data source for management information for production of summary statistics and analytical studies in support of the function for which the records are collected and maintained, or for related management functions or manpower studies; may also be used to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- indexed by name of employee and by name of bureau where employed. (3) Safeguards -- access to and use of these records are limited to those persons whose official duties require such access. Records are maintained in lockable metal file cabinets inside a secured room. (4) Disposal -- records are maintained on present employees only. Records are retired to the National Personnel Records Center upon the departure of the employee from the Interior Department.

System manager(s) and address: Chief, Division of Medical and Health Services, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: An individual may inquire as to whether or not the system contains a record pertaining to him by contacting: Same as above. See 43 CFR 2.60.

Record access procedures: Individuals who wish to gain access to their records should contact: Same as above. See 43 CFR 2.63.

Contesting record procedures: Individuals who wish to contest their records should contact: Same as above. See 43 CFR 2.71.

Record source categories: Information in this system comes from the individual to whom it applies, from private physicians, and from Departmental medical staff personnel.

System name: Employee experience, skills, performance and career development records -- Interior, Office of the Secretary--24.

System location: Servicing personnel office and/or administrative office of all bureaus and offices of the Department of the Interior.

Categories of individuals covered by the system: Current employees of the Department of the Interior.

Categories of records in the system: These records relate to employees and contain such information as: name; date of birth; social security number; office address and phone; service computation date; physical limitations or interests which might affect type or location of assignment; career interests; education history; work or skills experience; availability for geographic relocation; outside activities including membership in professional organizations; listing of special qualifications; licenses and certificates held; listing of honors and awards; career goals and objectives of the employee; annual supervisory evaluation.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 3101, 43 U.S.C. 1457, Reorganization Plan 3 of 1950, Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) By bureau officials for purposes of review in connection with transfers, promotions, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual. (2) By bureau officials for setting out career goals and objectives of the employee and for documenting attainment of these targets. (3) Transfer to the Justice Department in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained manually in file folders or on pre-printed forms in file cabinets. (2) Retrievability -- records may be indexed by name of the subject employee. (3) Safeguards -- records are maintained with safeguards meeting minimum security requirements of 43 CFR 2.51. (4) Retention and Disposal -- records are maintained only on current employees. Records are destroyed upon departure of the employee.

System manager(s) and address: Bureau Personnel Officer, bureau or office where employed. (See Appendix for addresses of bureau headquarters offices.)

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by contacting: The servicing personnel officer and/or administrative officer of the bureau or office where he is employed. See 43 CFR 2.60.

Record access procedures: Current employees who wish to gain access to their records should contact: Same as above. See 43 CFR 2.63.

Contesting record procedures: Employees who wish to contest their records should contact: Bureau Personnel Officer, bureau or office where employed. See 43 CFR 2.71.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by agency officials.

System name: Unfair Labor Practice Charges/Complaints -- Interior, Office of the Secretary--25.

System location: a. For Departmental Head: Office of the Secretary, Organization and Personnel Management, Division of Labor Management Relations, 19th & C Streets, N.W., Washington, D.C. 20240. b. For Employees of BIA: Bureau of Indian Affairs, Division of Personnel Management, 1951 Constitution Ave., N.W., Washington, D.C. 20245. c. For Employees of EBM: Bureau of Mines, Division of Personnel, Branch of Compensation and Labor Relations, Room 2629, Washington, D.C. 20240. d. For Employees of EGS: Geological Survey, 215 National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092. e. For Employees of MESA: Mining Enforcement and Safety Administration, Division of Personnel, 4015 Wilson Boulevard, Arlington, Virginia 22203. f. For Employees of EAP: Alaska Power Administration, P.O. Box 50, Juneau, Alaska 99801. g. For Employees of EBP: Bonneville Power Administration, 1002 N.E. Holladay Street, Portland, Oregon 97208. h. For Employees of ESW: Southwestern Power Administration, Branch of Personnel, P.O. Drawer 1619, Tulsa, Oklahoma 74101. i. For Employees of FNP: National Park Service, Division of Personnel, Branch of Labor Management Relations, Room 3313, 1100 L Street, N.W., Washington, D.C. 20005. j. For Employees of FFWS: U.S. Fish and Wildlife Service, Division of Personnel Management and Organization, 19th and C Streets, N.W., Washington, D.C. 20240. k. For Employees of LBR: Bureau of Reclamation, Division of Personnel & Management, Compensation & Labor Relations Branch, 19th and C Streets, N.W., Washington, D.C. 20240. l. For Employees of LLM: Bureau or Land Management, Division of Personnel (530), 19th and C Streets, N.W., Washington, D.C. 20240. m. For Employees of FOR: Bureau of Outdoor Recreation, Division of Personnel, 19th and C Streets, N.W., Washington, D.C. 20240. n. For Employees of OS and other Departmental Offices: Office of the Secretary, Division of Personnel Services, Branch of Programs, Standards and Issuances, 19th and C Streets, N.W., Washington, D.C. 20240. o. For Employees of ESE: Southeastern Power Administration, Elberton, Georgia 30635.

Categories of individuals covered by the system: Interior employees filing unfair labor practice charges/complaints.

Categories of records in the system: Formal charge and complaint; name, address, and other personal information about complainant, transcript of hearing (if held), and information about other personnel in complainant's work unit, as relevant.

Authority for maintenance of the system: Executive Order 11491, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Information is transmitted to investigative officials of the Department of Labor as well as to the Federal Labor Relations Council for settlement of the complaint or appeal. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- paper records in file folders. (2) Retrievability -- name and docket or case number. (3) Safeguards -- records are locked in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access. (4) Retention and Disposal -- records are retained indefinitely.

System manager(s) and address: For records at Location (a): Chief, Division of Labor Management Relations, Office of the Secretary, Organization & Personnel Management, Division of Labor Management Relations, 19th and C Streets, N.W., Washington, D.C. 20240. For records at Location (b): Labor Relations Officer, Bureau of Indian Affairs, Division of Personnel Management, 1951 Constitution Ave., N.W., Washington, D.C. 20245. For records at Location (c): Labor Relations Officer, Bureau of Mines, Division of Personnel, Branch of Compensation and Labor Relations, 19th and C Streets, N.W., Washington, D.C. 20240. For records at Location (d): Personnel Officer, Geological Survey, National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092. For records at Location (e): Chief, Division of Personnel, Mining Enforcement and Safety Administration, 4015 Wilson Boulevard, Arlington, Virginia 22203. For records at Location (f): Administrative Officer, Alaska Power Administration, P.O. Box 50, Juneau, Alaska 99801. For records at Location (g): Labor Relations Officer, Bonneville Power Administration, 1002 N.E. Holladay Street, Portland, Oregon 97208. For records at Location (h): Chief, Branch of Personnel, Southwestern Power Administration, P.O. Drawer 1619, Tulsa, Oklahoma 74101. For records at Location (i): Labor Relations Officer, National Park Service, Division of Personnel, Branch of Labor Management Relations, 1100 L Street, N.W., Washington, D.C. 20005. For records at Location (j): Personnel Officer, U.S. Fish and Wildlife Service, Division of Personnel Management and Organization, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (k): Labor Relations Officer, Bureau of Reclamation, Division of Personnel and Management, Compensation and Labor Relations Branch, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (l): Labor Relations Officer, Bureau of Land Management, Division of Personnel (530), 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (m): Labor Relations Officer, Bureau of Outdoor Recreation, Division of Personnel, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (n): Chief, Branch of Programs, Standards and Issuances, Office of the Secretary, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (o): Administrative Officer, Southeastern Power Administration, Elberton, Georgia 30635.

Notification procedure: Inquiries regarding the existence of records should be addressed to the appropriate System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the appropriate System Manager. The request must be in writing and be signed by the requester. management officials. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the appropriate System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Subject complainant, colleagues and supervisors of complainant and

System name: Negotiated Grievance Procedure Files -- Interior, Office of the Secretary--26.

System location: a. For Departmental Head: Office of the Secretary, Organization and Personnel Management, Division of Labor Management Relations, 19th & C Streets, N.W., Washington, D.C. 20240. b. For Employees of BIA: Bureau of Indian Affairs, Division of Personnel Management, 1951 Constitution Ave., N.W., Washington, D.C. 20245. c. For Employees of EBM: Bureau of Mines, Division of Personnel, Branch of Compensation and Labor Relations, Room 2629, Washington, D.C. 20240. d. For Employees of EGS: Geological Survey, 215 National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092. e. For Employees of MESA: Mining Enforcement and Safety Administration, Division of Personnel, 4015 Wilson Boulevard, Arlington, Virginia 22203. f. For Employees of EAP: Alaska Power Administration, P.O. Box 50, Juneau, Alaska 99801. g. For Employees of EBP: Bonneville Power Administration, 1002 N.E. Holladay Street, Portland, Oregon 97208. h. For Employees of ESW: Southwestern Power Administration, Branch of Personnel, P.O. Drawer 1619, Tulsa, Oklahoma 74101. i. For Employees of FNP: National Park Service, Division of Personnel, Branch of Labor Management Relations, Room 3313, 1100 L Street, N.W., Washington, D.C. 20005. j. For Employees of FFWS: U.S. Fish and Wildlife Service, Division of Personnel Management and Organization, 19th and C Streets, N.W., Washington, D.C. 20240. k. For Employees of LBR: Bureau of Reclamation, Division of Personnel & Management, Compensation & Labor Relations Branch, 19th and C Streets, N.W., Washington, D.C. 20240. l. For Employees of LLM: Bureau or Land Management, Division of Personnel (530), 19th and C Streets, N.W., Washington, D.C. 20240. m. For Employees of FOR: Bureau of Outdoor Recreation, Division of Personnel, 19th and C Streets, N.W., Washington, D.C. 20240. n. For Employees of OS and other Departmental Offices: Office of the Secretary, Division of Personnel Services, Branch of Programs, Standards and Issuances, 19th and C Streets, N.W., Washington, D.C. 20240. o. For Employees of ESE: Southeastern Power Administration, Elberton, Georgia 30635.

Categories of individuals covered by the system: Interior employees filing grievances/complaints.

Categories of records in the system: Formal charge and complaint; name, address, and other personal information about complainant, transcript of hearing (if held), and information about other personnel in complainant's work unit, as relevant.

Authority for maintenance of the system: Executive Order 11491, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Information can be transmitted to an arbitrator as well as to the Federal Labor Relations Council. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter ofthe records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or orgulatory in natuor, to the appropriate agency or agencies, whether Federal, State, local or foreign charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- paper records in file folders. (2) Retrievability -- name and Docket or Case number. (3) Safeguards -- records are located in lockable metal file cabinets or in metal file cabinets in secured premises with access limited to those whose official duties require access. (4) Retention and Disposal -- records are retained indefinitely.

System manager(s) and address: For records at Location (a): Chief, Division of Labor Management Relations, Office of the Secretary, Organization & Personnel Management, Division of Labor Management Relations, 19th and C Streets, N.W., Washington, D.C. 20240. For records at Location (b): Labor Relations Officer, Bureau of Indian Affairs, Division of Personnel Management, 1951 Constitution Ave., N.W., Washington, D.C. 20245. For records at Location (c): Labor Relations Officer, Bureau of Mines, Division of Personnel, Branch of Compensation and Labor Relations, 19th and C Streets, N.W., Washington, D.C. 20240. For records at Location (d): Personnel Officer, Geological Survey, National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092. For records at Location (e): Chief, Division of Personnel, Mining Enforcement and Safety Administration, 4015 Wilson Boulevard, Arlington, Virginia 22203. For records at Location (f): Administrative Officer, Alaska Power Administration, P.O. Box 50, Juneau, Alaska 99801. For records at Location (g): Labor Relations Officer, Bonneville Power Administration, 1002 N.E. Holladay Street, Portland, Oregon 97208. For records at Location (h): Chief, Branch of Personnel, Southwestern Power Administration, P.O. Drawer 1619, Tulsa, Oklahoma 74101. For records at Location (i): Labor Relations Officer, National Park Service, Division of Personnel, Branch of Labor Management Relations, 1100 L Street, N.W., Washington, D.C. 20005. For records at Location (j): Personnel Officer, U.S. Fish and Wildlife Service, Division of Personnel Management and Organization, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (k): Labor Relations Officer, Bureau of Reclamation, Division of Personnel and Management, Compensation and Labor Relations Branch, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (l): Labor Relations Officer, Bureau of Land Management, Division of Personnel (530), 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (m): Labor Relations Officer, Bureau of Outdoor Recreation, Division of Personnel, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (n): Chief, Branch of Programs, Standards and Issuances, Office of the Secretary, 19th & C Streets, N.W., Washington, D.C. 20240. For records at Location (o): Administrative Officer, Southeastern Power Administration, Elberton, Georgia 30635.

Notification procedure: Inquiries regarding the existence of records should be addressed to the appropriate System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the appropriate System Manager. The request must be in writing and be signed by the requester. management officials.

Record source categories: Subject complainant, colleagues and supervisors of complainant and System Manager and must meet the content requirements of 43 CFR 2.71.

Contesting record procedures: A petition for amendment should be addressed to the appropriate The request must meet the content requirements of 43 CFR 2.63.

System name: Automated Data Files -- Interior, Office of the Secretary--27.

System location: Data processing centers of the Department of the Interior in Washington, D.C. at U.S. Department of the Interior, Washington, D.C. 20240; Denver Colorado, at U.S. Bureau of Mines, Denver Federal Center, P.O. Box 25407, Denver Colorado 80225 and Bureau of Reclamation, Engineering and Research Center, Denver Federal Center, P.O. Box 25007, Denver, Colorado 80225; Albuquerque, New Mexico, at Bureau of Indian Affairs, P.O. Box 2088, Albuquerque, New Mexico 87103; Portland Oregon, at Bonneville Power Administration, 1002 N.E. Holladay Street, P.O. Box 3621, Portland, Oregon 97208; Tulsa, Oklahoma, at Southwestern Power Administration, 333 West Fourth Street, Tulsa Oklahoma 74103; and Elberton, Georgia, at Southeastern Power Administration, Samuel Elbert Bldg., Elberton, Georgia 30635.

Categories of individuals covered by the system: Current employees and recently separated employees of the Department.

Categories of records in the system: Personnel records relating to individuals employed in the Department and consisting of these categories: BUREAU - biographic, position, transaction and training records. DEPARTMENT - biographical, transaction, and training records.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 3101, 43 U.S.C. 1457, Reorganization Plan 3 of 1950, Executive Order 10561 (September 13, 1954).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In accordance with, or in addition to the records described by the Civil Service Commission these systems are used: (1) To provide data for the government-wide and department-wide central personnel files. (2) To produce day-to-day personnel management action, such as Notification of personnel actions, automatic notices (e.g. conversion to career tenure, length of service awards, within grade increases) and to provide input to produce payroll and financial management actions. (3) Used as an employee locator file and to provide information for organization and position management matters. (4) To provide information on current and potential executive level employees in an executive retrieval system. (5) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records were collected and maintained or related personnel management functions or manpower studies; may also be used to respond to general requests for statistical information (without personal identification of individuals) under the FOIA or other personnel management functions. (6) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (7) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (8) To provide personnel necessary and relevant information to the Civil Service Commission at its request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained on magnetic tape, drum, disk, punched cards, and in computer printouts. (2) Retrievability -- records are indexed by name, date of birth, and social security account number of the employee. (3) Safeguards -- records are located in facilities adequately secure to meet criteria established in 5 CFR 293.109. (4) Disposal -- records are destroyed five years after individual ceases to be employed.

System manager(s) and address: (1) Department System: Director, Organization and Personnel Management, Office of the Secretary, U.S. Department of the Interior, Washington, D.C. 20240. (2) Bureau Systems: Bureau Personnel Officer, bureau where employed. (See Appendix for addresses of bureau headquarters offices.)

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to: Personnel Officer who services the installation where the employee is (or was) employed.

Record access procedures: Current and past Federal employees who wish to gain access to their files should contact: Personnel Officer servicing installation where employee is (or was) employed.

Contesting record procedures: Current and past Federal employees who wish to contest their files should contact: Personnel Officer servicing installation where employee is (or was) employed.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied.

System name: Emergency Loan Fund Committee Loan Records -- Interior, Office of the Secretary--28.

System location: Emergency Loan Fund Treasurers at (1) Office of Secretarial Operations - Personnel, (2) Bureau of Land Management, (3) Office of Management Consulting, all at Interior Bldg. 18th and C Streets, N.W., Washington, D.C. 20240, (4) Bureau of Indian Affairs, Interior Bldg. South, 1951 Constitution Ave., N.W., Washington, D.C. 20240, (5) Headquarters, Geological Survey, 12201 Sunrise Valley Dr., Reston, Va. 22092, (6) National Park Service, 1100 L St., N.W. Washington, D.C.

Categories of individuals covered by the system: Contains the name, grade, and organization of person applying for a loan. Contains a statement of need for the loan written by the employee and endorsed by his supervisor. Contains a record of action taken by the Emergency Loan Committee, a schedule of repayments and a history of how repayment was accomplished.

Authority for maintenance of the system: 5 U.S.C. 301, 3101, 43 U.S.C. 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) For application, approval, processing and accounting of emergency loans. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name of borrower. (3) Safeguards -- stored in file cabinets in locked rooms. (4) Disposal -- accomplished by individual treasurers according to disposal schedule each has devised.

System manager(s) and address: Chairman, Emergency Loan Fund, Office of Organization and Personnel Management, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: To determine if the system contains a record on himself, an individual may contact: The Treasurer of the Emergency Loan Fund servicing his bureau and work location. See 43 CFR 2.60.

Record access procedures: An individual may gain access to the records about himself by contacting the Treasuer of the Emergency Loan Fund which services his bureau and work location. See 43 CFR 2.63.

Contesting record procedures: An individual may contest the records about himself by contacting the System Manager. See 43 CFR 2.71.

Record source categories: Information in this system of records comes from the individual himself and from his supervisor.

System name: Applicant Files -- Interior, Office of the Secretary--29.

System location: (1) Office of the Secretary, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (3) Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Blvd., Arlington, Virginia 22203.

Categories of individuals covered by the system: Applicants for employment.

Categories of records in the system: Applications, recommendations, interview notes and other documents utilized to determine eligibility, suitability and qualifications for Federal civilian employment maintained subject to applicable Civil Service Commission requirements, including Civil Service Commission Rule VI and Chapter 302 of the Federal Personnel Manual.

Authority for maintenance of the system: 5 U.S.C. 301, 3101, 43 U.S.C. 1457, Reorganization Plan 3 of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Hiring of applicants. (2) Transfer to other Federal agencies or entities in connection with recruitment efforts or hiring decisions by those agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- by individual name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- current applications retained.

System manager(s) and address: (1) For the Office of the Secretary: Staff Assistance, Office of the Assistant Secretary--Program Development and Budget, U.S. Department of the Interior, Washington, D.C. 20240. (2) For the Office of the Solicitor: Administrative Officer, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. (3) For the Office of Hearings and Appeals: Director, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Blvd. Arlington, Virginia 22203.

Notification procedure: Inquiries regarding the existence of records should be addressed to the appropriate Systems Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the appropriate System Manager. The request must be in writing and be signed by the requester. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the appropriate System Manager and must meet the content requirements of 43 CFR 2.71.

Systems exempted from certain provisions of the act: To the extent that this system consists of investigatory material compiled solely for the purpose of determining suitability, eligibility or qualifications for Federal Civilian employment, it is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Privacy Act Files -- Interior, Office of the Secretary--30.

System location: (1) Office of the Assistant Secretary -- Management, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) Offices of Privacy Act Officers of each bureau of the Department. (See Appendix for addresses of bureau headquarters offices.)

Categories of individuals covered by the system: (1) Individuals who have submitted requests for notification, access or amendment of records under the Privacy Act. (2) Individuals who have filed Privacy Act appeals with Assistant Secretary--Management under the Department's regulations.

Categories of records in the system: Requests, appeals, decisions and related correspondence.

Authority for maintenance of the system: 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Decisions on Privacy Act requests and appeals. (2) Disclosure to other agencies of the Federal Government having a subject matter interest in a request or an appeal or a decision thereon. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to access to information compiled in reasonable anticipation of a civil action or proceeding.

System name: Secretarial Correspondence Card File -- Interior, Office of the Secretary--31.

System location: Executive Secretariat, Office of the Under Secretary, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Persons who have written to the Secretary of the Interior on official business.

Categories of records in the system: Identification of writer; subject, date and disposition of correspondence.

Authority for maintenance of the system: 5 U.S.C. 301; 43 U.S.C. 1457, 44 U.S.C. 3101, Reorganization Plan 3 of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Ascertain status of correspondence to the Secretary of the Interior. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- Wheeldex (index file). (2) Retrievability -- indexed by name and number. (3) Safeguards -- records maintained in locked file in secure room. (4) Retention and Disposal -- records maintained for one to two years then destroyed.

System manager(s) and address: Executive Secretary, Room 6125, Interior Building, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Same as above. See 43 CFR 2.60 for submission requirements.

Record access procedures: Same as above. See 43 CFR 2.63 for submission requirements.

Contesting record procedures: Same as above. See 43 CFR 2.71 for submission requirements.

Record source categories: Individuals on whom the record is maintained.

System name: Litigation, Appeal and Case Files -- Interior, Office of the Solicitor--1.

System location: (1) Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) All Regional and Field Offices of the Office of the Solicitor. (See Appendix for addresses.)

Categories of individuals covered by the system: Individuals involved in litigation with the United States, or the Department of the Interior, officials or constituent units thereof; individuals involved in administrative proceedings before the Department, to which the Department is a party or in which it has an interest; individuals suspected of violations of criminal and civil statutes or regulations or orders the violation of which carries criminal penalties; individuals who have applied to the Department for permits, grants or loans; individuals who have appealed to the Office of the Solicitor from the decisions of other constituent units of the Department; individuals involved in negotiations, claims or disputes with the Department; individuals for whom the Department has performed legal services.

Categories of records in the system: Investigatory reports, opinions and memoranda of law, pleadings, motions, depositions, rulings, and other records necessary to the provisions of legal services.

Authority for maintenance of the system: 43 U.S.C. 1455.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Providing legal services to the Department of the Interior. (2) Disclosure to another Federal agency or a state or local government having a subject matter interest in the records. (3) Disclosure to an individual or entity aligned with the United States or the Department of the Interior or any official or constituent unit thereof as a plaintiff, petitioner, defendant or respondent in any judicial or administrative proceeding. (4) To a court, magistrate or administrative tribunal in the course of presenting evidence thereto, or to opposing counsel in the course of settlement negotiations. (5) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (6) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- by case or individual name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- subject to approved disposal schedule.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager or, with respect to the office for which he is responsible, a Regional or Field Solicitor. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager or, with respect to the office for which he is responsible, a Regional or Field Solicitor. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individuals, bureaus and offices of the Department, other Federal agencies, courts, administrative tribunals.

Systems exempted from certain provisions of the act: (1) The Privacy Act does not entitle an individual to access to information compiled in anticipation of a civil action or proceeding. (2) Those portions of the system made up of investigatory material compiled for law enforcement purposes are proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Claims Files -- Interior, Office of the Solicitor--2.

System location: (1) Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) All Regional and Field Offices of the Office of the Solicitor. (See Appendix for addresses.)

Categories of individuals covered by the system: Individuals who have filed Tort, Federal Employee, Admiralty or Irrigation claims.

Categories of records in the system: Contains records concerning claims, including the claims and supporting information submitted by the claimant, information developed by the Department concerning the claim and a record of the disposition of the claim if processing of the claim is complete.

Authority for maintenance of the system: (1) Federal Tort Claims Act, 28 U.S.C. 2671-2680. (2) Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. 240-243. (3) Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act, P.L. 93-393, 88 Stat. 782. (4) Act of March 9, 1920, 46 U.S.C. 742, 747, 749, 750.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Adjudication of Tort, Federal Employee, Admiralty and Irrigation claims. (2) Transfer to another Federal agency or a State or local government body having partial or complete jurisdiction over the claim or related claims. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. investigation or prosecuting such violation or charged with enforcing

Notification procedure: System Manager or, with respect to records maintained in the office or implementing the statute, rule, regulation, order or license violated for which he is responsible, a Regional or Field Solicitor. A written, or potentially violated. signed request stating that the requester seeks information concerning

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) records pertaining to him is required. See 43 CFR 2.60. Retrievability – indexed by name of claimant. (3) Safeguards –

Record access procedures: A request for access may be addressed to the System Manager or, maintained with safeguards meeting the requirements of 43 CFR 2.51 for with respect to records maintained in the office for which he is manual records. (4) Disposal – claim and investigative material responsible, a Regional or Field Solicitor. The request must be in returned to operating bureau or office after completion of processing. writing and be signed by the requester. The request must meet the Records of decisions not authorized for disposal. content requirements of 43 CFR 2.63.

System manager(s) and address: Administrative Officer, Office of the Solicitor, U.S. Department

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Claimants. Investigations conducted by Bureaus and Offices of the Department or State or local officials.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to access to information compiled in reasonable anticipation of a civil action or proceeding.

System name: Patent Files – Interior, Office of the Solicitor–3.

System location: Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Inventors of Inventions arising from Government research and development programs; and applicants for Patents, Trademark Registrations, and Copyright Registrations.

Categories of records in the system: Certain titles of inventions, inventor's name, Department of the Interior's docket number, and Patent and Trademark Offices Serial Numbers and filing dates.

Authority for maintenance of the system: (1) 5 U.S.C. 301; (2) 43 U.S.C. 1457; and (3) 1963 and 1971 President's Patent Policy Statements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Ongoing retrieval and docketing purposes and intraoffice management. (2) Preparation of patent applications for submission to U.S. Patent Office. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (5) Disclosure to inventors and others directly concerned with the Government funded research and development information concerning filing dates, serial numbers and patent or trademark registration numbers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form. (2) Retrievability – indexed by inventor's names, docket number, and serial number. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Disposal – records will be maintained indefinitely.

System manager(s) and address: Assistant Solicitor, Patents, Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: A written request addressed to the System Manager stating that the requester-seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Inventors, contractors, and U.S. Patent and Trademark Office.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to access to information compiled in reasonable anticipation of a civil action or proceeding.

System name: Workload Analysis – Interior, Office of the Solicitor–4.

System location: (1) Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) Regional and Field Offices of the Office of the Solicitor. (See Appendix for addresses.)

Categories of records in the system: Records concerning subject of assigned work and status of that work.

Authority for maintenance of the system: 43 U.S.C. 1455.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Management of workload of the Office of the Solicitor. (2) Disclosure to the Office of Management and Budget in connection with preparation of the President's budget. (3) Disclosure to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Disclosure to another Federal agency having a subject matter interest in a case, proceeding or other matter described in the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in both manual and computer form. (2) Retrievability – indexed by organizational unit, may be retrieved by name of individual attorney. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Disposal – retained permanently.

System manager(s) and address: Administrative Officer, Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual attorneys.

System name: Hearings and Appeals Files - Interior, OHA–1.

System location: (1) Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203. (2) All field facilities of the Office of Hearings and Appeals. (See appendix for addresses).

Categories of individuals covered by the system: Individual persons involved in hearings and appeals proceedings before the Hearings Division, Appeals Boards, and the Director, OHA.

Categories of records in the system: Information assembled in case files pertaining to hearings proceedings, and to appeals to the Department relating to: (a) contract disputes arising out of findings of fact or decisions by contracting officers of any bureau or office of the Department, or any field installation thereof, which are considered and decided finally for the Department of the Interior Board of Contract Appeals; (b) Indian probate matters, including determination of heirs and approval of wills, except as to members of the Five Civilized Tribes and Osage Indians and resolution of appeals to the Department in such matters; proceedings in Indian probate relating to Tribal acquisition of certain interests of decedents in trust and restricted lands; and appeals pertaining to administrative actions of BIA officials in cases involving determinations, findings and orders protested as a violation of a right or privilege of the appellant, which are considered and decided finally for the Department by the Interior Board of Indian Appeals; (c) appeals from decisions rendered by Departmental officials relating to the use and disposition of public lands and their resources and the use and disposition of mineral resources in certain acquired lands of the United States and in the submerged lands of the Outer Continental Shelf, which are considered and decided finally for the Department by the Interior Board of Land Appeals; (d) appeals from orders and decisions issued by Departmental officials and administrative law judges in proceedings relating to mine health and safety, which are considered and decided finally for the Department by the Interior Board of Mine Operations Appeals; (e) claims under the Alaska Native Claims Settlement Act which are considered and de-

cided finally for the Department by the Alaska Native Claims Appeal Board; (f) wildlife civil penalty assessment hearings before administrative law judges of the OHA and appeals from their orders and decisions which are considered and decided finally for the Department by the Director, OHA, or ad hoc appeals boards appointed by him; (g) appeals from orders and decisions of Departmental bureaus pertaining to relocation assistance benefits claims, considered and decided finally for the Department by the Director, OHA, or ad hoc appeals boards appointed by him; (h) grievance proceedings involving employees of the Department, in which hearings are conducted and recommended decisions are prepared by OHA attorneys and administrative law judges under authority delegated by the Director, OHA; (i) proceedings and decisions by administrative law judges and the Director, OHA, final for the Department, pursuant to enforcement of Executive Order 11246, as amended, and rules, regulations and orders thereunder; (j) proceedings and decisions by administrative law judges and the Director, OHA, concerning nondiscrimination in Federally assisted programs in connection with which Federal financial assistance is extended under laws administered in whole or in part by the Department of the Interior--Effectuation of Title VI of the Civil Rights Act of 1964; (k) proceedings and decisions by administrative law judges and the Director, OHA, concerning nondiscrimination in activities conducted under permits, rights-of-way, public land orders, and other Federal authorizations granted or issued under Title II of the Trans- Alaska Pipeline Authorization Act.

Authority for maintenance of the system: (a) R.S. 2478, as amended, 43 U.S.C. sec. 1201; 5 U.S.C. sec. 301. amended, sec. 1, 38 Stat. 586, 42 Stat. 1185, as amended, secs. 1, 2, (b) 5 U.S.C. sec. 301; secs. 1, 2, 36 Stat. 855, as amended, 856, as 56 Stat. 1021, 1022; 25 U.S.C. 372, 373, 374, 373a, 373b; Act of December 31, 1970 (P.L. 91-627; 84 Stat. 1874; 25 U.S.C. sec. 607), amending sec. 7 of the Act of August 9, 1946 (60 Stat. 968; 25 U.S.C. sec. 607), with respect to trust or restricted land within the Yakima Reservation or within the area ceded by the Treaty of June 9, 1855 (12 Stat. 1951); Act of August 10, 1972 (P.L. 92-377; 86 Stat. 530), with respect to trust or restricted lands within the Warm Springs Reservation or within the area ceded by the Treaty of June 25, 1855 (12 Stat. 37); Act of September 29, 1972 (P.L. 92-443; 86 Stat. 744), with respect to trust or restricted land within the Nez Perce Indian Reservation or within the area ceded by the Treaty of June 11, 1855 (12 Stat. 957); R.S. 463, 465, 5 U.S.C. sec. 301, and 25 U.S.C. secs. 2 and 9. (c) R.S. 2478, as amended, 43 U.S.C. sec. 1201; 5 U.S.C. sec. 301; sec. 2, 48 Stat. 1270; 43 U.S.C. sec. 315a. (d) R.S. 2478, as amended, 43 U.S.C. sec. 1201; 5 U.S.C. sec. 301; secs. 9, 508, 80 Stat. 777, 83 Stat. 803; 30 U.S.C. 728, 957. (e) R.S. 2478, as amended, 43 U.S.C. sec. 1201; 5 U.S.C. sec. 301; 43 U.S.C. 1601-1624. (f) Lacey Act, 18 U.S.C. sec. 43; Endangered Species Act of 1973, 16 U.S.C. sec. 1531 et seq.; Endangered Species Conservation Act of 1969 (formerly) 16 U.S.C. sec. 668aa et seq.; Marine Mammal Protection Act of 1972, 16 U.S.C. sec. 1361 et seq.; Bald Eagle Protection Act. 16 U.S.C. sec. 668 et seq.; 5 U.S.C. sec. 301. (g) 42 U.S.C. secs. 4601-4655; 5 U.S.C. 301. (h) 5 U.S.C. 301; 5 CFR Part 771; 5 U.S.C. 1302, 3301, 3302, E.O. 10577; 3 CFR, 1954-1958 Comp., p. 218, E.O. 10987; 3 CFR, 1959-1963 Comp., p. 519. (i) 5 U.S.C. sec. 301; E.O. No. 11246 of September 24, 1965, as amended by E.O. No. 11375 of October 13, 1967, and 41 CFR 60-1.26(b), as amended September 30, 1972. (j) 43 CFR 17.8; 5 U.S.C. sec. 301; Title VI of the Civil Rights Act of 1964 (section 602, 42 U.S.C. 2000d-1); 43 CFR Part 17, including Appendix A thereto. (k) Sec. 403, P.L. 93-153, 87 Stat. 576, 5 U.S.C. sec. 301, and 43 CFR Part 27.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Adjudication and determination of issues in hearings and appeals proceedings. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. after completion of OHA functions. Records of decisions not authorized Disposal -- case materials returned to operating bureau or office meeting the requirements of 43 CFR 2.51 for manual records. (4) OHA docket number. (3) Safeguards -- maintained with safeguards Retrievability -- indexed by name of appellant, claimant, etc., and by

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) and appeals proceedings, as well as by the Government. appellants, claimants, and other persons involved in the hearings

Record source categories: Records in the system include information submitted by the and must meet the requirements of 43 CFR 2.71.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager 2.63. requester. The request must meet the content requirements of 43 CFR judge in charge. The request must be in writing and be signed by the responsible, an administrative law judge or chief administrative law with respect to records maintained in a field office for which he is

Record access procedures: A request for access may be addressed to the System Manager or, pertaining to him is required. See 43 CFR 2.60. stating that the requester seeks information concerning records chief administrative law judge in charge. A written and signed request office for which he is responsible, an administrative law judge or

Notification procedure: System manager or, with respect to records maintained in a field Interior, 4015 Wilson Boulevard, Arlington, VA. 22203.

System manager(s) and address: Director, Office of Hearings and Appeals, U.S. Department of the for disposal.

System name: Labor Cost Information Records -- Interior, FWS--1.

System location: Denver Service Center, U.S. Fish and Wildlife Service, Department of the Interior, P.O. Box 25346, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: All employees of the U.S. Fish and Wildlife Service.

Categories of records in the system: Contains time and cost by organization by employee.

Authority for maintenance of the system: Budget and Accounting Procedures Act of 1950, 64 Stat. 832.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) A tool in the financial and manpower management of Service programs. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on microfilm (one microfilm for each biweekly pay period) with a computer printout produced quarterly and distributed to managers at field stations, area offices and Regional and Washington Office divisions and offices. (2) Retrievability -- by organization by employee. (3) Safeguards -- maintained in accordance with the provisions of 43 CFR 2.51. (4) Disposal -- made in accordance with FPMR 101-11.4 dated August 1, 1974.

System manager(s) and address: Director, Denver Service Center, U.S. Fish and Wildlife Service, Department of the Interior, P.O. Box 25346, DFC, Denver, Colorado 80225.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Time and Attendance Records maintained by Timekeepers.

System name: Travel Records -- Interior, FWS--2.

System location: Denver Service Center, U.S. Fish and Wildlife Service, Department of the Interior, P.O. Box 25346, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Individuals who have performed official travel for the U.S. Fish and Wildlife Service.

Categories of records in the system: Contains authorizations to perform travel, travel advance records, and vouchers claiming reimbursement for expenses incurred in the performance of travel.

Authority for maintenance of the system: 5 U.S.C. 5701-5709; 5 U.S.C. 5721-5733 and 20 U.S.C. 905(a); 5 U.S.C. 5722 and 5 U.S.C. 5742(b); and 5 U.S.C. 4111(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) These documents form the legal basis for the disbursement of Federal funds. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form on 8 x 10 1/2 and 8 x 5 forms in file folders. (2) Retrievability -- indexed by name of traveler. (3) Safeguards -- maintained in accordance with the provisions of 43 CFR 2.51. (4) Disposal -- made in accordance with FPMR 101-11.4 dated August 1, 1974.

System manager(s) and address: Director, Denver Service Center, U.S. Fish and Wildlife Service, Department of the Interior, P.O. Box 25346, DFC; Denver, Colorado 80225.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Office initiating the travel authorization and individual on whom the record is maintained.

System name: Security Clearance File -- Interior, FWS--3.

System location: Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, Main Interior Building, 18th and 'C' Streets, N.W. Washington, D.C. 20240.

Categories of individuals covered by the system: Occupants of critical-sensitive and non-critical sensitive positions.

Categories of records in the system: Contains notice of level of security clearance granted to the individual or notice of favorable full-field report as well as SF-86 supplied by individual, as appropriate.

Authority for maintenance of the system: Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To document clearances granted to individuals. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- file maintained in individual folders. (2) Retrievability -- folders identified by employee name. (3) Safeguards -- folders contained in locked cabinet. (4) Retention and Disposal -- destroyed when clearance requirement no longer exists or when employee separates.

System manager(s) and address: Chief, Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, Room 3455, Main Interior Building, 18th and 'C' Streets, N.W. Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information supplied by individual and the U.S. Civil Service Commission.

System name: Tort Claim Records -- Interior, FWS--4.

System location: (1) Division of Contracting and General Services, U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. 20240. (2) regional offices of Fish and Wildlife Service. (See Appendix for regional addresses).

Categories of individuals covered by the system: Claimants for damages to personal property or personal injury.

Categories of records in the system: Contains information regarding the individual who is required to evaluate a claim for damage to personal property or personal injury, i.e., name, address, insurance company, estimates of repair costs, accident reports by Government officials, law enforcement officials, attorneys, hospital and doctors' reports and bills for service, statements from witnesses.

Authority for maintenance of the system: Federal Tort Claims Act (28 U.S.C. 2671-2680)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Evaluation of Tort Claims Officers, attorneys in the Office of the Solicitor, Department of the Interior. (2) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in paper form, 8 x 10 1/2, in 'Tort Claim' files. (2) Retrievability -- by name of claimant. (3) Safeguards -- maintained in compliance with provisions of 43 CFR 2.51. (4) Retention and Disposal -- disposed four years after settlement of claim. Record copies held by Office of the Solicitor, Department of the Interior.

System manager(s) and address: Chief, Division of Contracting and General Services, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors with respect to records located in the office for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual submitting claim; investigative reports, including statements from witnesses; medical reports.

System name: National Wildlife Refuge Special Use Permits -- Interior, FWS--5.

System location: Regional offices of the Fish and Wildlife Service and National Wildlife Refuges. (See Appendix for addresses).

Categories of individuals covered by the system: Applicants for special use permits and cooperative farm agreements on Service lands.

Categories of records in the system: Contains the name, address of cooperative/permittees, types of special uses, period of use, and any special conditions.

Authority for maintenance of the system: The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 688dd-ee). See 50 CFR, Parts 29 and 32.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of personnel having special use permits and cooperative farming agreements on National Wildlife Refuges. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- maintained on 8 x 10 1/2 inch paper. (2) Retrievability --indexed by. name. (3) Safeguards -- records are maintained in accordance with the provisions of 43 CFR 2.51. (4) Retention and Disposal -- special use permits and cooperative farming agreements are usually maintained not more than one year following the period of use.

System manager(s) and address: Chief, Division of Wildlife Refuges, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors or refuge managers, with respect to records located in the office or facility for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors or refuge managers, with respect to records located in the office or facility for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Hunting and Fishing Survey Records -- Interior, FWS--6.

System location: Division of Federal Aid, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Individuals selected at random to supply information concerning wildlife associated recreation.

Categories of records in the system: Contains days of participation and expenditures of individuals participating in hunting, fishing and nonconsumptive wildlife activities.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended; the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421); the Federal Aid in Wildlife and Fish Restoration Acts of 1937 and 1950, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Development of statistical analyses to assist in the management of the Nation's wildlife resources.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- magnetic tape. (2) Retrievability -- indexed by identification number. (3) Safeguards -- maintained in accordance with the provisions of 43 CFR 2.51. (4) Retention and Disposal -- records maintained until summary analyses are completed, after which the names and addresses will be destroyed (January 1, 1978).

System manager(s) and address: Chief, Division of Federal Aid, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Water Development Project and/or Effluent Discharge Permit Application Review -- Interior, FWS--7.

System location: (1) Division of Ecological Services, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. (2) All regional, area, and field offices of the Division of Ecological Services (See Appendix for addresses).

Categories of individuals covered by the system: Individuals who apply for permits from other regulatory agencies including the Corps of Engineers, and the Environmental Protection Agency.

Categories of records in the system: Contains some public notices or permit applications from regulatory agencies which gives name, address, and description of work that the applicant is requesting authorization to perform. In order to adequately evaluate the proposed project's effect on fish and wildlife resources, additional project information is at times requested and therefore on file. Environmental impact statements and environmental assessments on some proposed projects also are on file.

Authority for maintenance of the system: Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-66c; 48 Stat. 401).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Review and comment on permit applications. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on 8 x 10 1/2 inch paper in file folders. (2) Retrievability -- indexed by State, name of applicant, and public notice number. (3) Safeguards -- maintain records in accordance with provisions of 43 CFR 2.51. (4) Retention and Disposal -- varies in each office location but generally held from two to five years and then either sent to Records Center or destroyed.

System manager(s) and address: Chief, Division of Ecological Services, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, area directors and managers, field supervisors, and biologists-in-charge, with respect to records located in the office or facility for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, area directors and managers, field supervisors and biologists-in-charge, with respect to records located in the office or facility for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Regulatory agency to which permit is requested, State, and the individual on whom the record is maintained.

System name: Fish Disease Inspection Report -- Interior, FWS--8.

System location: (1) Division of Fish Hatcheries, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. (2) regional offices of Fish and Wildlife Services. (See Appendix for regional addresses).

Categories of individuals covered by the system: Commercial trout farmers who request that their fish be inspected for known fish diseases. The majority of the commercial trout farmers are business establishments, however, there may be some private individuals involved.

Categories of records in the system: Name and address of requester and information concerning disease.

Authority for maintenance of the system: 18 U.S.C. 42-44, 3054, 3112, 62 Stat. 687, 83 Stat. 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) The Disease Inspection Reports are used to certify the disease status of populations of fish in the case of transferring, marketing, or distribution control. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on 8 x 10 1/2 inch Standard Form 3-226. (2) Retrievability – indexed by name. (3) Safeguards – records maintained in accordance with the provisions of 43 CFR 2.51. (4) Retention and Disposal – indefinite.

System manager(s) and address: Chief, Division of Fish Hatcheries, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors with respect to records located in the office for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual or entity that requests the inspection.

System name: Farm Pond Stocking Program – Interior, FWS–9.

System location: Regional offices of the Fish and Wildlife Service and National Fish Hatcheries (See Appendix for addresses).

Categories of individuals covered by the system: Applicants for stocking private farm ponds with fish.

Categories of records in the system: Name, address, size of pond, species of fish requested and other information needed to evaluate application.

Authority for maintenance of the system: Ponds are stocked in conjunction with the Agricultural Stabilization and Conservation programs of the Department of Agriculture.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) The records are kept to insure that the stocking policy is maintained and to keep track of where various species have been stocked. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – the records are maintained on 3 1/2 x 9 inch cards. (2) Retrievability – indexed by name. (3) Safeguards – records are maintained in accordance with the provisions of 43 CFR 2.51. (4) Retention and Disposal – destroyed after ten years.

System manager(s) and address: Regional directors (See Appendix for addresses).

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Managers, with respect to records located in their offices, and to Hatchery Managers with respect to records located in the facility for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in their offices, and to Hatchery Managers, with respect to records located in the facility for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: National Fish Hatchery Special Use Permits – Interior, FWS–10.

System location: Regional offices of Fish and Wildlife Service and National Fish Hatcheries where records are maintained (See Appendix for addresses).

Categories of individuals covered by the system: Individuals who have made application for special use permits on National Fish Hatcheries.

Categories of records in the system: Contains the name, address of permittees, types of special uses, period of use, and any special conditions.

Authority for maintenance of the system: 16 U.S.C. 664. See 50 CFR 70.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) These permits are agreements designed to limit and control the use of the property at the National Fish Hatcheries. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on 8 x 10 1/2 inch paper. (2) Retrievability – indexed by name. (3) Safeguards – records are maintained in accordance with the provisions of 43 CFR 2.51. (4) Retention and Disposal – destroyed after one year following period of use.

System manager(s) and address: Chief, Division of Fish Hatcheries, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors and Hatchery Managers, with respect to records located in the office or facility for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors and Hatchery Managers, with respect to records located in the office or facility for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Real Property Records -- Interior, FWS--11.

System location: Regional offices of the Fish and Wildlife Service (See Appendix for addresses).

Categories of individuals covered by the system: Name of property owner from whom the United States has negotiated or acquired title.

Categories of records in the system: Record consists of three individual files, i.e., Title File; Case File (a partial duplicate of the Title File); and a Correspondence File. The title file contains title evidence (abstract, title insurance, etc.) original instruments of conveyance, copy of acquisition contract, title curative and closing data, title opinions, land survey description and plat, and appraisal summary. The case file contains copies of acquisition contract, instruments of conveyance, closing data, land survey description and plat, and appraisal summary. The correspondence file contains correspondence and notes up to the time the acquisition is completed.

Authority for maintenance of the system: Land acquisition and disposal authorities are as follows: Migratory Bird Conservation Act, as amended (16 U.S.C. 715 et seq.); Migratory Bird Hunting Stamp Act, as amended (16 U.S.C. 718 et seq.); Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a et seq.); Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-666c); Recreational Use of Conservation Areas Act, as amended (16 U.S.C. 460k-460k-4); Colorado River Storage Project Act, as amended 843 U.S.C. 620g); Endangered Species Act of 1973 (16 U.S.C. 1531-1543); National Wildlife Refuge System Administration Act, as amended 816 U.S.C. 668dd-668ee); Act of May 19, 1948 (PL 80-537), as amended (16 U.S.C. 667b-667d); Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 471 et seq.); and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (40 U.S.C. 4601 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administratively in preparing reports and statistics on acreage and cost of real property. (2) Administratively in computing payments to counties under the Refuge Revenue Sharing Act, as amended (16 U.S.C. 715s). (3) Administratively in reporting lands as excess to General Services Administration for transfer or disposal. (4) Transfer to the U.S. Department of justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies; whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (6) Administratively in providing relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (40 U.S.C. 460 et seq.).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Maintain with safeguards in accordance with the provisions of 43 CFR 2.51. Title File - in a legal size binder and stored as permanent record in appropriate GSA records centers in the vicinity of regional offices. Case File - in most cases in letter sized file folders in the various regional offices. Correspondence File - in letter size folder in the various regional offices until cases are closed, then filed in GSA record centers and destroyed after two years.

System manager(s) and address: Chief, Division of Realty, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the offices for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Public records, other governmental contacts, community contacts, and named individuals.

System name: Fish Tag Returns -- Interior, FWS--12.

System location: (1) National Reservoir Research Program Office, Fayetteville, Arkansas. (2) South Central Reservoir Investigations, Fayetteville, Arkansas. (3) Multi-Outlet Reservoir Studies, Arkadelphia, Arkansas. (4) Southeast Reservoir Investigations, Clemson, South Carolina.

Categories of individuals covered by the system: Recreational fishermen who fish on reservoirs of the White, Caddo, and Keowee Rivers and tributaries.

Categories of records in the system: A precise record of date, time, place fish captured as well as specific biological data taken concerning the fish (length, weight, sex (when possible), age).

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Population estimates of large-mouth bass and other reservoir species of recreational, commercial and esthetic importance; determine age structure of these species. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- envelopes; 8 x 10 1/2 inch questionnaires all in storage cabinets and file cabinets. (2) Safeguards -- files are maintained in locked cabinets and rooms. (3) Retention and Disposal -- personal data retained only until fisheries data has been extracted: tags (with no individual person's identity) may be retained up to five years. Some cards and questionnaires may be stored up to five years at a GSA Records Center.

System manager(s) and address: Director, National Reservoir Program, Fayetteville, Arkansas.

Notification procedure: DeGray Reservoir, Leader, Multi-Outlet Reservoir Studies, Arkadelphia, Arkansas. Keowee and Jocassee Reservoirs, Chief, Southeast Reservoir Investigations, Clemson, South Carolina. Bull Schoals and Beaver Reservoirs, Chief, South Central Reservoir Investigations, Fayetteville, Arkansas.

Record access procedures: Same as the above.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: North American Breeding Bird Survey -- Interior, FWS--13.

System location: Patuxent Wildlife Research Center, Laurel, Maryland.

Categories of individuals covered by the system: Volunteers from general public (about 1,500 people).

Categories of records in the system: Birds observed along roadsides at predetermined locations.

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Annual monitoring of migratory bird populations to determine trends in their abundance. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- magnetic tapes or disks and 8 x 10 1/2 inch original data sheets. (2) Retrievability -- by computer or hand sort. (3) Safeguards -- records maintained in accordance with the provisions of 43 CFR 2.51. (4) Retention and Disposal -- none have been disposed of in the nine years of the survey. They are a historic record of bird abundance.

System manager(s) and address: Director, Migratory Bird and Habitat Research Laboratory, Patuxent Wildlife Research Center, Laurel, Maryland.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Great Lakes Commercial Fisheries Catch Records -- Interior, FWS--14.

System location: Great Lakes Fishery Laboratory, Ann Arbor, Michigan.

Categories of individuals covered by the system: Commerical fishermen operating on any of the Great Lakes.

Categories of records in the system: Complete record of daily fishing operations including time, location, vessel name, gear used, names of fishermen, and numbers and weights of fish of each species.

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Determine population levels of species of fish of commercial, recreational and esthetic interest; determine effects of man's activities on these species. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records kept in storage cabinets, 8 x 10 1/2 inch questionnaires, punched cards and magnetic tape. (2) Safeguards -- records stored in locked cabinets in a locked storage room. (3) Retention and Disposal -- basic record kept as long as required to extract impersonal data; records are accessed at various times to obtain data for new analyses. A limited number may be retained (for up to five years) at a GSA Records Center.

System manager(s) and address: Director, Great Lakes Fisheries laboratory.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: American Attitudes Toward Animals -- Interior, FWS--15.

System location: The Gallup Organization, 53 Bank Street, Princeton, New Jersey (INT. DEPT. Contract No. 14-16-008-781).

Categories of individuals covered by the system: One random sample of 500 people from the general public drawn in about march - April, 1975. This is not a repetitive survey.

Categories of records in the system: Personal interviews using a predetermined set of questions on attitudes and interests in wildlife. Some questions are of a personal nature. Confidentiality is promised by Gallup and the contacted person. No answers will be related to an individual, FWS will not have access to the names of individuals.

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) None with respect to individuals. Summaries of data used to make policy decisions with respect to attitudes in general.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- Standard Interview Form. (2) Retrievability -- names of individuals not given by Gallup Poll to either contractor or FWS. Summary of answers obtained by computer. (3) Safeguards -- Gallup Poll alone has names of individuals and they maintain the identification of the individuals in total confidence. (4) Retention and Disposal -- detailed records kept for one year and destroyed by Gallup Organization.

System manager(s) and address: Chief, Branch of Migratory Birds, Division of Population Ecology Research, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Waterfowl Hunter Attitude Study -- Interior, FWS--16.

System location: National Analysts Inc., 400 Market Street, Philadelphia, Pennsylvania (INT. DEPT. Contract No. 14-16-008-648).

Categories of individuals covered by the system: A subsample of names and addresses drawn from a larger sample of 'duck stamp' purchasers in the 1974-75 hunting season. Names and addresses will be supplied to National Analysts from the files of Office of Migratory Bird Management, Patuxent Wildlife Research Center. This use of the file will occur one time only as part of a research project.

Categories of records in the system: About 75 questions to be asked concerning their personal interest, attitudes, statistics, knowledge, and commitment to waterfowl hunting.

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To make decisions about waterfowl hunting regulations and the adequacy of current management of waterfowl hunting used by Service employees. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- Multipage 8 1/2 x 11' questionnaire. Answers only placed in computer. (2) Retrievability -- by hand sort of questionnaires - answers by computer. (3) Safeguards -- National Analysts pledges confidentiality on names of contacts and their responses to questions. A report will be prepared by National Analysts and it will not relate responses to individuals. (4) Retention and Disposal -- all information will be turned over to FWS upon completion of study. Records will be destroyed after total debriefing.

System manager(s) and address: Chief, Branch of Migratory Birds, Division of Population Ecology Research, Room 560, Matomic Building, Washington, D.C. 20240. Telephone: 202-343-5729.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Diagnostic-Extension Service Records -- Interior, FWS–17.

System location: (1) Eastern Fish Disease Laboratory, R.D. 1, Box 17, Kearneysville, West Virginia 25430. (2) Fish Farming Experimental Station, P.O. Box 860, Stuttgart, Arkansas 72160. (3) National Fish and Wildlife Health Laboratory, University of Wisconsin, Department of Veterinary Science, 1655 Linden Drive, Madison, Wisconsin 56703. (4) Western Fish Disease Laboratory, Bldg. 204, Naval Support Activity, Seattle, Washington 98115.

Categories of individuals covered by the system: Federal, State employees involved in fish and wildlife production and fishery wildlife management, private fish farmers, fish hobbyists.

Categories of records in the system: Results of diagnostic examinations, related information and recommendations.

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Internal use for identifying regional and national fish and wildlife disease patterns, occurrence and importance. As an aid in developing research priorities. For comparison of pathological agents, disease pathology. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- bound books, forms in file folders. (2) Retrievability -- by accession number. (3) Safeguards -- as prescribed in 43 CFR 2.51. (4) Retention and Disposal -- indefinite.

System manager(s) and address: Appropriate laboratory Director.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individuals, companies, or their representatives on whom the records are maintained; Federal and State employees.

System name: Animal Damage Control Authorization Records -- Interior, FWS–18.

System location: (1) Animal Damage Control Office, U.S. Fish and Wildlife Service, Room 546, Matomic Building, 1717 H Street, NW., Washington, D.C. 20240. (2) Regional offices of the Fish and Wildlife Service (See Appendix for regional addresses).

Categories of individuals covered by the system: Livestock producers, livestock feeders, poultry producers, farmers and suburban and rural residents who request help in reducing wild bird or mammal damage to their property, pets or livestock.

Categories of records in the system: Contains name, address, ranch or farm acreage and location and number of poultry or livestock owned, number of livestock damaged present and previous year. Contains signature of individual requesting assistance and agreeing to control methods and dates.

Authority for maintenance of the system: Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); Federal Insecticide, Fungicide, and Rodenticide Act as amended (7 U.S.C. 135-135k); and migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-711; 40 Stat. 755).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) For documentation of qualification for use of M-44's; to gather data on control predator damage; to monitor Service field employee's use of M-44 unit; to help determine success of M-44's to gather data for registration of M-44 with EPA; to request and permit Service to conduct ADC work in signators lands; to help protect the Government from tort claims, charges of trespass and other misunderstandings. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation and, criminal or regulatory in nature to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on an 8 x 10 1/2 inch form. (2) Retrievability -- indexed by name. (3) Safeguards -- records are maintained in a standard office filing cabinet and office is locked when personnel are not present. (4) Retention and Disposal -- statistical records maintained for three years and then destroyed. Agreement records received each year and old agreement destroyed.

System manager(s) and address: Program Coordinatory, Animal Damage Control, U.S. Fish and Wildlife Service, Room 546, Matomic Building, 1717 H Street, NW., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors with respect to records located in the office for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained and Service field personnel.

System name: Endangered Species Licensee System -- Interior, FWS–19.

System location: (1) Division of Law Enforcement, U.S. Fish and Wildlife Service, 1612 K Street, NW., Washington, D.C. 20240. (2) Law Enforcement District Offices of the Fish and Wildlife Service (See Appendix for addresses).

Categories of individuals covered by the system: Individuals who request a license to import or export fish and/or wildlife or products thereof.

Categories of records in the system: Contains name, address, date of birth, height, weight, color of hair and eyes, business phone number, occupation and social security number of individual requesting license. Businesses are identified by type, name and title and phone number of principal officer and State of incorporation, if applicable.

Authority for maintenance of the system: Endangered Species Act of 1973 (16 U.S.C. 1531(d); 80 Stat. 884).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identifies licensees authorized to import or export fish and/or wildlife or products thereof. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of

investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in 8 x 10 1/2' file folders. (2) Retrievability – indexed by name. (3) Safeguards – maintained in segregated area secured by a locking device in accordance with 43 CFR 2.51. (4) Retention and Disposal – indefinite.

System manager(s) and address: Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to Special Agents in Charge, Law Enforcement Districts 1-13, with respect to records located in the district for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to Special Agents in Charge, Law Enforcement Districts 1-13, with respect to records located in the district for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom file is being maintained.

System name: Investigative Case File System – Interior, FWS–20.

System location: (1) Division of Law Enforcment, U.S. Fish and Wildlife Service, 1612 K Street, NW., Washington, D.C. (2) Law Enforcement District Offices of the Fish and Wildlife Service (See Appendix for addresses).

Categories of individuals covered by the system: Subjects of investigation relative to violation of fish and wildlife laws.

Categories of records in the system: Contains name and address, place and date of birth plus other available data identifying the subjects of investigation in violation of the fish and wildlife laws as well as other information incidental to these investigations all of which carry criminal sanctions.

Authority for maintenance of the system: Assault Act (18 U.S.C. 111), Bald Eagle Act (16 U.S.C. 668-668d), Black Bass Act (16 U.S.C. 851-856), Lacey Act (18 U.S.C. 42-44), Refuge Administration Act (16 U.S.C. 668dd-668ee), Migratory Bird Hunting Stamp Act (16 U.S.C. 718-718h), Migratory Bird Treaty Act (16 U.S.C. 703-711), Endangered Species Act (16 U.S.C. 1531-1543), Marine Mammal Act (16 U.S.C. 1361-1407), Upper Mississippi Refuge Act (16 U.S.C. 721-731), Bear River Refuge Act (16 U.S.C. 690), Fish and Wildlife Recreation Act (16 U.S.C. 460k & 1), Airborne Hunting Act (16 U.S.C. 742j) and Tariff Classification Act (19 U.S.C. 1527).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Includes all investigative and enforcement information reported to and investigated by the Division of Law Enforcement, U.S. Fish and Wildlife Service. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in 8 x 10 1/2' file folders. (2) Retrievability – indexed by name. (3) Safeguards – maintained in segregated area secured by a locking device in accordance with 43 CFR 2.51. (4) Retention and Disposal – indefinite.

System manager(s) and address: Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from all of the provisions of Privacy Act except the following: 5 U.S.C. 552a(b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6) through (11), and (i).

System name: Permits System – Interior, FWS–21.

System location: (1) Division of Law Enforcement, U.S. Fish and Wildlife Service, 1612 K Street, NW., Washington, D.C. (2) Law Enforcement District Offices of the Fish and Wildlife Service (See Appendix for addresses).

Categories of individuals covered by the system: Applicants for permits to conduct certain activities in areas of fish and wildlife.

Categories of records in the system: Contains the name, address, date of birth, height, weight, color of hair and eyes, business phone number, occupation and social security number of person applying for permit. Business agencies and institutions are identified by type, name, title and phone number of principal officer and State of incorporation, if applicable. Contains information on location of the activity and a briefing of the type of the proposed activity. May also include the qualifications, educational background and experience of the applicant.

Authority for maintenance of the system: 16 U.S.C. 668a, 16 U.S.C. 1539, 16 U.S.C. 704-711, 16 U.S.C. 1371, 18 U.S.C. 42-44, and 19 U.S.C. 1527.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identifies holders of permits which authorizes otherwise illegal activity having to do with fish and/or wildlife. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in 8 x 10 1/2' file folders. (2) Retrievability – indexed by name. (3) Safeguards – maintained in segregated area secured by a locking device in accordance with 43 CFR 2.51. (4) Retention and Disposal – indefinite.

System manager(s) and address: Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: U.S. Deputy Game Warden System – Interior, FWS–22.

System location: Regional offices of the Fish and Wildlife Service. (See Appendix for addresses).

Categories of individuals covered by the system: Applicants for U.S. Deputy Game Warden Commissions.

Categories of records in the system: Contains the name, address, date and place of birth, social security number, height, weight, color of hair and eyes of applicants for U.S. Deputy Game Warden Commissions.

Authority for maintenance of the system: Fish and Wildlife Act of 1956 (16 U.S.C. 742a-7421; 70 Stat. 1119).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identifies applicants and holders of U.S. Deputy Game Warden Commissions. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in 8 x 10 1/2' file folders. (2) Retrievability – indexed by name. (3) Safeguards – maintained in segregated area secured by a locking

device in accordance with 43 CFR 2.51. (4) Retention and Disposal -s destroyed after Commission expires.

System manager(s) and address: Chief, Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, Room 3455, Main Interior Building, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individuals on whom the file is being maintained.

System name: Motor Vehicle Permit Log -- Interior, FWS--23.

System location: (1) Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, 1717 H Street, NW., Washington, D.C. 20006. (2) regional offices (See Appendix for regional addresses).

Categories of individuals covered by the system: Employees who require Government Vehicle Operator Permit.

Categories of records in the system: Log reflecting employee name, driver's license number, duty station location, date of issue of permit and date permit expires.

Authority for maintenance of the system: Federal Property and Administrative Service Act of 1949, (40 CSC 471), as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Ready reference of names of holders of permit and date when permit must be renewed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained as simple log in loose-leaf binder. (2) Retrievability -- maintained by date and in alphabetical order. (3) Safeguards -- log maintained as information system for personnel staff with normal non-security confidential procedures meeting requirements of 43 CFR 2.51. (4) Retention and Disposal -- maintenance of log on a continuing basis consistent with need of the individual to have a current permit.

System manager(s) and address: Chief, Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, Room 3455, Main Interior Building, 18th and C Streets, NW., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Payroll -- Interior, FWS--24.

System location: (1) Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, 1717 'H' Street, N.W., Washington, D.C. 20006 (2) Input information supplied by all facilities of the U.S. Fish and Wildlife Service. (See Appendix for addresses.)

Categories of individuals covered by the system: All paid employees in the Service.

Categories of records in the system: Pay, leave and cost distribution records, including deductions for bonds, insurance, income taxes, allotments to financial institutions, overtime authorizations, and shift schedules.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Fiscal operations for payroll, leave, insurance, tax, retirement and cost programs. (2) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (3) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (4) Disclosure to the Civil Service Commission in connection with retirement, life insurance and health insurance accounts. (5) Disclosure to another Federal agency to which an employee has transferred. (6) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (7) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in 8' x 10 1/2' folders and on computer media. (2) Retrievability -- identified by employee social security number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- one year from date employee separates.

System manager(s) and address: Chief, Division of Personnel Management and Organization, U.S. Fish and Wildlife Service, Room 3455, Main Interior Building, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, and supervisors.

System name: Payroll, Attendance and Leave Records -- Interior, GS--1.

System location: Geological Survey, National Center, Reston, Va. 22092.

Categories of individuals covered by the system: All Geological Survey Employees.

Categories of records in the system: Name, social security number, grade, step and salary; organization, retirement or FICA data as applicable; Federal, State and local tax deductions, as appropriate; IRS tax lien data; savings bond and charity deductions; regular and optional Government life insurance deductions; health insurance deduction and plan or code; cash award data, jury duty data; military leave data; pay differentials; union dues deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types; time and attendance records; cost of living allowances; mailing address; co-owner and/or beneficiary of bonds; marital status and number of dependents; and 'Notification of Personnel Action'. The individual records listed are included only as pertinent to the individual employees.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq.; Title 6, GAO Policy and Procedure Manual; 31 U.S.C. 66(a); Sections 112(a) and 113 of the Budget and Accounting Procedures Act of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal of data to U.S. Treasury to issue pay to employees and to distribute pay according to employee directions for allotments, financial institutions, savings bonds, charitable contributions and other authorized purposes. (2) Reporting tax withholdings to IRS and State and local taxing authorities; FICA deductions to SSA; withholdings for health insurance to the Civil Service Commission and carriers; contributions to agents of charitable institutions; dues to labor unions; annual W-2 statements to taxing authorities and the individual. (3) In the event that a system of records maintained by the Survey to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto. (4) A record from this system of records may be disclosed, as a routine use, to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Survey decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) A record from this system of records may be disclosed, as a routine use, to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (6) A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving the individual when the individual is a constituent of the Member and has requested assistance from the Member with respect to the subject matter of the record. (7) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – both machine readable and manual (2) Retrievability – by name or social security number of employee. (3) Safeguards – storage equipment and rooms locked when not in use. Access is restricted to authorized personnel only. Computer and payroll personnel are instructed as to the need for security and confidentiality. (4) Disposal – retained on-site until GAO audit, then destroyed or transferred to Federal Records Center, as appropriate according to GAO fiscal records program, or GSA General Records Schedules.

System manager(s) and address: Chief, Branch of Financial Management, Geological Survey, National Center, Reston, Virginia 22092.

Notification procedure: System Manager. A written and signed request is required from anyone seeking information concerning him/her.

Record access procedures: Requests for access to records should be addressed to the System Manager and must meet the requirements of 43 CFR 2.63.

Contesting record procedures: Petitions for amendment should also be addressed to the System Manager and meet the requirements of 43 CFR 2.71.

Record source categories: Subject individuals, supervisors, timekeepers and personnel records.

System name: Authorized Cashier, Alternate Cashier, Certifying Officer and Cashier, Collection Officers – Interior, GS–2.

System location: Geological Survey, National Center, Reston, Virginia 22092.

Categories of individuals covered by the system: Authorized Cashiers, Alternate Cashiers, Certifying Officers and Cashiers - Collection Officers assigned to perform these functions in the conduct of Survey financial business.

Categories of records in the system: Up-to-date records including name and address showing authorizations for certain persons to perform the functions of cashier, alternate cashier, certifying officer, and cashier - collection officer.

Authority for maintenance of the system: 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transmittal to U.S. Treasury. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – by name of individual. (3) Safeguards – access limited to those personnel who have requirement for access. (4) Disposal – retained and disposed of according to GSA General Records Schedules.

System manager(s) and address: Chief, Branch of Financial Management, Geological Survey, National Center, Reston, Virginia 22092.

Notification procedure: A written and signed request from the requester seeking information about him or herself is required and is submitted to the System Manager.

Record access procedures: Requests for access should be addressed to the System Manager and meet the requirements of 43 CFR 2.63

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individuals and supervisors.

System name: Accounts Receivable – Interior, GS–3.

System location: Geological Survey, National Center, Reston, Virginia 22092.

Categories of individuals covered by the system: Debtors owing money to the Geological Survey, including employees, former employees, business firms, institutions and private individuals. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: Name and address, amount owed, and service, overpayment or other accounting; invoice number.

Authority for maintenance of the system: 5 U.S.C. 5701-09; FPMR 101-7; Treasury Fiscal Requirements Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Billing debtors. (2) Reporting to the Civil Service Commission. (3) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – manual form in file folders. (2) Retrievability – by individual name. (3) Safeguards - - handling by authorized personnel only. (4) Disposal – retained until payment received and account audited, then disposed of in accordance with Records Control Schedule.

System manager(s) and address: Chief, Branch of Financial Management, Geological Survey, National Center, Reston, Virginia 22092.

Notification procedure: A written and signed request from the requester seeking information about him/her is required and is submitted to the System Manager.

Record access procedures: Requests for access should be addressed to the System Manager and must meet the requirements of 43 CFR 2.63.

Contesting record procedures: Petitions for amendment should be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Subject individual, contracting officer, accounting records.

System name: Employee Workload and Production Reports – Interior, GS–4.

System location: Branch of Financial Management, Geological Survey, National Center, Reston, Virginia 22092.

Categories of individuals covered by the system: Branch employees whose work can be measured by production units.

Categories of records in the system: Production reports summarizing weekly production rates.

Authority for maintenance of the system: 5 U.S.C. 301, 3101, 31 U.S.C. 24, 66a, 43 U.S.C. 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Summarizes weekly production in the Branch and determines backlog of work. Used to determine production performance of individual employees. (2) Routine uses numbered 3 through 7 listed in the system notice for the Geological Survey Payroll, Attendance and Leave Records System, Interior/GS-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual and machine readable records. (2) Retrievability -- by name of individual. (3) Safeguards -- available to Branch employees only. (4) Disposal -- retained as needed, then destroyed.

System manager(s) and address: Chief, Branch of Financial Management, Geological Survey, National Center, Reston, Virginia 22092.

Notification procedure: A written and signed request from the requester seeking information about him/her is required and is submitted to the System Manager.

Record access procedures: Requests for access should be submitted to the System Manager and meet the requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Subject individual.

System name: Property Loan Agreement Files -- Interior, BIA--1.

System location: All Area and Agency Offices (See appendix for addresses.)

Categories of individuals covered by the system: Individual Indians or non-Indians having a need for Government-owned real or personal property for use in a Bureau program.

Categories of records in the system: Records of accountability for Government-owned real or personal property loaned to individuals.

Authority for maintenance of the system: 40 U.S.C. 483(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1)Identifies individuals responsible for Government-owned real or personal property by agreement. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by individual name and cross-referenced by tribal name, contract or use permit number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- destroy one year after property is returned.

System manager(s) and address: Director, Office of Administration, Bureau of Indian Affairs, Department of the Interior, 1951 Constitution Avenue, N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area Director or Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as the Notification. The request must be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71. Individual on whom the record is maintained.

System name: Safety Management Information -- Interior, BIA--2.

System location: (1) All Area, Agency and Field Offices of the BIA. (See appendix for addresses). (2) Director, Office of Administration, Bureau of Indian Affairs, Department of the Interior, 1951 Constitution Avenue, N.W., Washington, D.C. 20245.

Categories of individuals covered by the system: (1) Employee operators and incidental operators of government-owned vehicles and equipment. (2) Federal employees who have had an accident or incident. (3) Injured employees who submit claims for medical attention or loss of earning capability due to on-the-job injury. (4) Individuals filing tort claims against the U.S. Government.

Categories of records in the system: (1) Documents supporting the issuance of SF-46 Motor Vehicle Identification Cards to employees, (2) reports of accident/incident by agency, area, name of person involved and social security number, (3) employee claims case files pertaining to claims submitted to the Office of Workmen's Compensation, and (4) case files with supporting documents pertaining to tort claims filed by an individual against the U. S. Government.

Authority for maintenance of the system: 5 U.S.C. 7902.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides complete recordkeeping on qualified motor vehicle operators in BIA, employee accidents or incidents, Federal employees compensation claims and adjudication of tort claims. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed alphabetically by name of employee. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- not authorized for disposal.

System manager(s) and address: Director, Office of Administration, Bureau of Indian Affairs, Department of the Interior, 1951 Constitution Avenue N.W., Washington, D.C. 20245.

Notification procedure: System Manager or with respect to records maintained in the office for which he is responsible, the Agency or School Superintendent, the Area or Field Office Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as the Notification. A request for access may be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Claimants. Individuals on whom the record is maintained.

System name: Individual Indian Monies -- Interior, BIA--3.

System location: (1) All Area and Agency Offices of the BIA or contractors processing IIM accounts for them (See appendix for addresses). (2) Division of Accounting Management, Bureau of Indian Affairs, P.O. Box 2088, Albuquerque, NM 87103.

Categories of individuals covered by the system: Individual Indians who have money accounts.

Categories of records in the system: General ledgers showing deposits and withdrawals from Indians' accounts and money folders with supporting documentation.

Authority for maintenance of the system: 25 U.S.C. 151.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To control individual Indian's money accounts and to disclose to them the status of those accounts. (2) Granting of access or transfer to another Federal agency, a state or local government, Indian tribal group or to any individual or establishment that, under contract to the BIA or as the result of some form of legal transfer of the program to them, will have jurisdiction for the IIM program now under the jurisdiction of the BIA. (3) Transfer to the U.S. Department of Justice in

the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form throughout Area and Agency Offices with some transaction records on computer readable media. (2) Retrievability -- indexed by name or identifying number. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for both manual and computer records. (4) Disposal – closed files are transferred to the appropriate GSA Federal Records Center five years after probate and other actions are completed. Director, Office of Administration, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20242.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area Director or Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing, be signed by the requester and meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual Indians, depositors in the accounts and claimants against the accounts.

System name: Indian Land Records – Interior, BIA–4.

System location: (1) Land Records Improvement Program Liaison Office, Bureau of Indian Affairs, P.O. Box 888, Albuquerque, NM 87103. (2) Title plants at the following four Area Offices of the BIA: Portland, Billings, Aberdeen and Albuquerque. (See appendix for addresses). (3) Area, Agency and Field Offices of the BIA. (See appendix for addresses).

Categories of individuals covered by the system: Individual Indians and Indian tribal groups that are owners of land held in trust by the government.

Categories of records in the system: Land description, current ownership, probate and title history of Indian trust lands.

Authority for maintenance of the system: 25 U.S.C. 392.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of individual Indians and Indian tribal groups with interest in lands held in trust. (2) Transfer or disclosure to another Federal agency, a state or local government, or to any individual or establishment that has been appointed to act as trustee for Indian lands. (3) Transfer to the U.S. Department of Justice in event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on mag-tape. Basic legal documents are maintained at the four title plants. Input documents and printed copies are maintained at the Albuquerque Office, the four title plants, and the Area, Agency and Field Offices. (2) Retrievability – indexed by name or identification number of individual. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.1 for both manual and computerized records. (4) Disposal – land records are classified as permanent records.

System manager(s) and address: Director, Office of Trust Responsibilities, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63. A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Legal records such as titles, deeds, probates and birth notices.

System name: Indian Land Leases – Interior, BIA–5.

System location: (1) Area, Agency and Field Offices of the BIA. (See appendix for addresses.) (2) Automatic Data Processing, Bureau of Indian Affairs, P.O. Box 888, Albuquerque, NM 87103. (3) Contractors, including Indian tribal groups and other federal agencies. (See appendix for addresses.)

Categories of individuals covered by the system: Individual Indian and Indian tribal groups that are owners of real property held in trust by the government, and individuals or groups that are potential or actual lessees of that property.

Categories of records in the system: Land description, heirship and current ownership of Indian trust lands and real property; identification of owners and lessees; water, surface and subsurface rights on that land; conservation, irrigation and land use projects; and information on all types of leases, including grazing, farming, minerals and mining, timber, business, etc.

Authority for maintenance of the system: 25 U.S.C. 415.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Control of leases on Indian trust lands and real property, and collection and distribution of lease income. (2) Protection of water, surface and subsurface rights on Indian trust lands. (3) Planning and implementation of conservation, irrigation and land use projects on Indian lands. (4) Disclosure or transfer to another Federal agency, a state or local government, an Indian tribal group or contractor having jurisdiction of programs ordinarily the responsibility of the BIA. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – on manual documents and maps, computer readable media, input forms and computer printouts. (2) Retrievability – indexed by name or identification number of the individual. (3) Safeguards – most records are maintained with safeguards meeting the requirements of 43 CFR 2.51 for both manual and computer records. A program will be initiated to bring the safeguards for the remaining systems of records up to the same standards. (4) Disposal – In accordance with BIA Records Control Schedule as approved by the Archivist of the United States and the Commissioner of Indian Affairs.

System manager(s) and address: Director, Office of Trust Responsibilities, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Owners and lessees. Titles, deeds, birth and death notices, all types of land and water rights and usages documents.

System name: Navajo-Hopi Joint Use Project -- Interior, BIA--6.

System location: (1) Joint Use Administrative Office, P.O. Box 1889, Flagstaff, Arizona 86001. (2) Automatic Data Processing, Bureau of Indian Affairs, P.O. Box 888, Albuquerque, NM 87103.

Categories of individuals covered by the system: Navajo and Hopi Indians who are residents of the Joint Use Area in Arizona. ;6

Census enumerations, and inventories and ownerships of property improvements.

Authority for maintenance of the system: 25 U.S.C. 631, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Establishment of ownership of property improvements by Navajos and Hopis in the Joint Use Area as a basis for the adjudication of claims. (2) Granting of access to the pertinent officials of the concerned tribal groups of those portions of the records necessary for the defense of the interests of members of the tribes. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual records, computer input forms and printouts at the JUA Office. Selected data is being transferred to the computer in Albuquerque. (2) Retrievability -- indexed by name of individual Indians. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for both manual and computer records. (4) Disposal -- not authorized for disposal.

System manager(s) and address: Project Officer, Joint Use Administrative Office, P.O. Box 1889, Flagstaff, Arizona 86001.

Notification procedure: A written and signed request stating that the requester seeks information concerning records pertaining to him should be addressed to the System Manager. See 43 CFR 2.60.

Record access procedures: A request for access should be addressed the same as for Notification. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Navajo and Hopi residents of the Joint Use Area and enumeration surveyors who are interviewing claimants and physically examining property improvements.

System name: Tribal Rolls -- Interior, BIA--7.

System location: (1) All Area, Agency and Field Offices of the BIA. (See appendix for addresses.) (2) Director, Office of Indian Services, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245. (3) Automatic Data Processing Center, Bureau of Indian Affairs, P.O. Box 888, Albuquerque, NM 87103.

Categories of individuals covered by the system: Individual Indians who are applying for or have been assigned interests of any kind in Indian tribes, bands, pueblos or corporations.

Categories of records in the system: Documents supporting Individual Indians claims to interests in Indian tribal groups, including birth, marriage and death notices; records of actions taken (approvals, rejections, appeals); rolls of approved individuals; records of actions taken (judgement distributions, per capita payments, shares of stocks); ownership and census data taken using the rolls as a base.

Authority for maintenance of the system: 25 U.S.C. 163.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Determination of eligibility of individuals to participate in or enjoy benefits from an interest in a tribal group. (2) Lists of approved enrollees are used to distribute funds or income, or as a base to gather census or ownership data for planning purposes. (3) Disclosure to the tribe, band, pueblo or corporation of which the individual to whom a record pertains is a member or a stockholder. (4) Disclosure to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (6) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (7) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual documents, computer readable media, input forms and computer printouts. (2) Retrievability -- indexed by name, identification numbers, family numbers, etc. (3) Safeguards -- a program is under way to bring security up to the standards of 43 CFR 2.51 for all parts of the system. (4) Disposal -- In accordance with BIA Records Control Schedule as approved by the Archivist of the United States and the Commissioner of Indian Affairs.

System manager(s) and address: Director, Office of Indian Services, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Agency Superintendent or an Area or Field Office Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Enrollees or claimants. Birth, marriage and death certificates, and family and tribal histories.

System name: Indian Social Services Case Files -- Interior, BIA--8.

System location: All Area, Agency and Field Offices of the BIA. (See appendix for addresses.)

Categories of individuals covered by the system: Individual Indians who apply and receive social services and direct assistance from the Bureau of Indian Affairs on Indian reservations.

Categories of records in the system: Case files and related card files giving history of social services and direct assistance to individual Indians.

Authority for maintenance of the system: 25 U.S.C. 13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides permanent individual records on social services and direct assistance to individual Indians. (2) Granting of access or transfer to another Federal agency, a state or local government, Indian tribal group or to any individual or establishment that will have jurisdiction whether by contract to the BIA, by assumption of trust responsibilities or by other means, for social services programs now controlled by the BIA. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or a potential violation of a statute regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed alphabetically by name of applicant and/or recipient. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- transfer inactive files to GSA Federal Records Center five years after case is closed.

System manager(s) and address: Director, Office of Indian Services, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Agency Superintendent or an Area or Field Office Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Applicants and/or recipients.

System name: Traders License Files – Interior, BIA–9.

System location: All Area and Agency Offices of the BIA. (See appendix for addresses.)

Categories of individuals covered by the system: Applicants requesting licenses to trade on Indian reservations.

Categories of records in the system: Case files containing applications, bond forms, copies of licenses and related correspondence.

Authority for maintenance of the system: 25 U.S.C. 261.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of individuals authorized to trade on Indian reservations. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders at Area and Agency Offices. (2) Retrievability – indexed alphabetically by name of applicant. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – Transfer to the GSA Federal Records Centers five years after case becomes inactive.

System manager(s) and address: Director, Office of Indian Services, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, for records maintained in the office for which he is responsible, an Agency Superintendent or an Area Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Applicants and licensed traders.

System name: Indian Housing Improvement Program – Interior, BIA–10.

System location: (1) Division of Housing Services, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245. (2) All Area and Agency Offices. (See appendix for addresses.)

Categories of individuals covered by the system: Individual Indians who qualify as housing improvement participants.

Categories of records in the system: Housing applications, financial records, and engineering drawing material.

Authority for maintenance of the system: 25 U.S.C. 13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To maintain a management control of funds distributed to each individual and to provide a progress reporting on housing improvements. (2) Disclosure or transfer to another Federal agency, a state or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now controlled by the BIA. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by name of applicant. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – Records are of permanent nature and not authorized for disposal.

System manager(s) and address: Director, Office of Indian Services, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, the Agency or School Superintendent, or the Area of Field Office Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, the Agency or School Superintendent, or the Area or Field Office Director. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual applicants.

System name: Indian Business Development Program (Grants) – Interior, BIA–11.

System location: (1) Office of Tribal Resources Development, Bureau of Indian Affairs, 18th and C Streets, N.W., Washington, D.C. 20245. (2) Area and Agency Offices. (See appendix for addresses.)

Categories of individuals covered by the system: Indian Business Grant applicants.

Categories of records in the system: Grant application and supporting documents.

Authority for maintenance of the system: 88 Stat. 77 (1974).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of individual receiving grant. (2) Transfer or disclosure to another Federal agency, a state or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now managed by the BIA. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by individual's name or control number. (3)Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – Not authorized for disposal.

System manager(s) and address: Director, Office of Tribal Resources Development, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, an Area of Field Office Director, or an Agency Superintendent. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Legal records such as titles, deeds, probates and birth notices. Applicants.

System name: Indian Trust Land Mortgages -- Interior, BIA--12.

System location: Area and Agency Offices. (See appendix for addresses.)

Categories of individuals covered by the system: Individual Indians who mortgaged trust land to customary lenders.

Categories of records in the system: Mortgage records and supporting documents.

Authority for maintenance of the system: 25 U.S.C. 483(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To furnish lender with information on applicant and on status of land and to maintain current information on payments and balances of loan. (2) Disclosure or transfer to another Federal agency, a state or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now managed by the BIA. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- not authorized for disposal.

System manager(s) and address: Director, Office of Tribal Resources Development, Bureau of Indian Affairs, 18th and C Streets N.W., Washington, D. C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Mortgage applicants.

System name: Indian Loan Files -- Interior, BIA--13.

System location: (1) Office of Tribal Resources Development, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245. (2) Area and Agency offices. (See appendix for addresses.)

Categories of individuals covered by the system: (1) Applicants who applied for or received loans. (2) Applicants who applied for or received guaranteed or insured loans.

Categories of records in the system: Loan applications and supporting documents, record of payment cards, guaranty agreements, eligibility certificates, default documents, and/or promissory notes.

Authority for maintenance of the system: 25 U.S.C. 482, 461, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Maintain a record of payments and unpaid balances and to provide information on payments made for paying interest subsidy, credits obtained, service loans, and premiums paid by lenders. (2) Disclosure or transfer to another Federal agency, a state or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now maintained by the BIA. (3) Transfer to the U.S. Department of justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by individual's name, control number or tribal name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- destroy seven years after loan is paid, cancelled, or otherwise disposed of.

System manager(s) and address: Director, Office of Tribal Resources Development, Bureau of Indian Affairs, 18th and C Street N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual loan applicants.

System name: Travel Accounting System -- Interior, BIA--14.

System location: (1) Division of Accounting Management, Bureau of Indian Affairs, P. O. Box 2088, Albuquerque, NM 87103. (2) All Area, Agency, and Field Offices (including the Washington Office) of the BIA. (See appendix for addresses.)

Categories of individuals covered by the system: Individuals who are traveling at government expense.

Categories of records in the system: Travel authorization, advances and vouchers.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of individuals who are authorized to travel and be reimbursed by the government. (2) Disclosure or transfer to another Federal agency, a state or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now controlled by the BIA and that require personal travel at program expense. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. Input documents and printed copies are maintained at the Albuquerque Office and at Area, Agency and Field Offices for individuals under their jurisdiction. (2) Retrievability -- indexed by name or identification number of traveler. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for both manual and computerized records. (4) Disposal -- not authorized.

System manager(s) and address: Director, Office of Administration, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, the Agency or School Superintendent, or the Area or Field Office Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, the Agency or School Superintendent, or the Area or Field Office Director. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual travelers.

System name: Trip Reports – Interior, BIA–15.

System location: Central Office, Area, Agency and Field Offices of the BIA.

Categories of individuals covered by the system: Federal employees who are assigned to travel as part of their job.

Categories of records in the system: Copies of reports to supervisors and management officials documenting employee travel, findings and recommendations.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides local file which identifies staff officer trip reports by name of individual for each BIA program office. (2) Transfer to the U. S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders in offices throughout the Bureau. (2) Retrievability – indexed alphabetically by name of traveler. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – as administrative copies, records are destroyed after four years.

System manager(s) and address: Commissioner, Bureau of Indian Affairs, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: With respect to records maintained in the office for which he is responsible the Agency Superintendent, the Area or Field Office Director, or in the Washington Office the System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for notification. A request for access must be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual travelers who prepare the reports.

System name: Travel Files – Interior, BIA–16.

System location: Central Office, Area, Agency and Field Offices of the BIA. (See appendix for addresses.)

Categories of individuals covered by the system: Federal employees who are authorized to travel at government expense.

Categories of records in the system: Copies of correspondence, requests, travel authorizations and orders, itineraries and similar papers pertaining to an employees travel.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides administrative copy file on each traveler for local office use. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders in offices throughout the Bureau. (2) Retrievability – indexed alphabetically by name of traveler. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – as administrative copies, records are destroyed after four years.

System manager(s) and address: Director, Office of Administration, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20242.

Notification procedure: System Manager or with respect to records maintained in the office for which he is responsible, the Agency or School Superintendent, or the Area or Field Office Director. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual employees who are required to travel.

System name: Payroll – Interior, BIA–17.

System location: (1) Employee Data and Compensation, Bureau of Indian Affairs, P.O. Box 2026, Albuquerque, NM 87103. (2) Input documents supplied by all Area, Agency and Field Offices. (See Appendix for addresses.)

Categories of individuals covered by the system: All employees of the BIA, including all types of employment.

Categories of records in the system: Time and attendance data from each pay station are matched with personnel data at the Albuquerque Data Center and payrolls are prepared for distribution by Treasury (RDO), and numerous reports and call-ups are printed out.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To prepare payrolls for distribution by the Regional Disbursing Offices of Department of Treasury and to report results to the Civil Service Commission. (2) Granting of access or transfer to a Federal, State or local agency, or to an Indian tribal group or any establishment or individual that assumes jurisdiction, whether by contract to the BIA or by legal transfer, of any program under the control of the BIA. (3) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (4) Disclosure to the Internal Revenue Service and to state, commonwealth, territorial and local governments for tax purposes. (5) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (6) Disclosure to another Federal agency to which an employee has transferred. (7) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (8) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (9) Transfer to the U.S. Department of Justice in the event of litigation or potential

litigation involving the records or the subject matter of the records. (10) Transfert in the event there is indicated a violation or a potential violation of a statute, rule, regulation, order or license whether civil, criminal or regulatory in nature; to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on computer media, with input forms and printed outputs in manual form. (2) Retrievability -- indexed by name and identifying number of the employee. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computer and manual records. (4) Disposal -- in accordance with Title 8 of GAO Manual.

System manager(s) and address: Director, Office of Administration, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director or Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing, be signed by the requester and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual employees and timekeepers.

System name: Indian Association Stock Purchase Records -- Interior, BIA--19.

System location: Agency Offices (See Appendix for addresses.)

Categories of individuals covered by the system: Indian stockholders.

Categories of records in the system: Records of purchase of stock in Indian associations by individuals.

Authority for maintenance of the system: 25 U.S.C. 1, 1a, 13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification of individual Indians who have stocks in Indian Associations. (2) Transfer or disclosure to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now managed by the BIA. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- destroy three years after disposal of stocks.

System manager(s) and address: Director, Office of Tribal Resources Development, Bureau of Indian Affairs, 18th and C Streets, N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained in the office for which he is responsible, an Area or Field Office Director, or an Agency Superintendent. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual stockholders.

System name: Correspondence Files System -- Interior, BIA--20.

System location: Division of Administrative Services, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20242.

Categories of individuals covered by the system: Individuals who correspond with or apply to the BIA Central Office on significant business or program matters.

Categories of records in the system: Subject and case files pertaining to individual Indians and tribes on various BIA programs and subject matters.

Authority for maintenance of the system: 5 U.S.C. 301, 43 U.S.C. 1457, 44 U.S.C. 3101, Reorganization Plan 3 of 1950, 25 U.S.C. 1a, 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides information for use by Department of the Interior; BIA; Indian tribes; Indian Claims Commission; and the Indian Claims Division, Office of Finance, GSA. (2) Disclosure or transfer to another Federal agency, a State or local government, an Indian tribal group or a contractor that will have jurisdiction over programs now controlled by the BIA. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- cross-indexed by name of person or firm name and subject. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- records are permanent and are transferred to the GSA Federal Records Center after four years.

System manager(s) and address: Director, Office of Administration, Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20242.

Notification procedure: Same as the above. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Correspondence Control System -- Interior, BIA--21.

System location: Office of the Commissioner, Bureau of Indian Affairs, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20245.

Categories of individuals covered by the system: U.S. Senators and Congressmen, Governors of States, Indian leaders.

Categories of records in the system: Correspondence.

Authority for maintenance of the system: 5 U.S.C. 301, 43 U.S.C. 1457, 44 U.S.C. 3101, Reorganization Plan 3 of 1950, 25 U.S.C. 1a, 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides control for prompt handling of priority correspondence by the Bureau of Indian Affairs. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed alphabetically by name of congressman or letter writer. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- copies are destroyed after one year.

System manager(s) and address: Commissioner of Indian Affairs, Bureau of Indian Affairs, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20245.

Notification procedure: Same as above. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment may be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual from whom incoming letter was received.

System name: Indian Student Records -- Interior, BIA--22.

System location: (1) All Area and Agency Offices and BIA schools. (See Appendix for addresses.) (2) Indian Education Resources Center, Bureau of Indian Affairs, P.O. Box 1788, Albuquerque, NM 87103.

Categories of individuals covered by the system: Students or potential students at BIA schools and applicants for or recipients of BIA scholarships or educational grants.

Categories of records in the system: Student case files, attentance and performance records, banking records and expenditures of tribal benefit funds, and applications for grants and grant agreements.

Authority for maintenance of the system: 25 U.S.C. 271, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides permanent individual student records on all phases of the education of Indians in BIA schools or under government educational grants. (2) Granting of access or transfer to another Federal agency, a State or local government, Indian tribal group or to any individual or establishment that will have jurisdiction whether by contract to the BIA, by assumption of trust responsibilities or by other means, for school programs now controlled by the BIA. (3) Granting of access or transfer to any domestic recognized school, whether public, private, parochial or other, of those portions of students' records specified by the requesting school as being necessary for the acceptance, placement or satisfactory performance of the student at the requesting school. (4) Granting of access to any individual or establishment of those portions of students' records specified by the requester as necessary for a decision concerning the hiring or retention of the student as an employee of the requester. (5) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (6) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (7) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (8) Transfer, in the event there is indicated a violation or a potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (9) Disclosure to persons having official involvement in conjunction with a student's application for or grant of financial aid. (10) Disclosure to parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1954, as amended. (11) Disclosure to accreditation agencies in order to carry out their accrediting functions. (12) Disclosure to the Department of Health Education and Welfare and other Governmental education officials when necessary to carry out their functions. (13) Disclosure to an Educational Testing Center or similar institution as part of validation research authorized by the school involved.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- the majority of these records are manually kept student case files at the schools. Some selected types of data are being transferred to computer readable media. (2) Retrievability -- indexed by name of student. (3) Safeguards -- a program is under way to bring security for the system up to the requirements of 43 CFR 2.51 for both manual and computer records. (4) Disposal -- not authorized for disposal.

System manager(s) and address: Director, Office of Indian Education Programs, Bureau of Indian Affairs, 18th and C Streets, N.W., Washington, D.C. 20245.

Notification procedure: System Manager or, with respect to records maintained in the office for which he is responsible, an Area Director, an Agency or School Superintendent or a School Principal. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as for Notification. The request must be in writing and be signed by the requester, and must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual students and parents, his teachers, counselors, school principals, doctors, etc.

System name: Mining Claim Title Clearance -- Interior, BLM--1.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Categories of individuals covered by the system: Owners of mining claims on National Resource lands.

Categories of records in the system: The record contains the name of the owner of record, name, acreage and location of the claim.

Authority for maintenance of the system: 30 U.S.C. 601, 611.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify owners of record of mining claims on National Resource lands. (2) Establish chain of title for ownership transfer between private individuals to determine current record owners. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of owner and name of claim. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- not authorized.

System manager(s) and address: Chief, Division of Standards and Technology, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225.

Notification procedure: System manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Research by bLM employees and applicants for patent of mining claims.

System name: Range ManageMent SysteM -- Interior, BLM--2.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Categories of individuals covered by the system: Individuals owning grazing leases issued by BLM.

Categories of records in the system: The record contains the lessee's name, address, description of the area leased, and the Bureau's assigned case file number.

Authority for maintenance of the system: 43 U.S.C. 315, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify ownership of grazing leases and the leases owned by individuals. (2) Provide basic information for public and administrative use concerning grazing leases. (3) Mailing of bills for rental due. (4) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of lessee, case file number, and land description. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record destroyed fifteen years after termination of lease.

System manager(s) and address: Chief, Division of Standards and Technology, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Notification procedure: System manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Lessees.

System name: Mineral Lease Management -- Interior, BLM--3.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Categories of individuals covered by the system: Individuals owning mineral leases issued by BLM.

Categories of records in the system: The record contains the lessee's name, address, description of the area leased, and the Bureau's assigned case file number.

Authority for maintenance of the system: 30 U.S.C. 181, 221.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify ownership of mineral leases and the acreage leased by individuals. (2) Mailing of courtesy bills for rental due and receipts of payment. (3) Documentations for public and administrative information in support of notations made on land status records for the management, disposal and use of National Resources lands and resources. (4) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of lessee, case file number, and land description. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record destroyed fifteen years after termination of lease.

System manager(s) and address: Chief, Division of Budget and Finance, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Notification procedure: System manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Lessees

System name: Coal Lease Data System -- Interior, BLM--4.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Categories of individuals covered by the system: Individuals owning federal coal leases issued by BLM.

Categories of records in the system: The record contains the lessee's name, address, description of the area leased, and the Bureau's assigned case file number.

Authority for maintenance of the system: 30 U.S.C. 181, 201.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify ownership of Federal Coal Leases and the leases owned by individuals. (2) Documentations for public and administrative information in support of notations made on land status records for the management, disposal and use of National Resource lands and resources. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of lessee, case file number, and land description. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record destroyed fifteen years after termination of lease.

System manager(s) and address: Minerals Staff Leader, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Lessees.

System name: Alaska Native Claims -- Interior, BLM--5.

System location: Office of the State Director, Department of the Interior, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska, 99501

Categories of individuals covered by the system: Claimants under the Alaska Native Claims Act.

Categories of records in the system: The record contains the claimants name, address, description of the area claimed and the Bureau's assigned case file number.

Authority for maintenance of the system: Alaska Native Claims Act, PL 92-203.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Processing claims for

rights and interests in National Resource lands and the recordation of adjudicative actions pertaining to the claim. (2) Indexing for public and administrative information documentations in case files supporting notations made on land status records for the management, disposal, and use of National Resource lands and resources. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation invqlving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on mag-tape. (2) Retrievability – indexed by name of claimant, case file number, and land description. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal – not authorized.

System manager(s) and address: Chief, Division of Management Services, Department of the Interior, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska, 99501.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63. A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Claimants, BIA, and BLM determinations.

System name: Mineral Surveyor appointment file – Interior, BLM–6.

System location: Division of Cadastral Survey (420), Department of the Interior, Bureau of Land Management, 1129 20th Street, N.W., Washington, D.C., 20240.

Categories of individuals covered by the system: Applicants for a Mineral Surveyor appointment and holders of an appointment.

Categories of records in the system: Contains the name and biographical information for qualification of each applicant and data on the granting or rejection of each application for appointment.

Authority for maintenance of the system: 30 U.S.C. 39.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Processing applications for appointment and issuance of notifications of appointments. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by name of applicant or appointee. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – file destroyed fifty years after administrative need has been completed.

System manager(s) and address: Chief, Division of Cadastral Survey (420), Department of the Interior, Bureau of Land Management, 1129 20th Street, N.W., Washington, D.C., 20240. System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Applicants.

System name: Land Case file – Interior, BLM–7.

System location: The BLM offices listed in Appendix 1. Substantially all such offices maintain records in this system on a State basis.

Categories of individuals covered by the system: Individuals who have filed applications under appropriate statutes for National Resource lands (Public lands) or the resources in or on such lands.

Categories of records in the system: The records contain the applicants name, address, his qualification under the statute and regulations involved and in some instances, his social security number. Also, other detailed information specifically required by the regulations under which the application is filed, i.e., the extent of his oil and gas or other mineral holdings under the public land laws.

Authority for maintenance of the system: The various statutes under which applications are filed are listed in the regulations in Title 43 of the Code of Federal Regulations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) The adjudication of the applicants' rights to the land or resources. (2) Documentation for public information in support of notations made on land status records for the management, disposal, and use of National Resource lands and resources. (3) Transfer to appropriate Federal agencies when concurrence is required prior to granting a right in National Resource lands or resources. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – The records are maintained manually in case file folders. (2) Retrievability – indexed by name of claimant and serial number. (3) Safeguards – The records are under constant surveillance of a docket clerk during office hours. The public does not have access to the records. In some of the offices records are maintained in locked file cabinets or shelving. Buildings and rooms within the building are locked at night. (4) Disposal – Records are disposed of fifteen years after the right is extinguished. If a permanent right is granted the record is permanently retained.

System manager(s) and address: Assistant Director - Technical Services, Department of the Interior - BLM, 18th & C Streets, N.W., Washington, D.C. 20240

Notification procedure: The System Manager or the head of the office where the record is maintained. Records are maintained on a state basis. A written and signed request stating that the requestor seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be made to the System Manager or to the head of the field office involved. The request must be in writing and be signed by the requestor. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Applicants. Investigations conducted by BLM or other offices of the Department.

System name: Aircraft Passenger Manifest Records - Fire Control – Interior, BLM–8.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225; Boise Interagency Fire Center, BLM, 3905 Vista Avenue, Boise, Idaho 83705 and all BLM offices listed on Appendix .

Categories of individuals covered by the system: Individuals moved on government or chartered aircraft to or from a fire area.

Categories of records in the system: The record contains the individual's name, social security number, address and boarding point.

Authority for maintenance of the system: 16 U.S.C. 594; 31 U.S.C. 686; 42 U.S.C. 1856; 43 U.S.C. 315; 1181, and 1361.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify individuals moved to or from a fire area. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- indexed by name of passenger on flight manifest. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed seven years after flight.

System manager(s) and address: Assistant Director, Technical Services, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System Manager or head of office where the record is maintained. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Passenger on aircraft.

System name: Property and Supplies Accountability -- Interior, BLM--9.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240; Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225; Alaska OCS Office, BLM, 800 A Street, P.O. Box 1159, Anchorage, Alaska 99510; Atlantic OCS Office, BLM, 6 World Trade Center, Suite 600D, New York, New York 10048; Gulf OCS Office, BLM, 1001 Howard Avenue, The Plaza Tower, Suite 3200, New Orleans, Louisiana 70113; Pacific OCS Office, BLM, 300 North Los Angeles Street, Los Angeles, California 90012; Boise Interagency Fire Center, BLM, 3905 Vista Avenue, Boise, Idaho 83705; and all BLM offices listed in Appendix.

Categories of individuals covered by the system: BLM employees, contractors, and contract employees.

Categories of records in the system: The record contains the user's name and description of the accountable property or supply.

Authority for maintenance of the system: 40 U.S.C. 483(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify responsible individual for accountability of property and supplies. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- indexed by name of individual. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed when property is returned to stock.

System manager(s) and address: Assistant Director - Administration, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System manager or head of office where the record is maintained. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individuals.

System name: Vehicle Use Authorization -- Interior, BLM--10.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240; Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225; Alaska OCS Office, BLM, 800 A Street, P.O. Box 1159, Anchorage, Alaska 99510; Atlantic OCS Office, BLM, 6 World Trade Center, Suite 600D, New York, New York 10048; Gulf OCS Office, BLM, 1001 Howard Avenue, The Plaza Tower, Suite 3200, New Orleans, Louisiana 70113; Pacific OCS Office, BLM, 300 North Los Angeles Street, Los Angeles, California 90012; Boise Interagency Fire Center, BLM, 3905 Vista Avenue, Boise, Idaho 83705; and all BLM offices listed in Appendix.

Categories of individuals covered by the system: Individuals who have been authorized to use government vehicles for official business and for use between residence and place of employment.

Categories of records in the system: The record contains the employee's name and purpose for use of vehicles.

Authority for maintenance of the system: 40 U.S.C. 491(1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Maintain record of authorized use of government vehicles. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- indexed by name of employee. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed two years after return of vehicle.

System manager(s) and address: Assistant Director - Administration, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System Manager or head of office where the record is maintained. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71

Record source categories: BLM employees.

System name: Identification Cards and Passes -- Interior, BLM--11.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D. C. 20240; Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225; Alaska OCS Office, BLM, 800 A Street, P.O. Box 1159, Anchorage, Alaska 99510; Atlantic OCS Office, BLM, 6 World Trade Center, Suite 600D, New York, New York 10048; Gulf OCS Office, BLM, 1001 Howard Avenue, The Plaza Tower, Suite 3200, New Orleans, Louisiana 70113; Pacific OCS Office, BLM, 300 North Los Angeles Street, Los Angeles, California 90012; Boise Interagency Fire Center, BLM, 3905 Vista Avenue, Boise, Idaho 83705 and all BLM offices listed in Appendix

Categories of individuals covered by the system: BLM employees issued a pass or identification card.

Categories of records in the system: The record contains the employee's name and assigned number of the pass or identification card.

Authority for maintenance of the system: Departmental Manual 310.3.1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Maintain record of employees issued passes and identification cards. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually on control registers. (2) Retrievability -- indexed by name of employee and control number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record maintained current.

System manager(s) and address: Assistant Director -- Administration, Department of the Interior, Bureau of Land Management, 18th and C Street, N.W., Washington, D.C. 20240.

Notification procedure: System Manager or head of office where the record is maintained. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71.

Record source categories: BLM employees.

System name: Manpower Management -- Interior, BLM--12.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Categories of individuals covered by the system: BLM employees.

Categories of records in the system: The record contains the employee's name, social security number, organization location and vacant positions.

Authority for maintenance of the system: 5 U.S.C. 5301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Management of manpower and position organization control. (2) Source for data for reports to appropriate agencies, federal and state (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of employee, social security number, position number, and organization location. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record maintained on a current basis.

System manager(s) and address: Chief, Division of Manpower and Organization, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The requester must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Notification of personnel actions and organization changes.

System name: Safety Management Information -- Interior, BLM--13.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: BLM employees involved in a work related accident and private individuals involved in a BLM employee related accident or an accident on National Resource lands or facilities.

Categories of records in the system: The record contains the name of the person involved, social security number, address, nature of the accident, injuries and property damage, if any, witnesses, and control number.

Authority for maintenance of the system: 5 U.S.C. 7902.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Input documents for Department of the Interior Automated System for accident reporting. (2) Transfer to Department of Labor in the event there is a claim for compensation. (3) Available information for persons involved and interested individuals and companies. (4) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- indexed by name of person involved in an accident, location, date, and control number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed when administrative needs have been extinguished.

System manager(s) and address: Assistant Director, Technical Services, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Persons involved, witnesses to an accident, and investigations by BLM employees and other authorities.

System name: Security Clearance Files -- Interior, BLM--14.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Employees of BLM.

Categories of records in the system: The record contains the employee's name, degree of security clearance, and location of employment.

Authority for maintenance of the system: E.O. 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify employees and their degree of security clearance. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained

manually in file folders. (2) Retrievability -- indexed by name of employee. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed when administrative need is extinguished.

System manager(s) and address: Assistant Director - Administration, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirement of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Employee, personnel file and investigations by BLM or other agencies.

System name: Correspondence Control -- Interior, BLM--15.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Individuals and Congressmen who have corresponded with BLM and whose correspondence has been placed under control.

Categories of records in the system: The record contains the correspondent's name, address, subject matter, and control number.

Authority for maintenance of the system: 5 U.S.C. 301, 43 U.S.C. 1457, 44 U.S.C. 3101, Reorganization Plan 3 of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify correspondents and subject matter of interest. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually on cards measuring five and one quarter inches by eight inches. (2) Retrievability -- indexed by name of correspondent. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed seven years after response.

System manager(s) and address: Assistant Director - Legislation and Planning, Department of the Bureau of Land Management, 18th and C Streets, N.W. Washington, D.C. 20240.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71

Record source categories: Correspondents.

System name: Mineral and Vegetal Material Sales -- Interior, BLM--16.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Categories of individuals covered by the system: Purchasers of mineral and vegetal materials.

Categories of records in the system: The record contains the purchaser's name, address, description of the material purchased, quantity, sales price, and the Bureau's assigned sales number.

Authority for maintenance of the system: 16 U.S.C. 617, 30 U.S.C. 601, 43 U.S.C. 1181a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify for public and administrative information purchasers of vegetal and mineral materials from National Resource lands. (2) Semi-annual report to Congress. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of purchaser and sales number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record destroyed two years after completion of sales contract. Chief, Division of Budget and Finance, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirement of 43 CFR 2.71.

Record source categories: Purchaser.

System name: Payroll -- Interior, BLM--17.

System location: (1) Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado, 80225. (2) Input information supplied by all facilities of the Bureau of Land Management. (See Appendix for addresses.)

Categories of individuals covered by the system: BLM employees.

Categories of records in the system: The record contains the employee's name, social security number, address, and pertinent data for calculation of payroll, payroll deductions, leave, and length of service.

Authority for maintenance of the system: 5 U.S.C. 5301, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, state and local government agencies, non-governmental organizations and individuals. (2) Disclosure to the Internal Revenue Service and to state, commonwealth, territorial and local governments for tax purposes. (3) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (4) Disclosure to another Federal agency to which an employee has transferred. (5) For reports to appropriate agencies, federal and state. (6) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (7)Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of employee, social security number, and location. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record maintained on a current basis.

System manager(s) and address: Chief, Division of Budget and Finance, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225.

Notification procedure: System manager—A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Employees and personnel records.

System name: Criminal Case Investigation – Interior, BLM–18.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: Individuals suspected of violation of Federal Law concerning National Resource lands, resources or facilities.

Categories of records in the system: The record contains investigative and arrest data.

Authority for maintenance of the system: Reorganization Plan No. 3 of 1946, Section 403(b), 5 U.S.C. 301, 43 U.S.C. 1457.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administrative processing to determine if there is an indication of a violation of a Federal Law. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained manually in file folders. (2) violated. Retrievability – indexed by name of suspect and classified by violation of Federal Law. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – not authorized.

System manager(s) and address: Assistant Director - Technical Services, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3),(d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Civil Trespass Case Investigations – Interior, BLM–19.

System location: The BLM offices listed in Appendix. Substantially all such offices maintain records in this system on a State basis.

Categories of individuals covered by the system: Individuals suspected of and confirmed trespass on National Resource lands.

Categories of records in the system: The record contains the individual's name, address, subject matter, control number, and data concerning possible civil trespass.

Authority for maintenance of the system: 43 U.S.C. 1201.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Collection of data for determination whether a trespass has been committed. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained manually in file folders. (2) Retrievability – indexed by name of individual, subject matter, and control number. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal – record destroyed fifty years after case is closed.

System manager(s) and address: Assistant Director - Technical Services, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Employee Conduct Investigations – Interior, BLM–20.

System location: Bureau of Land Management, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Categories of individuals covered by the system: BLM employees.

Categories of records in the system: The record contains the employee's name, work location, and subject matter.

Authority for maintenance of the system: 43 CFR 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify employee and subject matter of allegation. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained manually in file folders. (2) Retrievability – indexed by name of employee and subject matter. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – record destroyed seven years after case is closed.

System manager(s) and address: Associate Director, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Travel – Interior, BLM–21.

System location: (1) Division of Finance (520), Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C., 20240. (2) Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80255. (3) Input information supplied by substantially all facilities of the Bureau of Land Management. (See Appendix for addresses.)

Categories of individuals covered by the system: Employees and other individuals authorized to travel at Government expense.

Categories of records in the system: Contains the authorization to travel to specified places, name of traveler, purpose and date of travel, estimated costs, mode of transportation and travel voucher showing actual expenses and itinerary.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Processing authorization for travel and expense voucher upon completion of travel. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by authorization number and name and office of traveler. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – file destroyed four years after travel is completed.

System manager(s) and address: Assistant Director -- Administration, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System Manager or head of office where system is maintained. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Bureau employees and individuals authorized to travel.

System name: Financial Management -- Interior, BLM--2.

System location: Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225.

Categories of individuals covered by the system: Vendors and their designated payee who have sold items to BLM. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: The record contains the vendor's and payee's address, description of the items purchased, purchase price, and the purchase order number.

Authority for maintenance of the system: 43 U.S.C. 1201.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Designation of payee to whom payment is to be made. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on mag-tape. (2) Retrievability -- indexed by name of vendor and payee, and the purchase order number. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized records. (4) Disposal -- record destroyed one year after payment.

System manager(s) and address: Chief, Division of Budget and Finance, Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Vendors and GSA purchase contracts.

System name: Contract Files -- Interior, BLM--23.

System location: Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240; Denver Service Center, Department of the Interior, Bureau of Land Management, Denver Federal Center, Bldg. 50, Denver, Colorado 80225; Alaska OCS Office, BLM, 800 A Street, P.O. Box 1159, Anchorage, Alaska 99510; Atlantic OCS Office, BLM, 6 World Trade Center, Suite 600D, New York, New York 10048; Gulf OCS Office, BLM, 1001 Howard Avenue, The Plaza Tower, Suite 3200, New Orleans, Louisiana 70113; Pacific OCS Office, BLM, 300 North Los Angeles Street, Los Angeles, California 90012; Boise Interagency Fire Center, BLM, 3905 Vista Avenue, Boise, Idaho 83705 and all BLM offices listed in Appendix.

Categories of individuals covered by the system: Individuals who have contracted with BLM to supply goods or services and prospective suppliers and bidders. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: The record contains the contractor's name, address, subject matter, purchase order number and when needed requested statement of qualifications.

Authority for maintenance of the system: 40 U.S.C. 481.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify contractors, prospective suppliers, bidders and subject matter of interest. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- indexed by name of contractor and goods or services furnished. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- record destroyed ten years after completion of contract.

System manager(s) and address: Assistant Director - Administration, Department of the Interior, Bureau of Land Management, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: System Manager or head of office where the record is maintained. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Contractors and GSA purchase contract.

System name: Payroll -- Interior, Mines--1.

System location: (1) U.S. Bureau of Mines, Division of Finance, Building 53, Denver Federal Center, Denver, Colorado 80225. (2) Input documents supplied by all facilities of U.S. Bureau of Mines (See Appendix for addresses).

Categories of individuals covered by the system: Current Mines employees and those formerly employed by Mines within the last two years.

Categories of records in the system: A variety of documents which set forth or affect an employee's annual wage rate, leave, biweekly earnings, payroll deductions, and disposition of earnings. Hard copy records consist of a folder of action-type documents for each employee. The information from these documents is recorded on computer tape for payroll purposes.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq., 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide information and accounting records regarding employee pay and leave for the automated payroll data file. (2) To inform each Bureau office of the composition of their labor cost changes by reporting total payroll changes for each individual made to various cost accounts within the finance system. This reporting is made every two weeks on a regular payroll cycle. (3) To provide states with pay data rela-

tive to claims for unemployment. (4) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (5) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (6) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (7) Disclosure to another Federal agency to which an employee has transferred. (8) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (9) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained in file folders, magnetic tape, and punched cards. (2) Retrievability -- file folders are maintained by name and magnetic tape and punched cards are maintained by social security number. (3) Safeguards -- file folders are maintained in metal file cabinets which are in a locked room during periods of non-work. During working hours, access is allowed only to Division of Finance personnel. Punched cards have no interpreted printing on them and are retained in cardboard boxes locked into the same room as the file folders. Magenetic tapes are maintained in the Division of Data Processing with limited ADP personnel accessibility. (4) Retention and Disposal -- actively employed personnel file folders are retained indefinitely. Inactive employees' folders (death, resignation, retirement, and separation) are destroyed after two years. Cards are destroyed after one year. Magnetic tapes are erased and reused in accordance with memorandum dated December 29, 1970 from the Chief, Division of Finance to the Chief, Division of ADP, Bureau of Mines. All other official payroll data are disposed of in accordance with General Records Schedule FPMR 101-11.4 dated August 1, 1974.

System manager(s) and address: Chief, Division of Finance, U.S. Bureau of Mines, Building 20, Denver Federal Center, Denver, Colorado 80225.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information in this system of records comes from the individual to whom it applies or is derived from information he supplied. Pay rates and their applicability and leave regulations are established by public law and their effect upon the individual are in accordance with such public laws and regulations. Generally, most payroll source data are echo records of official personnel actions.

System name: Travel Advance File -- Interior, Mines--2.

System location: U.S. Bureau of Mines, Division of Finance, Building 20, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: All Bureau of Mines employees who have active travel advances or who have closed travel advances.

Categories of records in the system: File consists of signed forms whereon employees request travel advances for the purpose of paying travel expenses incurred in the performance of official government business. These forms also include repayments against any advances, whether by claims offset on travel vouchers or remittances by checks, money orders, etc.

Authority for maintenance of the system: 5 U.S.C. 4111(b), 5701-5709, 5721-5733, 5742(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide an accounting record of obligations due to the U.S. Government from employees authorized cash advances to defray expenses incurred in official travel. Payments to the traveler and repayments to the Government are reflected in this record. (2) To serve as a backup authority and manually reconciled file to the entries for travel expenses in the automated finance system. (3) Computer data are reported to each Bureau office as part of the detailed composition of monthly expense reports applicable to charges made to cost accounts within the finance system. Only data pertinent to individual Bureau offices are available to that office. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- records are maintained in cardboard boxes in the Division of Finance. (2) Retrievability -- files are stored alphabetically by fiscal year. (3) Safeguards -- files are maintained in a locked steel file drawer during periods of non-work and are accessible during working hours only by personnel from the Division of Finance. (4) Retention and Disposal -- disposition is in accordance with General Records Schedule, FPMR 101-11.4 dated August 1, 1974.

System manager(s) and address: Chief, Division of Finance, U.S. Bureau of Mines, Building 20, Denver Federal Center, Denver, Colorado 80225

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information for this system originates with the traveler who specifies the need of a travel advance. The request is concurred in by signature of a responsible supervisory official. All entries on the file are as a result of actions take by the individual to liquidate his travel advance.

System name: Travel Vouchers and Authorizations -- Interior, Mines--3.

System location: U.S. Bureau of Mines, Division of Finance, Building 20, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: All persons traveling for or in behalf of the Bureau of Mines on official business.

Categories of records in the system: Voucher file consists of paid travel vouchers which reimburse travelers for expenses incurred in connection with official travel. Travel authorization file consists of record copies of authorizations for travel for which no travel vouchers have been submitted for payment.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) As backup entry data for obligations and disbursements in the automated finance system of the Bureau of Mines. (2) Computer data are reported to each Bureau office as part of the detailed composition of monthly expense reports applicable to charges made to cost accounts within the Finance system. Only data pertinent to individual Bureau offices are available to that office. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained in steel filing cabinet in the Division of Finance. (2) Retrievability -- vouchers are filed by voucher number in sequenee of payment within the overall numbering sequence of the Finance system. Authorizations are filed alphabetically by name awaiting payment of a travel voucher. Authorization becomes part of the voucher packet at time of payment. (3) Safeguards -- files are maintained with safeguards meeting the requirements of 43 CFR 2.51 in the Division of Finance and are available only to Division of Finance personnel. (4) Retention and Disposal -- disposition is in accordance with General Schedule, FPMR 101-11.4 dated August 1, 1974.

System manager(s) and address: Chief, Division of Finance, Bureau of Mines, U.S. Department of the Interior, Building 20, Denver Federal Center, Denver, Colorado 80225.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information for these files is based on an authorization signed by the traveler in the form of a request. Travel vouchers are submitted by the traveler after incurring expenses for official travel and is a request for payment based on his record of official expenses.

System name: Property Control -- Interior, Mines--4.

System location: (1) Bureau of Mines, U.S. Department of the Interior, 2401 E Street, N.W., Washington, D.C. 20241. (2) All field facilities of the Bureau of Mines (See Appendix for addresses).

Categories of individuals covered by the system: Employees who have custody or responsibility for Bureau of Mines property.

Categories of records in the system: Contains information indicating what property, including equipment, motor vehicle operator's license, keys, motor pool vehicles, transportation request books, and parking spaces, for which the employee has custody or responsibility. A list is maintained of inventions by name as a cross reference to case numbers. In addition, all other records directly related to the property control function.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 483 (b)(1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identification and control of Bureau property by personnel working with the property control function. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders or card indexes, a limited quantity on computer tape. (2) Retrievability -- indexed by employee name or control number. (3) Safeguards -- security will be provided to meet the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- upon completion of the use period, vital records are transferred to the Official Personnel Folder or Federal Records Center and all other records are destroyed.

System manager(s) and address: Chief, Division of Management Services, Bureau of Mines, U.S. Department of the Interior, 2401 E Street, NW., Washington, D.C. 20241.

Notification procedure: System Manager, or with respect to records maintained at field facilities, the administrative officer of the facility. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained at field facilities, the administrative officer of the facility. The request must be in writing and signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Employees. Property control information required for accountability purposes.

System name: Personnel Identification -- Interior, Mines--5.

System location: (1) Bureau of Mines, U.S. Department of the Interior, 2401 E Street, NW, Washington, D.C. 20241. (2) All field facilities of the Bureau of Mines (See Appendix for addresses).

Categories of individuals covered by the system: All employees of the Bureau of Mines.

Categories of records in the system: Records concerning identification and location of employees.

Authority for maintenance of the system: 5 U.S.C. 301, 3101; 43 U.S.C. 1457.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provide identification cards to employees. (2) Locator information provided for use by management to contact employees in case of an emergency. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- card indexes, manually. (2) Retrievability -- indexed by employee name and identification card number. (3) Safeguards -- security will be provided to meet requirements of 43 CFR 2.51 for manual records. (4) Disposal -- after use period, records transferred to Federal Records Center or destroyed.

System manager(s) and address: Chief, Branch of Records Management and Office Services, Division of Management Services, Bureau of Mines, U.S. Department of the Interior, 2401 E Street, NW., Washington, D.C. 20241.

Notification procedure: System Manager, or with respect to records maintained at field facilities, the administrative officer of the facility. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained at field facilities, the administrative officer of the facility. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Employees. Information necessary to prepare the identification card and locator index.

System name: Safety Files -- Interior, Mines--6.

System location: (1) Bureau of Mines, U.S. Department of the Interior, 2401 E Street, NW., Washington, D.C. 20241. (2) All field facilities of the Bureau of Mines (See Appendix for addresses).

Categories of individuals covered by the system: Persons who have had an accident, injury, illness, or fatality or are associated with a health hazard, radio-active materials, and radiation producing media in performance of job related duties or while a visitor.

Categories of records in the system: Contains records about accident, injury, illness, or fatality of an employee in a work related situation or a visitor. Also, records of initial, re-examination, annual, and terminal health physical of employees in potentially hazardous health and radiation situations. In addition, all other records directly related to employee health and safety.

Authority for maintenance of the system: (1) Occupational Safety and Health Act of 1970, as amended, (29 U.S.C. 668 and 5 U.S.C. 7902. (2) Executive Order 11807 (September 28, 1974). (3) Federal Employees Compensation Act, as amended, 5 U.S.C. 81.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Managerial review of safety related work situations. (2) For authenticating work related accident, injury, illness, or fatalities for employee compensation purposes. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintenance in manual form in card index and file folders. (2) Retrievability -- indexed by name or control number of the individual. (3) Safeguards -- security will be provided to meet the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- upon completion of work project or employee separation, health records are transferred to the Official Personnel Folder. All other records are transferred to Federal Records Centers upon completion of case processing.

System manager(s) and address: Bureau Safety Manager, Division of Management Services, Bureau of Mines, U.S. Department of the Interior, 2401 E Street, NW, Washington, D.C. 20241.

Notification procedure: System Manager, or with respect to records maintained at field facilities, the safety officer of the facility. A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager or, with respect to records maintained at field facilities, the safety officer of the facility. The request must be in writing and signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individuals involved and physicians.

System name: Security Files -- Interior, Mines-7.

System location: Office of the Assistant Director-Administration, Department of the Interior, Bureau of Mines, 2401 E Street, N.W., Washington, D.C. 20241.

Categories of individuals covered by the system: Mines personnel who have been authorized access to classified information.

Categories of records in the system: Contains records concerning employees, including personal data submitted by the individual, information developed by investigatory authorities, and records of the requirement, basis, degree and date of clearance. Contains a security briefing statement signed by the employee.

Authority for maintenance of the system: Executive Order 10450, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Disclosure to a Federal, State or local agency or other pertinent authority to the extent that the information is relevant and necessary to make appropriate investigations and determinations concerning the hiring or retention of an employee, the letting of a contract, the issuance of a security clearance, license, grant or other benefit. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name. (3) Safeguards -- maintained in a safe having a three-position dial-type, manipulation proof, combination lock, in the same manner as defense classified material. (4) Retention and Disposal -- maintained until the individual has been debriefed or terminated. Destroyed by fire, shredder, disintegrator or pulverizer.

System manager(s) and address: Security Officer (Assistant Director--Administration), Bureau of Mines, 2401 E Street, N.W., Washington, D.C. 20241.

Notification procedure: A written and signed request to the System Manager stating that the requester seeks information concerning record pertaining to him.

Record access procedures: A request for access shall be addressed to the System Manager. The request must be in writing and signed by the requester.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager.

Record source categories: Individual on whom the record is maintained and investigations conducted by Federal, State or local agencies or other pertinent authorities.

System name: Coal and Metal and Nonmetal Mine Accident and Injury -- Interior, MESA--1.

System location: Health and Safety Analysis Center, Technical Support, Department of the Interior, Denver Federal Center, P.O. Box 25367, Denver, Colorado 80225.

Categories of individuals covered by the system: Individual workers in the coal and metal and nonmetal mining industries.

Categories of records in the system: These records contain accident, injury, fatality, and occupational illness data which includes the individual miner's name, social security number, date and time of accident or injury, place of accident or injury, man-hours worked, name of mine and mine identification number and type and cause of accident, injury or illness.

Authority for maintenance of the system: 30 U.S.C. 721, et seq., 801, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide a statistical analytic data base for allocation of MESA and other resources to reduce occupational injuries and illnesses. (2) To determine probable cause of accidents, injuries, fatalities, and illnesses in order to initiate preventive measures. (3) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of these records. (4) Transfer, in the event there is an indicated violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order, or license violated or potentially violated. (5) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (6) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- (a) Computerized records are stored on disc pack for current processing and on tape for historical purposes. (b) Manual records are the source documents which are microfilmed and then maintained in file folders in filing cabinets. (2) Retrievability -- indexed by mine identification number, name of mine, individual miner's name and social security number. (3) Safeguards -- (a) Computer: Safeguards as described in the National Bureau of Standards Booklet, 'Computer Security Guidelines for Implementing the Privacy Act of 1974,' and procedures developed by MESA under GSA Circular E-34. (b) Manual: In process of being formulated. (4) Retention and Disposal -- at present the source documents are retained for up to three years and then transferred to Federal Records Center. Tapes are retained indefinitely for historical purposes. Microfilm records are held for five years and then disposed of. A records retention schedule is being developed for all MESA records; therefore, the disposition is subject to change.

System manager(s) and address: Chief, Health and Safety Analysis Center, Denver Federal Center, P.O. Box 25367, Denver, Colorado 80225.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information in these records is obtained from accident, injury, illness and fatality reports submitted by mine operators as required by the Federal Coal Mine Health and Safety and Metal and Nonmetallic Mine Safety Acts.

System name: Identification Cards -- Interior, MESA--2.

System location: Office of the Assistant Administrator--Plans, Assessments and Management, Branch of Records Management, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Categories of individuals covered by the system: (1) Individuals who require identification for the purpose of carrying out their activities work. (2) Individuals who have been appointed by the Secretary as Duly Authorized Representatives (DAR) to administer the provisions of the Federal Coal Mine Health and Safety Act, 30 U.S.C. 801, et seq., and the Federal Metal and Nonmetallic Mine Safety Act, 30 U.S.C. 721, et seq.

Categories of records in the system: Contain individual's name; some DAR records contain a statement of an individual's qualifications (e.g., education, work experience, training, etc.) as a justification for being appointed as a DAR.

Authority for maintenance of the system: (1) Employee identification cards -- 5 U.S.C. 3101. (2) DAR identification cards -- 30 U.S.C. 736, 954.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Issuance of identification cards. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of these records. (3) Transfer, in the event there is an indicated violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order, or license violated or potentially violated. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- Continuous listing maintained in manual form on 8 x 10 1/2 inch paper, filed in manila folders, and stored in file cabinets. (2) Retrievability -- indexed by name and number issued. (3) Safeguards -- to be developed to meet Departmental requirements. (4) Retention and Disposal -- a records retention schedule is being developed for all MESA records.

System manager(s) and address: Records Management Officer; Division of Management Services, MESA. Room 537, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Notification procedure: Inquiries regarding records in this system should be addressed to the System Manager. Such requests must be submitted in writing and signed by the requester. For additional information, see 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. See 43 CFR 2.63 for content requirements.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information is obtained from individual personnel records as needed.

System name: Metal and Nonmetal Mine Health and Safety Management Control -- Interior, MESA--3.

System location: (1) Office of Assistant Administrator--Metal and Nonmetal Mine Health and Safety, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. (2) Substantially all District and Subdistrict Offices. (See Appendix for addresses.)

Categories of individuals covered by the system: (1) Individual metal and nonmetal miners who are covered by the Federal Metal and Nonmetallic Mine Safety Act, 30 U.S.C. 721, et seq. (2) Individual metal and nonmetal mine inspection personnel.

Categories of records in the system: Contains records on metal and nonmetal mine health and safety activities which includes annual manpower and activity plans, mine and mill locations, metal and nonmetal mine inspection personnel time and activity, inspections, notices and orders against operators, personal exposure data of miners on radiation, dust, noise, and other contaminants, and comprehensive health surveys on individual operations.

Authority for maintenance of the system: 30 U.S.C. 721, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To determine the workload, work scheduling and performance of mine inspection personnel. (2) To maintain records on violations of health and safety standards and regulations. (3) To determine contaminant exposure level. (4) Employment data relative to metal and nonmetal mine workers, e.g., number of workers, etc. (5) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of these records. (6) Transfer, in the event there is an indicated violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order, or license violated or potentially violated. (7) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (8) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- (a) Computer--Information from source documents to punch cards to disc storage for processing, final storage on magnetic tape. (b) Manual storage--8 x 10 1/2 inch report forms in standard file cabinets. (2) Retrievability -- Computerized and manual records are indexed by mine identification number for operators, by Duly Authorized Representative number for enforcement personnel and by social security number for individuals. (3) Safeguards -- (a) Computer: Safeguards as described in the National Bureau of Standards Booklet, 'Computer Security Guidelines for Implementing the Privacy Act of 1974,' and procedures developed by MESA under GSA Circular E-34. (b) Manual: In process of being formulated. (4) Retention and Disposal -- Computer: Records are retired yearly. Historical tapes are retained permanently. Punch cards are destroyed after 90 days. Source documents are destroyed after 90 days.

System manager(s) and address: Assistant Administrator--Metal and Nonmetal Mine Health and Safety, Interior Department, MESA, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be

signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: MESA inspection personnel and individual mine operators submit reports and information in accordance with prescribed procedures.

System name: Employee Conduct Investigations – Interior, MESA–4.

System location: Office of Internal Affairs, Office of the Administrator, MESA, U.S. Department of the Interior, 4015 Wilson Blvd., Arlington, Va. 22203.

Categories of individuals covered by the system: Any MESA employee against whom any allegation of misconduct, illegal acts, conflict of interest, etc. has been made.

Categories of records in the system: Contains the name, organization, allegation and other pertinent information relating to the individual involved. It also contains the investigative report associated with the case including interviews and other confidential data gathered by investigators.

Authority for maintenance of the system: 5 U.S.C. 301, 7301, Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To determine authenticity of allegations. (2) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of these records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal or regulatory in nature; to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order or license violated or potentially violated. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – manual storage in manila file folders. (2) Retrievability – by name of employee. (3) Safeguards – kept in GSA approved 3-way combination safe (Diebold). (4) Retention and Disposal – records retention schedule is being developed. Disposition is pending completion of the retention schedule.

System manager(s) and address: Chief, Office of Internal Affairs, MESA, 4015 Wilson Blvd., Arlington, Va. 22203.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Payroll Records – Interior, MESA–5.

System location: Mining Enforcement and Safety Administration, Division of Budget and Finance, Branch of Finance, Building 53, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Current MESA employees and those formerly employed by MESA within the last two years.

Categories of records in the system: A variety of documents which set forth or effect an employees annual wage rate, leave, biweekly earnings, payroll deductions and disposition of earnings. Hard copy records consist of folders of action type documents for each employee. These records are source documents for data records on computer tape for payroll purposes.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq., Budget and Accounting Procedures Act of 1950, as amended, 30 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide information and accounting records regarding employees pay and leave for the automated payroll data file. (2) To inform each MESA office of the composition of the labor cost changes by reporting total payroll changes for each individual made to various cost accounts within the finance system. This reporting is made every two weeks on a regular payroll cycle. (3) To provide States with pay data relative to plans for unemployment compensation. (4) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (5) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (6) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (7) Disclosure to another Federal agency to which an employee has transferred. (8) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of the records records. (9) Transfer, in the event there is an indicated violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order or license violated or potentially violated. (10) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (11) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – records are maintained in file folders, magnetic tape, and punched cards. (2) Retrievability – file folders are maintained by name and magnetic tape and punched cards are maintained by social security number. (3) Safeguards – file folders are maintained in metal file cabinets which are in a locked room during periods of non-work. During working hours, access is allowed only to Division of Budget and Finance personnel. Punched cards have no interpretative printing on them and are retained in cardboard boxes locked into the same room as the file folders. Magnetic tapes are maintained in the Division of Automatic Data Processing with limited ADP personnel accessibility. (4) Retention and Disposal – active employee personnel file folders are retained indefinetely. Inactive employee folders (death, resignation, retirement, and separation) are destroyed after two years. Cards are destroyed after one year. Magnetic tapes are erased and reused in accordance with schedule of retention agreed to by the Chief, Division of Budget and Finance, and the Chief, Division of Automatic Data Processing, MESA. All other official payroll data are disposed of in accordance with the General Records Schedule, FPMR 101-11.4, dated August 1, 1974.

System manager(s) and address: Chief, Branch of Finance, MESA, Building 53, Denver Federal Center, Denver, Colorado 80225.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information in this system of records comes from individual to whom it applies or is derived from information he supplied. Payroll and their applicability and leave regulations are all established by public law and their effects upon the in-

dividual is in accordance with such public laws and regulations. Generally, most payroll source data are echo records of official personnel actions.

System name: Travel -- Interior, MESA -- 6.

System location: Office of the Assistant Administrator--Plans, Assessment, and Management, Division of Budget & Finance, Branch of Finance, Building 53, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: All persons traveling for or in behalf of MESA on official business.

Categories of records in the system: Voucher file consists of copies of paid travel vouchers which reimburse travelers for expenses incurred in connection with official travel.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq., GSA regulations, FPMR 101-7 dated May 1973, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) As backup entry data for obligation and disbursements in the Automated Finance System of MESA. (2) As an audit file for examining travel vouchers for travelers who travel on a continuing basis under Area or General travel authorizations. (3) Travel cost information is reported to each MESA office as part of the detailed composition of monthly expense reports for cost accounts within the finance system. Only data pertinent to individual MESA offices are available to that office. (4) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of these records. (5) Transfer, in the event there is an indicated violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order, or license violated or potentially violated. (6) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (7) Disclosure to a Federal agency, if response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained in file folders in steel filing cabinets in Branch of Finance. (2) Retrievability -- vouchers are filed alphabetically by traveler name. (3)Safeguards -- files are maintained in the Branch of Finance in locked rooms and are available only to Division of Budget and Finance personnel. (4) Retention and Disposal -- disposition is in accordance with General Schedule, FPMR 101-11 dated August 1, 1974.

System manager(s) and address: Chief, Branch of Finance, MESA, Building 53, Denver Federal Center, Denver, Colorado 80225.

Notification procedure: Inquiries regarding records in this system should be addressed to the System Manager. Such requests must be submitted in writing and be signed by the requester. For additional information, see 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Travel vouchers are submitted by the traveler after incurring expenses or official travel pursuant to a signed travel authorization. Each voucher is a request for payment based on the travelers record of official expenses.

System name: Travel Advance File -- Interior, MESA -- 7.

System location: Office of the Assistant Administrator--Plans, Assessment, and Management, Division of Budget and Finance, Branch of Finance, Building 53, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: All MESA employees who have outstanding travel advances or who have closed travel advances.

Categories of records in the system: File consists of signed forms whereon employees request and receive advances of funds for the purpose of paying travel expenses incurred in the performance of official Government business. These forms also include a record of repayment against an advance, whether by set-off on travel vouchers or remittances by checks, money orders, etc.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq., GSA regulations FPMR 101-7 dated May 1973, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide an accounting record of obligation due to the U.S. Government from employees who have cost advances to defray expenses incurred in official travel. Payments to the traveler and repayments to the Government are reflected in this record. (2) To serve as a source file of hard copy documents for entries for travel advances in the Automated Finance System. (3) Computer listings are produced monthly of outstanding travel advances for supporting accounts receivable. Listings are also produced with a computer analysis to assist in the control and proper utilization of travel advances. Listings are produced in alphabetical order by name of traveler. (4) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of these records. (5) Transfer, in the event there is an indicated violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order, or license violated or potentially violated. (6) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (7) Disclosure to a Federal agency, if response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained in cardboard boxes in the Branch of Finance and on magnetic tape in the Division of A.D.P. (2) Retrievability -- files are indexed alphabetically by employee name and by transaction numbers. periods of non-work and are accessible during working hours only by personnel (3) Safeguards -- files are maintained in a locked room in a file drawer during from the Division of Budget and Finance. Magnetic tapes are maintained in the Division of Data Processing with limited access by A.D.P. personnel. (4) Retention and Disposal -- disposition is in accordance with General Records Schedule FPMR 101-11.4 dated August 1, 1974.

System manager(s) and address: Chidf, Branch of Finance, MESA, Building 53, Denver Federal Center, Denver, Colorado 80225.

Notification procedure: Inquiries regarding records in this system should be addressed to the System Manager. Such requests must be submitted in writing and by signed by the requester. For additional information, see 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information for this system originates with the traveler who specifies the need of a travel advance. The request is concurred in by signature of a responsible supervisory official. Repayment entries on the file are as a result of actions taken by the individual to liquidate his travel advance.

System name: Accident and Injury Records – Interior, MESA – 8.

System location: Office of MESA Employee Safety Manager, MESA, U.S. Department of the Interior, 4015 Wilson Blvd., Arlington, Virginia 22203.

Categories of individuals covered by the system: Any MESA employee who has had an on-the-job accident or injury.

Categories of records in the system: Records contain investigative information pertaining to any accident or injury an employee of MESA is involved in.

Authority for maintenance of the system: 5 U.S.C. 7902, Sections 6 and 19 of the Occupational Safety and Health Act of 1970, 29 U.S.C. 1960, Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) The information is used to identify deficiencies in the employee safety programs that must be corrected in order to maintain a safe and healthful workplace for all employees. (2) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of these records. (3) Transfer, in the event there is an indicated violation of potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order, or license violated or potentially violated. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, if response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the rquesting agency, to the extent that the information is relevant and necessary to te requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manila folders. (2) Retrievability – indexed by assigned accident number. (3) Safeguards – folders kept in locked filing cabinets. (4) Retention and Disposal – reports are kept for five years and then destroyed.

System manager(s) and address: MESA Employee Safety Manager, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Notification procedure: Inquiries regarding records in this system should be addressed to the System Manager. Such requests must be submitted in writing and be signed by the requester. For additional information, see 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Reports are completed by the individual employees and their supervisors.

System name: Special Use Permits – Interior, NPS–1.

System location: Substantially all Regional and park offices of the National Park Service. (See Appendix for addresses.)

Categories of individuals covered by the system: Permittees.

Categories of records in the system: Contains permittees' names, tract numbers, addresses, and terms and conditions of permits.

Authority for maintenance of the system: 16 USC 1 and 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Park management. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by tract number or permittee name. (3) Safeguards – stored in lockable metal file cabinets or unlocked cabinets in secured rooms or buildings on either U.S. Government-owned or leased facilities. (4) Retention and Disposal – ordinarily disposed of one year after termination of special use permit.

System manager(s) and address: Associate Director, Park System Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager, or, with respect to the facility for which he is responsible, a Regional Director or park superintendent. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager, or, with respect to the facility for which he is responsible, a Regional Director or park superintendent. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Permittee and park personnel.

System name: Land Acquisition & Relocation Files – Interior, NPS--2.

System location: All project offices and regional land offices of the National Park Service. (See Appendix for addresses.)

Categories of individuals covered by the system: Landowners and Tenants.

Categories of records in the system: Contains Property Owners' and Tenants' names, assigned tract numbers, addresses, title evidence, appraisals, negotiators' reports, property plats, all documents relative to acquisition of properties by direct purchase, donation, or condemnation proceedings, general correspondence, relocation claims with supporting documents and payments.

Authority for maintenance of the system: 16 U.S.C. 1, 44 U.S.C. 3101, and 42 U.S.C. 4651.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Land acquisition and relocation purposes. (2) Transfer of pertinent documents to authorized title companies and closing agents for title policies and closings. (3) Transfer of pertinent documents to U.S. Department of Justice for preliminary and final title opinions and condemnation proceedings. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by tract and generally cross-indexed alphabetically by landowner's name. (3) Safeguards – stored in lockable metal file cabinets or unlocked cabinets in secured rooms or buildings on either U.S. Government-owned or leased facilities. (4) Retention and Disposal – pertinent land acquisition documents retired to park superintendents' offices and Division of Lands, Washington, when land acquisition matters complete and remainder of file disposed of. Reserved tract relocation files retained at Regional Lands Offices or Division of Land Acquisition, Washington. Pertinent relocation documents filed with NPS finance office and remainder of files disposed of one year after all claims processed for payment.

System manager(s) and address: Chief, Division of Land Acquisition, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager or, with respect to records for which they are responsible, to Regional Land Office chiefs. A written signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager, or, with respect to the records for which they are responsible, to Regional Land Office Chiefs. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Title Companies, Mapping Contractors, Contract Appraisers, Individuals on whom tract files are maintained.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to have access to any information compiled in reasonable anticipation of a civil action or proceeding.

System name: Management Information System -- Interior, NPS–3.

System location: Division of Land Acquisition, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Landowners.

Categories of records in the system: Management and monitoring of active land acquisition projects. Contains records for each tract acquired, scheduling and progress data, landowners' names and addresses and descriptive data on each tract.

Authority for maintenance of the system: 16 U.S.C. 1, 44 U.S.C. 3101, and 42 U.S.C. 4651.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Land acquisition statistics for NPS personnel, congressional or public information. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- computerized. (2) Retrievability -- indexed by tract number but retrievable by tract number or landowner's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- maintained until superseded by updated or revised version.

System manager(s) and address: Chief, Branch of Coordination & Control, Division of Land Acquisition, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to have access to any information compiled in reasonable anticipation of a civil action or proceeding.

System name: Travel Records -- Interior, NPS–4.

System location: (1) Office of the Chief Finance Officer, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. (2) All regional offices of the National Park Service. (3) Input documents prepared in substantially all facilities of the National Park Service. (See Appendix for regional and other office addresses.)

Categories of individuals covered by the system: NPS employees who travel on official business.

Categories of records in the system: Traveler's name, address, organization number, amounts of travel funds advanced and/or vouchered, and itinerary.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq., 16 U.S.C. 1, 44 U.S.C. 3101, FPM R 101-7, GAO Titles 5 and 7. (1) Primarily, travel advance control, control of GTR's, and preparation of travel authorizations and vouchers. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on prescribed standard forms. (2) Retrievability -- travel advance cards, outstanding GTR's and itineraries are filed alphabetically. Travel authorizations and vouchers are filed numerically, but cross-referenced on the preceding documents. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- Travel records are retained in office of origin three years; then sent to Federal Records Center.

System manager(s) and address: Chief Finance Officer, Washington Office (See Location).

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained and respective travel office.

System name: Retirement Record -- Interior, NPS–5.

System location: Office of the Chief Finance Officer, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Employees and former employees of NPS.

Categories of records in the system: Name, Federal employment history, and retirement contribution of all NPS employees.

Authority for maintenance of the system: 5 U.S.C. 8301, et seq., 16 U.S.C. 1 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Primarily, the employee's Federal employment history and retirement contribution is kept current. (2) Transfer to the Civil Service Commission in connection with administration of the Civil Service retirement system. (3) Transfer to the Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local, or foreign charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (5) Transfer to another Federal agency of the record of an employee who has transferred to that agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- Maintained on SF-2806. (2) Retrievability -- Filed alphabetically. (3) Safeguards -- Maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- The original SF-2806 is retained until termination of NPS employment. Upon retirement or upon transfer to an Federal agency outside Interior, the original SF-2806 is sent to CSC, and a reference copy is kept for five years. Upon transfer within Interior, the original SF-2806 is

sent to the receiving agency; and a reference copy is kept for five years.

System manager(s) and address: Chief Finance Officer, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, and pay and personnel records.

System name: Audiovisual Performance Selection Files – Interior, NPS–6.

System location: Division of Audiovisual Arts, Harpers Ferry Center, National Park Service, Harpers Ferry, West Virginia.

Categories of individuals covered by the system: Actors, Actresses, and Narrators.

Categories of records in the system: Voice samples and photographs.

Authority for maintenance of the system: 16 U.S.C. 1, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Evaluation of voice and photographic quality to select performers and narrators for NPS productions. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on magnetic tape and in a manual photo index file. (2) Retrievability – indexed by name of individual. (3) Safeguards – maintained in accordance with the requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal – destroyed when replaced by more recent tape or photograph.

System manager(s) and address: Chief, Division of Audiovisual Arts, Harpers Ferry Center, National Park Service, Harpers Ferry, West Virginia.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: The individuals concerned.

System name: National Park Service Historical Library – Interior, NPS–7.

System location: Harpers Ferry Center, National Park Service, Harpers Ferry, West Virginia.

Categories of individuals covered by the system: Present and retired employees of the NPS and its Associates.

Categories of records in the system: Interviews of historical recollections.

Authority for maintenance of the system: 16 U.S.C. 1, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Evaluation of historical documents. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on magnetic tapes or paper documents. (2) Retrievability – indexed by name of interviewee. (3) Safeguards – maintained in accordance with requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal – retained indefinitely.

System manager(s) and address: Chief of Historical Library, Harpers Ferry Center, National Park Service, Harpers Ferry, West Virginia.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individuals concerned.

System name: Property and Supplies Accountability – Interior, NPS–8.

System location: All National Park Service facilities. (See Appendix for addresses.)

Categories of individuals covered by the system: NPS employees, contractors, and contract employees.

Categories of records in the system: Contains the user's name and description of the accountable property or supply.

Authority for maintenance of the system: 40 U.S.C. 483(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identify responsible individual for accountability of property and supplies (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether federal, state, local or foreign, charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – accountable capitalized property maintained on computer with subsequent inventory listings furnished to individuals. Inventory listings and hand receipts for other property and supplies maintained manually in file folders arranged by individual names. (2) Retrievability – indexed by name of individual. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for computerized and manual records. (4) Disposal – record destroyed when property is returned to stock or when individual is transferred.

System manager(s) and address: Chief, Division of Contracting and Property Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the Chief, Division of Contracting and Property Management for each region of the National Park Service. (See Appendix for regional office addresses.) A written and signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the Chief, Division of Contracting and Property Management at Regional level. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individuals.

System name: Advisory Council on Historic Preservation Membership – Interior, NPS–9.

System location: Suite 1030, 1522 K Street, NW, Washington, D.C. 20005.

Categories of individuals covered by the system: Past and present Advisory Council members.

Categories of records in the system: Contains biographical information, personnel papers, and travel record for individual members.

Authority for maintenance of the system: 16 U.S.C. 470i, P.L. 89-665, P.L. 91-243.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintaining necessary records on expenses of members in the conduct of Council business and providing public information on the individual members of the Council. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- standard letter file. (2) Retrievability -- indexed by name. (3) Safeguards -- maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- retained indefinitely.

System manager(s) and address: Administrative Officer, Advisory Council on Historic Preservation, Suite 1030, 1522 K Street, NW, Washington, D.C. 20005.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Biographical data provided by individual members and official travel forms, etc., maintained by Administrative Officer.

System name: Central Files -- Interior, NPS--10.

System location: Branch of Mail and Records, Division of Legislative Services, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Members of Congress, NPS employees, and private citizens.

Categories of records in the system: Cross-reference copies of replies to correspondence received in the Washington Office from individuals on any given subject.

Authority for maintenance of the system: 16 U.S.C. 1 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Used as a cross-reference in locating the desired original correspondence, and in determining the action office that replied. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained manually in file folders. (2) Retrievability -- by name of individual. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. Branch employees service requesters during duty hours. (4) Retention and Disposal -- records are retired to the Federal Records Center four years after the close of each two year filing period.

System manager(s) and address: Chief, Branch of Mail and Records (Same as Location).

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual addresses, employees of NPS.

System name: Congressional Correspondence, Advisory Council on Historic Preservation -- Interior, NPS--11.

System location: Suite 1030, 1522 K Street, NW, Washington, D.C. 20005.

Categories of individuals covered by the system: Representatives and Senators with whom the Advisory Council has corresponded.

Categories of records in the system: Contains copies of correspondence between Advisory Council and Congressional offices.

Authority for maintenance of the system: 16 U.S.C. 470i, P.L. 89-665 and P.L. 91-243.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Retrieval by Advisory Council staff of correspondence between Advisory Council and Congressional offices on Advisory Council business. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- originals and carbon copies maintained in standard letter file. (2) Retrievability -- indexed by name. (3) Safeguards -- maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- retained indefinitely.

System manager(s) and address: Congressional Liaison Officer, Advisory Council of Historic Preservation, Suite 1030, 1522 K Street, NW, Washington, D.C. 20005.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Correspondence to and from individual Representatives and Senators.

System name: U.S. Park Police Personnel Photograph File -- Interior, NPS--12.

System location: Inspection Branch, United States Park Police Headquarters, 1100 Ohio Drive, S.W., Washington, D.C. 20242.

Categories of individuals covered by the system: All U.S. Park Police Officers.

Categories of records in the system: Photograph, name and physical description of U.S. Park Police Officers.

Authority for maintenance of the system: P.L. 80-447, as amended by P.L. 91-383, Section 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) An aid for management. (2) An aid in the investigation of personnel complaints. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- in a 5 x 8 Cardex File. (2) Retrievability -- by individual name. (3) Safeguards -- maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- after an Officer leaves the Park Police his photograph is properly disposed of.

System manager(s) and address: Chief of Police, United States Park Police (See Location).

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Personnel files and ID photographs.

System name: Concessioners – Interior, NPS–13.

System location: Division of Concessions Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Individuals who are NPS concessioners. (System also contains records on corporations and other business entities holding concession contracts which are not subject to the Privacy Act).

Categories of records in the system: Concessioners' names, addresses, types of services provided.

Authority for maintenance of the system: 16 U.S.C. 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Mailing list. (2) Public information. (3) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form on index cards; printed listings maintained on 8 x 10 1/2 paper for distribution. (2) Retrievability – indexed by park and concessioner's name. (3) Safeguards – maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal – maintained on current basis; printed listings updated annually.

System manager(s) and address: Chief, Branch of Contracts, Division of Concessions Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Park and regional offices.

System name: Concessioner Financial Statement and Audit Report Files – Interior, NPS–14.

System location: Division of Concessions Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Individuals who are NPS concessioners. (System also contains records, not subject to the Privacy Act, on corporations and other business entities holding concession contracts.)

Categories of records in the system: Concessioners names and addresses, annual financial reports, audit reports, and related financial data.

Authority for maintenance of the system: 16 U.S.C. 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Contract Compliance and management information. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by park and concessioner's name. (3) Safeguards – maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal – retired to Federal Records Center after five years.

System manager(s) and address: Chief, Branch of Financial Management, Division of Concessions Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: NPS Concessioners, Office of Audit and Investigation.

System name: Concessions Management Files – Interior, NPS–15.

System location: Division of Concessions Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: NPS concessioners, and prospective concessioners. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: Correspondence and related data concerning award of contracts, negotiation of contracts, and operations pursuant to contracts.

Authority for maintenance of the system: 16 U.S.C. 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Contract compliance and interpretation. (2) Management information. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by park and concessioner's name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal – retired to Federal Records Center after seven years or expiration of contract, as appropriate.

System manager(s) and address: Chief, Branch of Contracts, Division of Concessions Management, (see Location).

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individuals, park and regional offices.

System name: Position and Manpower Reporting System (PMRS) -- Interior, NPS--16.

System location: Chief, Division of Programming and Budgeting, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: All NPS employees.

Categories of records in the system: About 30 data elements on positions including personal and employment information.

Authority for maintenance of the system: 16 U.S.C. 1, 5 U.S.C. 301, 43 U.S.C. 1457, OMB Circular A-11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To issue reports on authorized positions and data related to positions and the incumbents. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on tape. (2) Retrievability -- indexed alphabetically by name and by position number and organization code. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for automated records. (4) Retention and Disposal -- when incumbent leaves position, all personal information is purged.

System manager(s) and address: Chief, Division of Programming and Budget, (See Location).

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The Request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Department of the Interior Integrated Personnel and Payroll System.

System name: Employee Financial Irregularities -- Interior, NPS--17.

System location: Office of the Chief Finance Officer, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Employees and former employees of NPS.

Categories of records in the system: NPS employees or former employees with actual or claimed employment related financial irregularities.

Authority for maintenance of the system: 16 U.S.C. 1 and 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Primarily correspondence, case history, and investigation reports, seeking recovery of funds stolen or otherwise misappropriated. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on letter memos, memos for record, and investigation reports conducted by park Administration, Secretary's Office, U.S. Secret Service, or FBI. (2) Retrievability -- cases filed alphabetically. (3) Safeguard -- maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- case file is maintained 10 years after final disposition.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 u.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Collection, Certifying and Disbursing Officers, and Imprest Fund Cashiers -- Interior, NPS--18.

System location: (1) Office of the Chief Finance Officer, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. (2) All regional offices, and area offices with the above functions. (See Appendix for addresses.)

Categories of individuals covered by the system: Employees of NPS with the above funds handling titles.

Categories of records in the system: Name, address, title, and dates of appointment and cancellation of same.

Authority for maintenance of the system: 16 U.S.C. 1 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Primarily control of funds handling appointments. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on letter memos or prescribed standard forms in OPF's and in responsible offices files. (2) Retrievability -- OPF's are filed alphabetically, and respective office files are in title sequence. (3) Safeguard -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- standard retention procedure is followed for OPF copies. Individual office files are maintained for active appointments only.

System manager(s) and address: Chief Finance Officer (See Location).

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Law Enforcement Statistical Reporting System, incident card reference and related files -- Interior, NPS--19.

System location: (1) U.S. Park Police, 1100 Ohio Drive, S.W., Washington, D.C. 20242. (2) National Park areas (See Appendix for addresses.)

Categories of individuals covered by the system: Individual complainants in criminal cases, individuals investigated or arrested for criminal or traffic offenses, or involved in motor vehicle accidents or certain types of non-criminal incidents.

Categories of records in the system: Name of individual, date and case number of incident, and report of incident.

Authority for maintenance of the system: 16 U.S.C. 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) As a means to identify incidents in which individuals were involved. (2) To retrieve the report for information for the individual involved, such as accident reports and reports of found property. (3) For use of NPS Law Enforcement Officers and law enforcement officers from other agencies on a need to know basis. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records)or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statue, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual records. (2) Retrievability -- manual, by name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Retention and Disposal -- records are maintained for various lengths of time, depending on the seriousness of the incident.

System manager(s) and address: Associate Director, Park Systems Management, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from all of the provisions of the Privacy Act except the following: 5 U.S.C. 552a(b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6) through (11), and (i).

System name: Payroll --Interior, NPS -- 20.

System location: (1) Division of Finance, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. (2) All regional offices and field areas of the National Park Service. (See appendix for addresses.)

Categories of individuals covered by the system: All NPS employees.

Categories of records in the system: Name, social security number and employee number, grade, step, and salary; organization (code), retirement or FICA data as applicable; Federal, State, and local tax deductions, as appropriate; IRS tax lien data; savings bond and charity deductions; regular and optional Government life insurance deductions, health insurance deduction and plan or code; cash award data; jury duty data; military leave data; pay differentials; quarters deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, and without pay); time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending date; cost of living allowances; mailing address; co-owner and/or beneficiary of bonds, marital status and number of dependents; and 'Notification of Personnel Action'. The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (2) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (3) Disclosure to Civil Service Commission in connection with the Civil Service retirement system. (4) Disclosure to another federal agency to which an employee has transferred. (5) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (6) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature to the appropriate agency, or agencies, whether Federal, State, local of foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- automated records maintained on microfilm and hard copy; manually prepared input documents maintained on various sized cards and coding sheets. (2) Retrievability -- indexed by name, social security number, and organizational code. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- retained on site until after GAO audit, then disposed of, or transferred to Federal Records Storage Centers in accordance with the fiscal records program approval by GAO, as appropriate, or General Record Schedules of GSA.

System manager(s) and address: Chief Finance Officer, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records shall be addressed to the System Manager, with respect to records located in the Washington Office, and to Regional Finance Offices and the Finance Officer, National Capital Parks, with respect to records located in the office for which each is responsible. A written, signed request stating that the requesser seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access shall be addressed to the System Manager, with respect to records located in the Washington Office, and to Regional Finance Offices and the Finance Officer, National Capital Parks, with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Time and Attendance Records and an automated version of the Standard Form 50, 'Notification of Personnel Action, Form 9-500'.

System name: Congressional Correspondence File -- Interior, BOR -- 1.

System location: Bureau of Outdoor Recreation, U.S. Department of the Interior Washington, D.C. 20240.

Categories of individuals covered by the system: Members of Congress with whom BOR corresponds.

Categories of records in the system: Responses to Congressional inquiries; copies of individual LWCF grant-in-aid- notifications sent to each Representative and Senator; miscellaneous briefing statements.

Authority for maintenance of the system: 16 U.S.C. 4601 to 4601-3; 16 U.S.C. 4601-4 to 4601-11, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Easy retrieval for immediate response to telephone inquiries from Members of Congress, staff members, or constituents, on matters concerning general correspondence or LWCF grant notifications. (2) Transfer, to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) Disclosure to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- the records are stored in paper form. (2) Retrievability -- the system is indexed alphabetically by States and by Members of Congress from each State. (3) Safeguards -- these records will be maintained in ac-

cordance with the security guidelines established by the Department of the Interior. (4) Retention and Disposal -- system is maintained for current and immediate past sessions of Congress. All material predating these periods is disposed of.

System manager(s) and address: Staff Assistant, Office of Congressional Affairs, Bureau of Outdoor Recreation, Washington, D.C. 20240.

Notification procedure: All inquiries should be directed to the System Manager. See 43 CFR 2.60 for content requirements.

Record access procedures: Request for access should be directed to the System Manager, Bureau of Outdoor Recreation, Washington, D.C. 20240. See 43 CFR 2.63 for content requirements.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71. *14

(1) Incoming - Members of Congress, Member's staff, Committee staff, constituents. (2) Outgoing - Department of the Interior personnel involved in program areas about which inquiries are made. (3) Federal grant-in-aid notification forms.

System name: Payroll System -- Interior, BOR--2.

System location: (1) Department of the Interior, Bureau of Outdoor Recreation, 603 Miller Court, Denver, Colorado. (2) Department of the Interior, Bureau of Outdoor Recreation, Washington, D.C. 20240. (3) Input documents supplied by all Regional offices of the Bureau of Outdoor Recreation (See Appendix for addresses).

Categories of individuals covered by the system: Payroll and leave information for individual current and former employees of the Bureau of Outdoor Recreation.

Categories of records in the system: (1) Payroll copy of personnel action (S.F. 50) including whether employee is subject to retirement deductions. (2) W-4 tax withholding certificate. (3) State tax withholding certificate. (4) Health Benefit form. (5) Life insurance form. (6) United Givers Fund. (7) United States Savings Bond Authorizations. (8) Union dues withholding authorization. (9) Allotment and assignment of pay authorization. (10) Deduction for refund of travel advances when required. (11) Net check - designated agent or mailed to bank. (12) Time and Attendance Reports, bi-weekly showing time worked, leave taken, fiscal year, appropriation, organization, and program work code chargeable. (13) Change in earnings and/or deduction bi-weekly. (14) Employees individual master file. (15) Payroll register bi-weekly showing gross amount paid, amounts deducted and net pay. (16) Earnings record for calendar year showing amount paid in gross for each bi-weekly period or by a supplemental payroll showing amounts deducted and net pay for the full calendar year. (17) Retirement records (S.F. 2806) unless they have been forwarded to another agency or the Civil Service Commission. (18) Report of wages taxable under the Federal Insurance Contribution Act. (19) Other related payroll and leave documentation.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq., Section 113 of the Budget and Accounting Procedures Act of 1950, as amended, 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Compute gross earnings, make deductions as applicable for items listed under category of records and have net pay checks issued to employees. (2) Furnish information to State agencies as requested for former employees applying for unemployment benefits. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (5) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (6) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (7) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (8) Disclosure to another Federal agency to which an employee has transferred. (9) Disclosure to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (10) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained on magnetic tapes, disks, folders, and print-out forms. (2) Retrievability -- records are indexed by name, social security number, and date of birth. (3) Safeguards -- access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. (4) Retention and Disposal -- in accordance with General Records Schedule 2, where applicable and as approved by the General Accounting Office.

System manager(s) and address: (1) Accounting Officer, Bureau of Outdoor Recreation, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240. (2) For former Federal employees: The same as above except if the information requested has been retired to the Federal Records Center or the Civil Service Commission they will be advised.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: (1) Personnel System. (2) Agency Officials. (3) Action taken by individual to whom record applies.

System name: Management by Objectives -- Interior, BOR--3.

System location: (1) Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240. (2) All Regional Offices of the Bureau of Outdoor Recreation. (See Appendix for addresses.)

Categories of individuals covered by the system: Bureau of Outdoor Recreation employees who have identified a specific program objective to be accomplished.

Categories of records in the system: Individual employees and manager names. Program Objective Statement. Man Days and Material Costs. Statements of measurement. Progress review statements. Tasks required to accomplish objectives. Dates.

Authority for maintenance of the system: 16 U.S.C. 460l to 460l-3; 16 U.S.C. 460l-4 to 460l-11, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Project Management. (2) Coordination and integration of BOR work plans with other participating Federal/State agencies. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- paper, binders, file cabinets. (2) Retrievability -- by objective identification number, organization name, and individual employee name. (3) Safeguards -- standard file cabinet. (4) Retention and Disposal -- records are maintained until completion of project.

System manager(s) and address: Director, Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240.

Notification procedure: Inquiries should be directed to (1) the Chief, Office of Systems Management, Bureau of Outdoor Recreation, Washington, D.C. 20240 for Washington office employees; (2) Regional Director, appropriate Regional Office listed in the appendix for Regional Office employees. See 43 CFR 2.60.

Record access procedures: Requests for access should be addressed as follows: (1) Washington Office employees should contact the Assistant Director for Management and Budget, Department of the Interior, Bureau of Outdoor Recreation, Washington, D.C. 20240; (2) Regional Office employees should contact the Regional Director at the appropriate Regional Office listed in the Appendix. See 43 CFR 2.63.

Contesting record procedures: Petitions for correction should be addressed as follows: (1) Washington Office employees should contact the Assistant Director for Management and Budget, Department of the Interior, Bureau of Outdoor Recreation, Washington, D.C. 20240; (2) Regional Office employees should contact the Regional Director at the appropriate Regional Office listed in the Appendix. See 43 CFR 2.71.

Record source categories: (1) Individual employees. (2) Supervisors. (3) Cooperating individuals. (4) Participating organizations.

System name: Motor Vehicle Operations Program – Interior, BOR–4.

System location: Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240. (2) All Bureau of Outdoor Recreation Regional Offices (see Appendix for addresses).

Categories of individuals covered by the system: Bureau of Outdoor Recreation employees who are assigned U.S. Government Motor Vehicle Operator Permits for temporary use.

Categories of records in the system: Information identifying the employee such as: name, sex, birth date, color of hair, color of eyes, height, weight, birthplace, social security number, accident summary, accident reports, driver's license number, date issued, date expires, types of vehicle operated, corrective lenses, and hearing aids.

Authority for maintenance of the system: Section 211j of the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 491j.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Authorize a person to operate a government vehicle. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – applications and permits are maintained in paper form housed in filing cabinet. (2) Retrievability – permits are by card number. Accident reports are by calendar year. (3) Safeguards – completed forms maintained in Official Personnel Folder in locked cabinets. (4) Disposal – permits are issued for a period of three years–then destroyed.

System manager(s) and address: Personnel Management Specialist, Bureau of Outdoor Recreation, Washington, D.C. 20240.

Notification procedure: Inquiries should be directed to: (1) System Manager, Bureau of Outdoor Recreation, Washington, D.C. 20240, for Washington Office employees; and, (2) Administrative Officer, appropriate Regional Office listed in the Appendix, for Regional Office employees. See 43 CFR 2.60.

Record access procedures: Requests for access should be addressed as follows: (1) Washington Office employees should contact the System Manager; (2) Regional employees should contact the appropriate Administrative Officer at the location listed in the Appendix. See 43 CFR 2.63.

Contesting record procedures: Petitions for correction should be addressed as follows: (1) Washington Office employees should contact the System Manager; (2) Regional employees should contact the appropriate Administrative Officer at the location listed in the Appendix.

Record source categories: Individual, Agency Officials, local and State authorities.

System name: Financial Management System – Interior, BOR–5.

System location: (1) Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240.((2) All Regional Offices of the Bureau of Outdoor Recreation (See Appendix for addresses.) (3) Bureau of Mines, ADP Division, Denver Federal Center, Denver, Colorado.

Categories of individuals covered by the system: Present and past employees of the Bureau of Outdoor Recreation.

Categories of records in the system: Work performed by employees.

Authority for maintenance of the system: 16 U.S.C. 460l to 460l-3; 16 U.S.C. 460l-4 to 460l-11, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Labor Cost History. (2) Work Loan Analysis. (3) Project Management. (4) Manpower Analysis. (5) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (6) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – computer disk, mag-tape, paper records. (2) Retrievability – by individual name, project identification number, program work code, organization. (3) Safeguards – physical security of ADP aspects; file cabinets for paper copy. (4) Retention – three years.

System manager(s) and address: Chief, Office of Systems Management, Department of the Interior, Bureau of Outdoor Recreation, Washington, D.C. 20240.

Notification procedure: Inquiries should be directed to: (1) System Manager, Bureau of Outdoor Recreation, Washington, D.C. 20240 for Washington Office employees; (2) Regional Director, appropriate Regional Office listed in the appendix for Regional Office employees. See 43 CFR 2.60.

Record access procedures: Requests for access should be addressed as follows: (1) Washington Office employees should contact the System Manager; (2) Regional Office employees should contact the appropriate Regional Director at the location listed in the Appendix. See 43 CFR 2.63.

Contesting record procedures: Petitions for amendment should be addressed as follows: (1) Washington Office employees should contact the System Manager; (2) Regional Office employees should contact the appropriate Regional Director at the location listed in the Appendix. See 43 CFR 2.71 for content requirements for petitions.

Record source categories: Payroll System.

System name: Property Hand Receipt File – Interior, BOR–6.

System location: (1) Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240. (2) All Bureau of Outdoor Recreation Regional Offices (See Appendix for addresses.)

Categories of individuals covered by the system: Department of Interior employees who are assigned Bureau of Outdoor Recreation Personal Property for temporary or short-term use.

Categories of records in the system: Information which identifies the property being assigned to an individual; such as, name of item, model number, serial number, property number, or other descriptive detail. Also the date(s) the item was issued and/or returned and the signature of the recipient.

Authority for maintenance of the system: Section 202(b) of the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 483(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Control of U.S. Government property consigned to an individual employee for tem-

porary or short-term use; such as, hand calculators, Transportation Request Booksy Rent-a-Car Cards, cameras, tape recorders, dictating equipment, and other portable items for which accountability records are required. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- the records are maintained in a 3x5 card box file. (2) Retrievability -- the system is indexed alphabetically by the name of the individual to whom the items are consigned. (3) Safeguards -- records are located in lockable metal file cabinets with access limited to those persons whose official duties require access. (4) Retention and Disposal -- each hand receipt is voided upon return of the property in satisfactory condition; retained on file for one year, then destroyed.

System manager(s) and address: Management Officer, Bureau of Outdoor Recreation, Washington, D.C. 20240.

Notification procedure: All inquiries should be directed to the System Manager. See 43 CFR 2.60.

Record access procedures: Requests for access should be directed to the Management Officer, Bureau of Outdoor Recreation, Washington, D.C. 20240, or to the Administrative Officer at the applicable Regional location listed in the Appendix. See 43 CFR 2.63

Contesting record procedures: Petitions for correction should be directed to the System Manager. See 43 CFR 2.71.

Record source categories: (1) Individual to whom the record pertains. (2) Agency officials. (3) Property items.

System name: Travel and Transportation Automated Accounting System -- Interior, BOR--7.

System location: (1) Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240. (2) All Regional Offices, Bureau of Outdoor Recreation (See Appendix for addresses.)

Categories of individuals covered by the system: Current and former employees of the Bureau who travel on official business, including travel of employees and their dependents in connection with a permanent change of station.

Categories of records in the system: (1) Travel Authorizations. (2) Travel Advances. (3) Transportation Requests. (4) Travel Vouchers claiming reimbursement for travel expenses while on temporary duty. (5) Travel Vouchers covering reimbursement in connection with permanent changes of station for transportation and per diem of employee and dependents. (6) These vouchers may also include reimbursement for shipment of household goods, advance househunting trip, real estate transactions, and other related transportation and travel records.

Authority for maintenance of the system: 5 U.S.C. 5701-5709, 5721-5733, 5742b and 5722, Executive Order 11609 (July 22, 1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide posting media for the accounting system. They become records used to support payments, obligations, and other financial transactions, and are a part of the support to the accountable officers accounts. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (5) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records are maintained in file folders, paper tape, and punched cards. (2) Retrievability -- copies and/or originals are filed alphabetically by name. (3) Safeguards -- access to and use of these records are limited to those persons whose official duties require such access. (4) Retention and Disposal -- in accordance with General Records Schedule 9 where applicable and as approved by the General Accounting Office and GSA.

System manager(s) and address: Accounting Officer, Bureau of Outdoor Recreation, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: (1) Individual employees. (2) Supervisors, Managers. (3) Agency officials. (4) Travel Regulations. (5) Common Carrier Companies.

System name: Accidents -- Interior, Reclamation--1.

System location: All facilities of the Bureau of Reclamation listed in Appendix except numbers 9(g) and 9(h).

Categories of individuals covered by the system: Individuals having an accident either by a motor vehicle, drowning, or any other form of accident.

Categories of records in the system: Reports of serious accident, fatalities, and motor vehicle accidents.

Authority for maintenance of the system: Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Determine cause of accident and action, if any, to be taken, and final disposition of case. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foriegn, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated. (4) Transfer to Federal Records Center, NARS, for retention or disposal.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Accounts Receivable -- Interior, Reclamation--2.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 2, 4 (a thru i), 5, 7, (a thru k) in Appendix.

Categories of individuals covered by the system: Individuals paying monies to the Bureau. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: Bills for collection to support an accounts receivable in the Bureau's accounting system.

Authority for maintenance of the system: 311 U.S.C. 952, 7 GAO 22 - Policy and Procedures Manual for Guidance of Federal Agencies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Documentation supporting Bureau's Accounts Receivable. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name of individual. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- retained three years in Regional office and three years in Denver Records Center.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirments of 43 CFR 2.71.

Record source categories: From individuals who have entered into contracts or agreements with the Bureau to repay monies owed the Bureau.

System name: Attendance at Meetings -- Interior, Reclamation--3.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225. (3) Reclamation offices numbered 4 (a thru i), 5, 7 (a thru k) in Appendix.

Categories of individuals covered by the system: Bureau employees attending outside meetings.

Categories of records in the system: Request for approval of attendance at meeting by Form 7-1695 and related correspondence.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Provides opportunity for administrative overview of current organizational policy requirements. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potenital violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency of agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name of individual. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- two years.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual employees.

System name: Audiograms (Hearing Test Record) -- Interior, Reclamation--4.

System location: Bureau of Reclamation offices numbered 4 (a thru i) in Appendix.

Categories of individuals covered by the system: Federal employees who must work regularly in areas where noise levels exceed 90dBA.

Categories of records in the system: Audiogram completed on hearing test by trained Federal Audiometric Technician. The audiogram is then reviewed by an Audiologist. Appropriate personnel action is taken whenever it is determined that an employee is highly susceptible to noise-induced hearing loss, or whenever a significant job-connected hearing loss is indicated.

Authority for maintenance of the system: Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transfer records to a recognized Audiologist for interpretation. (2) Review interpretations and take appropriate action to abate noise exposure hazard to employee.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name of individual. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- retained permanently in Safety Office.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Records obtained by trained Federal Audiometric Technicians and from individual employee.

System name: Claims -- Interior, Reclamation--5.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3 (a, b, c, e, g, h, i, k), 4

(a thru i), 5 (a thru i), 7 (a thru k), 8 (a thru h), 9 (a, c, e, f) in Appendix.

Categories of individuals covered by the system: Individuals who have filed Tort, Federal Employee, or Irrigation Claims.

Categories of records in the system: Contains records concerning claims, including the claims and supporting information submitted by the claimant, information developed concerning the claim and a record of the disposition of the claim if processing of the claim is complete.

Authority for maintenance of the system: (1) Federal Tort Claims Act, 28 U.S.C. 2671-2680, (2) Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. 240-243, (3) Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act, Public Law 93-393, 88 Stat. 782.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Adjudication of Tort, Federal Employee, and Irrigation Claims. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated. (4) Transfer to another Federal agency or a State or local government body having partial or complete jurisdiction over the claim or related claims.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Claimant. Investigations conducted by Reclamation offices and contractors, offices of the Department of the Interior, State or local governments.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to access to information compiled in reasonable anticipation of a civil action or proceeding.

System name: Collection Contracts -- Interior, Reclamation--6.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3 (c thru f), 5, 7 (a thru k), 9 in Appendix.

Categories of individuals covered by the system: Individuals who lease, rent, or buy from the Bureau of Reclamation under a collection contract or agreement.

Categories of records in the system: Individual collection documents with related copies of bills and correspondence.

Authority for maintenance of the system: 31 U.S.C. 952, 7 GAO 11 - Policy and Procedures Manual for Guidance of Federal agencies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administration and negotiation of collection documents to collect money due the Bureau of Reclamation. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name of individual. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- transfer to Federal Records Center, Denver. Held in office three years after completion and settlement, then transfer with Accountable Officer's Records to the Records Center, Denver.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Concessions -- Interior, Reclamation--7.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3 (c thru f), 5, 7 (a thru k), 9 in Appendix.

Categories of individuals covered by the system: Individual concessionaire and applicants. (The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: Individual rental or lease agreements with individuals providing service or concessions at Bureau camps and headquarters.

Authority for maintenance of the system: Reclamation Law of 1902, as amended, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administration of Reclamation facilities. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Driver's License – Interior, Reclamation–8.

System location: (1)Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 2 (a thru l), 4 (a thru i), 5, 6 (a thru i), 7 (a thru k) in Appendix.

Categories of individuals covered by the system: Reclamation employees authorized to operate Government-owned vehicles.

Categories of records in the system: Name of individual holding license and expiration date of license.

Authority for maintenance of the system: 40 U.S.C. 471 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administration of licensing program. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – complete file maintained in manual form in file folders. (2) Retrievability – by individual's name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Foreign Visitors and Observers – Interior, Reclamation–9.

System location: General Services Branch, Engineering and Research Center, Bureau of Reclamation, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Citizens who may accompany foreigners on domestic trips.

Categories of records in the system: Contains name and rank of traveller.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Internal administration. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – on correspondence. (2) Retrievability – by name. (3) Safeguard – stored with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal – Records Management Handbook No. 2.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: Inquiries regarding the existence of records should be addressed to the office listed under Location above. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: Same as Notification above. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Identification Cards – Interior, Reclamation–10.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3 8a thru l), 4 (a thru i), 5, 6 (a thru i), 7 (a thru k), 8 (a thru h), in Appendix.

Categories of individuals covered by the system: Individual Reclamation employees.

Categories of records in the system: Register of names to whom cards have been issued.

Authority for maintenance of the system: 5 U.S.C. 3101, 43 U.S.C. 373, 373a, 1467, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To maintain control of identification cards issued. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – complete file maintained in manual form in file folders. (2) Retrievability – by individual's name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Individual Record of Issues – Interior, Reclamation–11.

System location: General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Every employee of Reclamation located at the Engineering and Research Center.

Categories of records in the system: Contains record of I.D., passes, drivers licenses, and keys issued to Reclamation employees.

Authority for maintenance of the system: 5 U.S.C. 3101, 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To collect I.D.'s, passes, Drivers Licenses, and keys when employees terminate employment. Also used to record I.D. numbers and drivers license numbers and expiration dates. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is in-

dicated a violation or potential violation of a statute, regulation, whether civil or criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- on 5 x 8 cards. (2) Retrievability -- indexed by name. (3) Safeguards -- records are stored in metal cabinets. (4) Retention and Disposal -- records are maintained for the active life and then destroyed.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may request whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirement of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Inventions and Patents -- Interior, Reclamation--12.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado.

Categories of individuals covered by the system: Reclamation employees who have been granted patents or who are seeking patents.

Categories of records in the system: Contains name, organizational segment of inventor. Contains brief description of invention.

Authority for maintenance of the system: 5 U.S.C. 3101, 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Internal administration. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- correspondence. (2) Retrievability -- by name. (3) Safeguards -- maintained with security meeting requirements of 43 CFR 2.51. (4) Retention and Disposal -- Records Management Handbook No. 2.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) which services the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Irrigation Management Service -- Interior, Reclamation--13.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. 82) Reclamation offices numbered 3 (a, b, g, i) in Appendix.

Categories of individuals covered by the system: Individuals receiving irrigation waters from Reclamation constructed facilities.

Categories of records in the system: Computer input, storage, and output concerning water usage.

Authority for maintenance of the system: 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To assist farmers using the correct amount of water to irrigate their crops. (2) Transfer to U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Land Exchange -- Interior, Reclamation--14.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 5(d), 7(a thru k), 8(a thru h) in Appendix.

Categories of individuals covered by the system: Individual exchange for Bureau of Reclamation purposes.

Categories of records in the system: General subject of exchange of certain unpatented or private land by certain qualified applicants whose lands have been determined to be insufficient to support a family. Exchange of land by the Bureau of project purposes.

Authority for maintenance of the system: 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To maintain a history and protection of the individual's rights. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in file folders by appropriate file codes. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Disposal -- records are disposed of periodically in accordance with established Bureau schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Information comes from the individual as well as the office involved.

System name: Land Settlement Entries – Interior, Reclamation–15.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a, c, g), 4(f), 5(d), 7(a thru k) in Appendix.

Categories of individuals covered by the system: Individual applicants who wish to settle on lands on Federal Reclamation Project.

Categories of records in the system: (1) Applications including information as to character of individual applicant, veteran preference right, farming experience, assets (financial), health, appeals, and data concerning homesteading and applicant meeting requirements. (2) Notice to Land Office that homesteader has fulfilled requirements. (3) Data with Department of Agriculture as to applicability for loan.

Authority for maintenance of the system: (1) Section 4, Fact Finders Act of December 5, 1924 (43 Stat. 702), (2) Section 3, Reclamation Act of June 17, 1902 (1093-32 Stat. 388 and amendment); (3) Act of March 1, 1921, (102-41 Stat. 1202, (4) Act of April 7, 1921 (125-42 Stat. 492), (5) Section 44, The Omnibus Adjustment Act (44 Stat. 636), (6) Farm Unit Exchange Act of August 13, 1953 (428-67 Stat. 566).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (2) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated. (3) To determine if applicant is qualified to farm unit. (4) To administer settler program. (5) To advise other Federal, State, or local Government agencies of information required in issuing patent, tax information, or other pertinent data required.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – complete file maintained in manual form in file folders. (2) Retrievability – by individual's name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.63.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Litigation – Interior, Reclamation–16.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(c,f,h), 4(a thru i), 5(a thru d), 6(a thru i), 7(a thru k) in Appendix.

Categories of individuals covered by the system: Individuals against whom Bureau of Reclamation has brought suit or who have brought suit against the Bureau of Reclamation.

Categories of records in the system: Correspondence and copies of documents from appropriate legal entities concerning condemnations of land, environmental suits to prohibit construction activities, and any information developed concerning any specific litigation.

Authority for maintenance of the system: (1) Section 7, Reclamation Act of 1902 (32 Stat. 389, 43 U.S.C. 421), (2) Pertinent provisions of Title 28, U.S.C. (3) Administrative Procedure Act, Chapter 7, Title 5, U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Show record of ownership of lands and rights-of-way required for Reclamation purposes. (2) For record of final disposition of case. (3) Transfer to another Federal agency, a State or local government body having partial or complete jurisdiction over the claim or related claims. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – complete file maintained in manual form in file folders. (2) Retrievability – by individual's name. (3) Safeguards – Maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained. Investigations conducted by Reclamation, offices of the Department of the Interior, State, and local governments.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to access to information compiled in reasonable anticipation of a civil action or proceeding.

System name: Lands - Leases, Sales, Rentals, and Transfers – Interior, Reclamation–17.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a,c,e,f,g,h,j), 4(a thru i), 5(a thru d), 6(a thrui), 7(a thru k), 9(a,e) in Appendix.

Categories of individuals covered by the system: (1) Individuals who are applicants to lease, purchase, rent, or transfer lands. (2) Individuals who are successful applicants.

Categories of records in the system: Notice of Availability of lands (advertising) requests, contracts, renewals, and other supporting data concerning the sale, lease, rental, or transfer of Reclamation-owned lands.

Authority for maintenance of the system: (1) Taylor Grazing Act of June 28, 1934; (2) Uniform Relocation Assistance and Land Acquisition Policy Act of 1970; (3) Sale of Unproductive Public Land Act of May 16, 1930; (4) Section 4 of the Columbia Basin Project Act of March 10, 1943; (5) Disposal of Small Tracts Act of March 31, 1950; (6) Federal Property and Administrative Act of 1949 and amendments; (7) Act of February 2, 1911; (8) Act of May 20 1920; (9) Reclamation Project Act of 1939; (10) Act of June 11, 1910.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To make known to interested individuals lands available for lease, sale, or rental. (2) To administer leases, sales, rentals, and transfers. (3) To transfer requests to appropriate Federal agency if concerns other than Reclamation lands. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the e(ent there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal, or regulatory in nature, to the ap-

propriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained. County Recorder, Title companies, surveyors, and appraisers.

System name: Lease of Housing -- Interior, Reclamation--18.

System location: Bureau of Reclamation offices numbered 3(a,c,e, g,j), 5, 6(a thru i), 7(a thru k), 9(b,c,e) in Appendix.

Categories of individuals covered by the system: Individuals who reside in Reclamation-owned housing.

Categories of records in the system: Miscellaneous requests, agreements, and pertinent records.

Authority for maintenance of the system: Reclamation Law of 1902, as amended, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To administer leasing and utilization of housing. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- completed file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Mineral Location Entries -- Interior, Reclamation--19.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3, 5(a thru d), 7(a thru k) in Appendix. (3) Office of the Regional Director, U.S. Department of the Interior, Bureau of Reclamation, Box 043 - 550 West Fort Street, Boise, Idaho 83724.

Categories of individuals covered by the system: Individual who has mineral entry on land Reclamation needs for Reclamation purposes.

Categories of records in the system: Data concerning entry and final disposition of claim.

Authority for maintenance of the system: Act of April 23, 1932, 47 Stat. 136.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Determine disposition of claim. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, regulation, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Movable Property ADP Records -- Interior, Reclamation--20.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a thru l), 4(a thru i), 6(a thru i), 7(a thru k) in Appendix.

Categories of individuals covered by the system: Individual employees who are responsible for movable property.

Categories of records in the system: General file material and ADP printouts for Property Management.

Authority for maintenance of the system: 40 U.S.C. 483(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Responsibility records for movable property. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above)

servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Movable Property Individual Responsibility -- Interior, Reclamation--21.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240.

Categories of individuals covered by the system: Division, branch, and section head personnel, also some secretaries and technicians authorized to sign for property.

Categories of records in the system: Contains employee number assigned to individuals by the Property and Purchasing Branch. Contains a list of equipment assigned to the individual.

Authority for maintenance of the system: 40 U.S.C. 483(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Keep up with all property charged to individuals. To record relinquishments and other transactions. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on computer. (2) Retrievability -- by employee number. (3) Safeguards -- records are stored in metal cabinets. (4) Retention and Disposal -- records are maintained between inventories and then destroyed.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained and the Property and Purchasing Branch.

System name: Oil and Gas Applications -- Interior, Reclamation--22.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 5(a thru d), 6(a thru i), 7(a thru k), 9(c) in Appendix.

Categories of individuals covered by the system: Individuals who have filed for Oil and Gas Leases.

Categories of records in the system: Applications under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. 181, et seq. Applications are identified by Bureau of Land Management serial numbers.

Authority for maintenance of the system: 30 U.S.C. 181, et seq., 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Land status information, proof and purpose of applications. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location (above). See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Parking -- Interior, Reclamation--23.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Employees in grade GS-12 and above. Also handicapped individuals and individuals and employees with heart problems.

Categories of records in the system: Contains name, grade, and computation date of the individual GS-12 and above. Contains name of handicapped or heart patient. Contains list of employees riding in car pool.

Authority for maintenance of the system: 40 U.S.C. 471, et seq., FMC 74-1, FPMR Temporary Regulation D-43.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Assignment of parking spaces. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, rule, or regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- on 5 x 8 cards. (2) Retrievability -- by name. (3) Safeguards -- kept on file in the Property and Purchasing Branch in metal cabinets. (4) Retention and Disposal -- cards are destroyed upon the departure of the individual assigned the space.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office in which the records are located. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Payroll, Attendance and Leave Records (PAYPERS) -- Interior, Reclamation--24.

System location: (1) Division of Management Support, Engineering and Research Center, P.O. Box 25007, Denver Federal Center, Denver Colorado 80225. (2) Input documents supplied by Commissioner's Office, Washington, D.C., all Regional and Field Offices. (See Appendix for addresses.)

Categories of individuals covered by the system: All Reclamation employees with permanent, temporary, or indefinite appointments are maintained in the active files. Pay and leave information on all Reclamation employees who were paid during the year until the end of the calendar year.

Categories of records in the system: An individual record is maintained and updated for each employee biweekly and lists basic historical and current pay, leave, and personnel data.

Authority for maintenance of the system: 5 U.S.C., 5101, et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To prepare payrolls for distribution by the Regional Disbursing Offices of Department of Treasury and to report results to the Civil Service Commission. (2) Disclosure to the Department of the Treasury for preparation of (a) payroll checks and (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals. (3) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (4) Disclosure to the Civil Service Commission in connection with the Civil Service retirement system. (5) Disclosure to another Federal agency to which an employee has transferred. (6) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (7) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (8) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (9) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on computer media, with input forms and printed outputs in manual form. (2) Retrievability -- indexed by name and identifying number of the employee. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for computer and manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him from the System Manager or the head of the office at which he is (or was) employed. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.60.

Record access procedures: A request for access may be addressed the same as Notification. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual employees, timekeepers and supervisors.

System name: Personal Author Reports -- Interior, Reclamation--25.

System location: General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Individuals writing technical reports of interest to Reclamation.

Categories of records in the system: Contains name of author and other biographical information.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Open to public. Used to research technical reports by authors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual records. (2) Retrievability -- indexed by name. (3) Retention and Disposal -- retained indefinitely.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Document.

System name: Photographic Files -- Interior, Reclamation--26.

System location: General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Individuals earning awards or service pins and individuals doing research for reports.

Categories of records in the system: Contains photograph of individuals by name. Contains name, date, and research number with caption describing research event.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Administration of the Bureau of Reclamation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained on photographic print paper of various sizes. (2) Retrievability -- indexed by name and number. (3) Safeguards -- filed in metal file cabinets. (4) Retention and Disposal - Records Management Handbook No. 2.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained and supervisors.

System name: Publication Sales -- Interior, Reclamation--27.

System location: General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Individuals purchasing Reclamation publications.

Categories of records in the system: Contains the name and address of individuals purchasing Reclamation publications together with the amount of money remitted for same.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101, 31 U.S.C. 65, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Accounting for monies received. (2) Transfer to the Government Printing Office. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether

Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on 8 x 10 1/2 forms and correspondence. (2) Retrievability – indexed by name. (3) Safeguards – records are stored on open shelf files. (4) Retention and Disposal – records are maintained in accordance with Records Management Handbook No. 2.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Real Property and Right-of-Way Acquisitions – Interior, Reclamation – 28.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a thru j), 4(a thru i), 5(a thru d), 6(a thru i), 7(a thru k), 8(a thru h), 9(a,b,e) in Appendix.

Categories of individuals covered by the system: Individual landowners from whom Bureau of Reclamation has purchased or condemned land, exercised reserved right-of-way, or received donation deeds, or from whom the Bureau is in the process of acquiring land or interests therein.

Categories of records in the system: Contains records concerning acquisition of land or right-of-way, including correspondence, appraisal reports, land descriptions, releases of prior liens, contracts to purchase, agreements between landowners and Reclamation, Notice of Exercise of Right-of-Way, payment data, copies of condemnation actions, and other supporting data required in specific transactions.

Authority for maintenance of the system: (1) Reclamation Act of 1902, as amended, and acts supplemental thereto, 43 U.S.C. 371, et seq. (2) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4651, et seq. (3) Act of August 30, 1890 (26 Stat. 391), as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Furnish record of ownership of lands and rights-of-way acquired for Reclamation purposes. (2) Transfer administration of the land for transmission of power, recreation, fish and wildlife activities, and other purposes as required to another Federal agency, State and local government. (3) Transmit deeds to local County Government to record ownership data. (4) Furnish copy of deed to appropriate Irrigation District operating the irrigation system to advise right-of-way available in operating the system. (5) Transmit documents to Department of Justice for Title Opinion. (6) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (7) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – complete file maintained in manual form in file folders. (2) Retrievability – by individual's name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual land owners, County Recorders, title companies.

Systems exempted from certain provisions of the act: The Privacy Act does not entitle an individual to access to information prepared in reasonable anticipation of a civil action or proceeding.

System name: Right-of-Way Applications – Interior, Reclamation–29.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 5(a thru d), 7(a thru k), 9 in Appendix.

Categories of individuals covered by the system: Applicants for right-of-way may or may not be identified by Bureau of Land Management serial numbers, Land description, value, and instrument of ownership.

Authority for maintenance of the system: Reclamation Act of 1902, as amended, and acts supplementary thereto, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Land status information and proof of right-of-way permits for legal purposes. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – complete file maintained in manual form in file folders. (2) Retrievability – by individual's name. (3) Safeguards – maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal – in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained, County Recorders, and Title companies.

System name: Safe Driving Records – Interior, Reclamation–30.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 2, 3(a, b, c, e, f, g), 4(a thru i), 5(a thru d), 6(a thru i), 7(a thru k) in Appendix.

Categories of individuals covered by the system: Reclamation employees driving Government-owned vehicles.

Categories of records in the system: Driving record of Reclamation employees.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457, Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) For reporting purposes and for safe driving awards. (2) Forward to National Safety Council for issuance of safe driving awards. (3) Transfer to U.S.

Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, regulation, rule, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Sale of Power to Individuals -- Interior, Reclamation--31.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 5, 6(a thru i), 9(b) in Appendix.

Categories of individuals covered by the system: Individuals purchasing power from the Government.

Categories of records in the system: Contains executed contracts, agreements and all contract amendments, extension and other pertinent correspondence.

Authority for maintenance of the system: Reclamation Act of June 17, 1902, as amended, and acts supplementary thereto, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Accounting. (2) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual receiving power meter readings.

System name: Special Use Applications, Licenses, and Permits -- Interior, Reclamation--32.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a,c,f,g,j), 4(a thru i), 5(a thru d), 6(a thru i), 7(a thru k), 9(a,b,c) in Appendix.

Categories of individuals covered by the system: Individuals who secure licenses and permits concerning Reclamation owned facilities.

Categories of records in the system: (1) Applications, (2) Licenses, (3) Permits, (4) Miscellaneous supporting data.

Authority for maintenance of the system: (1) Reclamation Law of 1902, as amended, and acts supplemental thereto, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To administer Reclamation-owned lands and facilities. (2) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Speeches -- Interior, Reclamation--33.

System location: (1) Division of Generel Services , Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225. (3) Reclamation offices numbered 5, 7(a thru k), 9 in Appendix.

Categories of individuals covered by the system: Bureau of Reclamation employees.

Categories of records in the system: Copies of speeches delivered by Bureau employees generally on the subject of Reclamation activities.

Authority for maintenance of the system: 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Public Relations Officer for reference purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- paper copies maintained in file folders. (2) Retrievability -- classified by subject code and arranged in alphabetical order by name of individual and office in which employee is employed. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51. (4) Retention and Disposal -- permanent retention for copies of speeches held in office speaker is employed.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Thefts Listing -- Interior, Reclamation--34.

System location: General Services Branch, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225.

Categories of individuals covered by the system: Individuals reporting loss or theft.

Categories of records in the system: Contains name, room number, telephone extension of person reporting loss of materials through theft.

Authority for maintenance of the system: 5 U.S.C. 3101, 43 U.S.C. 373, 373a, 1457, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (2) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual. (2) Retrievability -- by name of reporting individual. (3) Safeguards -- in locked desk and locked cabinets. (4) Retention and Disposal -- Records Management Handbook No. 2.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the offices listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Travel Approval Authorizations and Reports -- Interior, Reclamation--35.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a thru l), 4(a thru i), 5, 6(a thru i), 7(a thru k).

Categories of individuals covered by the system: Reclamation employees authorized to travel.

Categories of records in the system: Travel authorization.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq., 7 GAO 22 - Policy and Procedures Manual for guidance of Federal Agencies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To authorize employees to travel on official business. (2) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Travel Voucher Records -- Interior, Reclamation--36.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) General Services Branch, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Bldg. 67, Denver Federal Center, Denver, Colorado 80225. (3) Reclamation offices numbered 3, 6(a thru i), 7(a thru k), 8(a thru h), 9(a thru h) in Appendix.

Categories of individuals covered by the system: Individual Reclamation employees who have traveled on official business.

Categories of records in the system: Payment data for travel performed.

Authority for maintenance of the system: 5 U.S.C. 5701, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Payment of travel and transportation. (2) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (4) Accrued expenditure document.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the office listed under Location (above) servicing the facility at which he is (or was) employed. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Trespass Cases -- Interior, Reclamation--37.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a and g), 5(a thru d), 7(a thru k), 9(b, c) in Appendix.

Categories of individuals covered by the system: Individual who trespasses on Government-owned property.

Categories of records in the system: Contains correspondence re trespass, interim problems, and final disposition of case.

Authority for maintenance of the system: (1) Reclamation Act of 1902, as amended, and acts supplementary thereto, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To administer property under jurisdiction of Reclamation. (2) To document final disposition of trespass. (3) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Systems exempted from certain provisions of the act: This system is proposed to be exempted from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f).

System name: Water Right Applications -- Interior, Reclamation--38.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a, g), 4(a thru i), 5(d), 7(a thru k), 9(c) in Appendix.

Categories of individuals covered by the system: Individual homesteaders who are eligible to receive water right certificates.

Categories of records in the system: Individual water right applications and supporting papers.

Authority for maintenance of the system: (1) Reclamation Act of 1902, as amended, and acts supplementary thereto, 43 U.S.C. 371, et seq. (2) Act of August 9, 1912 (37 Stat. 265), and any acts amendatory or supplementary thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To entitle purchaser of water right certificate to final water right certificate upon completion of statutory requirements. (2) Administration and negotiation of water right applications with individual landowner. (3) Transfer to U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained.

System name: Water Rights Acquisition -- Interior, Reclamation--39.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 4(a thru i), 6(a thru i), 7(a thru k) in Appendix.

Categories of individuals covered by the system: Material pertaining to acquisition by the Bureau, by purchase or donation, etc., of water rights by others.

Categories of records in the system: Individual water service and agreements on diversion of water, along with related correspondence.

Authority for maintenance of the system: Reclamation Act of 1902, Section 8, 43 U.S.C. 372, 383,

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administration and negotiation of individual water service and agreements on diversion of water. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by name of individual or landowner. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- none - no official schedule.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual landowners.

System name: Water Sales and Delivery Contracts -- Interior, Reclamation--40.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a,c,f,g,j), 4(a thru i), 5(a thru d), 6(a thru i), 7(a thru k), 8(a thru h), 9(c) in Appendix.

Categories of individuals covered by the system: Individuals who purchase excess water, water from unassigned reservoir space for irrigation or domestic use.

Categories of records in the system: Requests for water, contracts for individuals to receive water and pertinent correspondence.

Authority for maintenance of the system: (1) The Reclamation Project Act of June 17, 1902 (Ch. 1093, 32 Stat. 388), and acts amendatory thereof and supplementary thereto, particularly the Reclamation Project Act of August 4, 1939 (Ch. 418, 53 Stat. 1187). (2) Reclamation Extension Act of August 13, 1914. (3) The Omnibus Adjustment Act of May 25, 1926. (4) Section 2 of the Rivers and Harbors Act of August 26, 1937 (Ch. 832, 50 Stat. 844). (5) Reclamation Project Act of 1939, (6) Flood Control Act of 1944, Section 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administration and negotiation of water sales contracts with individual landowner. (2) To sell water from Corps of Engineers dam and reservoir project. (3) Transfer to U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained.

System name: Permits -- Interior, Reclamation--41.

System location: (1) Division of General Services, Bureau of Reclamation, U.S. Department of the Interior, Washington, D.C. 20240. (2) Reclamation offices numbered 3(a,b,c,e,f,h), 5(a thru d), 7(a thru k) in Appendix.

Categories of individuals covered by the system: (1) Individual who permits Reclamation employees to enter on his land. (2) Individual with permits to enter Bureau land or facilities.

Categories of records in the system: Written permission to enter private lands or Reclamation lands and facilities; permission to erect and maintain structures.

Authority for maintenance of the system: (1) Reclamation Project Act of June 17, 1902, as amended, and supplemental laws, 43 U.S.C. 371, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To allow Reclamation employees to perform required work on private lands. (2) To allow individuals to erect and maintain structures, on Bureau facilities or land. (3) Land status information, proof of permit and legal applications. (4) Transfer to U.S. Department of Justice in event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- complete file maintained in manual form in file folders. (2) Retrievability -- by individual's name. (3) Safeguards -- maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual records. (4) Disposal -- in accordance with approved Retention and Disposal Schedules.

System manager(s) and address: Chief, Division of General Services, U.S. Department of the Interior, Bureau of Reclamation, Washington, D.C. 20240.

Notification procedure: An individual may inquire whether or not the system contains a record pertaining to him by addressing a written request to the head of the appropriate office listed under Location above. See 43 CFR 2.60.

Record access procedures: Same as Notification above. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom record is maintained and County Recorders.

System name: Administrative Management and Fiscal Records -- Interior, Alaska Power Administration--1.

System location: Alaska Power Administration, P.O. Box 50, Juneau, Alaska.

Categories of individuals covered by the system: Employees and some former employees of the Alaska Power Administration.

Categories of records in the system: Payroll records, including pay, leave and cost distribution records, including deductions for bonds, insurance, income taxes, allotments to financial institutions, overtime authorizations, and related documents. Travel records, including administrative approvals, travel expenses claimed and/or paid, receipts for expenditures claims, Government transportation requests, travel advance accounts and related records. Records of accountability for Government-owned property. Safety records, including claims under the Military Personnel and Civil Employees Claims Act. Records of issuance of Government identification cards and Government driver's licenses. Related records concerning administrative and fiscal management of the Alaska Power Administration.

Authority for maintenance of the system: 5 U.S.C. 301, 3101, 5101-5115, 5501-5596, 5701-5709, 31 U.S.C. 66a, 240-243, 40 U.S.C. 483(b), 43 U.S.C. 1467, 44 U.S.C. 3101, Executive Order No. 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administrative and fiscal management of the Alaska Power Administration. (2) Disclosure to the Department of the Treasury for preparation of (a) payroll checks, (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals, and (c) checks for reimbursement of employees and others. (3) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (4) Disclosure to the Civil Service Commission to report contributions to the Civil Service retirement system and other contributions. (5) Disclosure to another Federal agency to which an employee has transferred. (6) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (7) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (8) Transfer to another Federal agency having a subject matter interest in the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual and automated. (2) Retrievability -- may be retrieved by individual name or social security number. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal -- according to approved records disposal schedules.

System manager(s) and address: Administrator, Alaska Power Administration.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Employees, supervisors, timekeepers. event of litigation involving the records or the subject matter of the

System name: Travel Records -- Interior, BPA -- 1.

System location: Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Categories of individuals covered by the system: BPA employees who have traveled on official business or changed official duty stations, and other individuals authorized to travel at Government expense for BPA.

Categories of records in the system: Contains the traveler's itinerary, method of travel, travel expenses claimed and/or paid, receipts for expenditures claimed, administrative approvals, lodging certifications, authorizations for travel, Government transportation requests issued by traveler, and travel advance accounts including request cards.

Authority for maintenance of the system: 5 U.S.C. 5701-5709; Federal Property Management Regulations 101-7, Federal Travel Regulations, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Establishment of employee travel or change of station claim for reimbursement. (2) Determination of available lodging rates wherever BPA employees conduct official travel. (3) Control of amounts of travel advances and repayment of those amounts provided. (4) Transfer to the Department of Treasury for reimbursement of travel expenses. (5) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (6) Transfer in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- travel itineraries and changes of station are maintained manually on standard forms in file folders; records of travel advances are maintained manually on standard card files; record of lodging locations and rates are on punchcard, magnetic tape, and computer printout. (2) Retrievability -- indexed by name of traveler, except lodging location and rates which are indexed by location. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Disposal -- maintained at BPA headquarters for 4 years and at the records center for 3 years before being destroyed by shredding.

System manager(s) and address: Chief, Branch of Finance and Accounts, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual travelers, supervisors, voucher preparation clerks.

System name: Payroll Files -- Interior, BPA -- 2.

System location: Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Categories of records in the system: Pay, allowances, retirement, and leave records.

Authority for maintenance of the system: 5 U.S.C. 5101, et seq.; GAO Manual, 6 GAO 1, Authority and Responsibilities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To prepare schedule of net pay and record gross pay, leave, retirement, and payroll deductions. (2) To maintain payroll records for GAO and other audits. (3) Provide input for BPA cost accounting and budgeting system. (4) Provide information for union negotiation processes. (5) Transfer earning and withholding data to Federal and State income tax authorities. (6) Transfer data to State employment agencies as requested for unemployment claims. (7) Transfer leave and retirement records to other Federal agencies when employee transfers. (8) Transfer retirement records to the Civil Service Commission for employees retiring, terminating, or transferring outside of the Department. (9) Transfer to GAO when BPA requests Comptroller General Decision. (10) Transfer to the Department of the Treasury for issuance of checks. (11) Transfer to financial institution upon written request for mortgage loans. (12) Transfer to IRS for tax levies. (13) Transfer to Office of Federal Employees' Compensation for employees injured on duty. (14) Transfer to State welfare agencies on written request regarding qualification for food stamps. (15) Transfer amount of net pay and payroll savings to financial organizations for employees making deposits directly to banks. (16) Transfer listing of union dues deductions to unions. (17) Transfer listing of union dues deductions, bonds, and net check to disbursing office. (18) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (19) Transfer, in the event, there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- the master file information for processing pay, the payroll register, leave, and payroll history are stored on microfiche and computer printouts. In addition, standard forms and other authorized forms are maintained which cover personnel actions, income tax withholdings, health benefit deductions, insurance, bond, savings, union, and authorized deductions, retirement records, and pay history. Magnetic disk contains master information required to process each employee's pay. Magnetic tape containing denomination of bonds, amounts of net payroll checks, and payroll history is used as a device to transfer data to the Treasury Department. The bond and net check tape is destroyed after each payroll. Pay history is transferred to microfiche or hard copy via magnetic tape, and the tape containing each pay period's information is retained. (2) Retrievability -- data is filed by employee name and/or social security number. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal -- the various payroll records are retained in accordance with regulations which vary according to document.

System manager(s) and address: Chief, Branch of Finance and Accounts, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him and supplying social security number is required. Se 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester and supply his social security number. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual employee and Personnel Office.

System name: Audiometric Testing Forms -- Interior, BPA -- 3.

System location: Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Categories of individuals covered by the system: BPA employees who have had a hearing test by BPA's Audiometric Technician.

Categories of records in the system: Test Form.

Authority for maintenance of the system: Act of August 8, 1946, as amended, 5 U.S.C. 7901; OMB Circular A-72 of June 18, 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Used for advising employees that they have hearing deficiencies and that they might wish to see their private physician. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- filed in file folders. (2) Retrievability -- filed by organization, alphabetically within organization. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal -- forms destroyed 5 years after separation of employee.

System manager(s) and address: Safety Manager, Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Notification procedure: System Manager. A written signed request stating the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Employee and certified Audiometric Technician.

System name: Automotive Accident Files -- Interior, BPA -- 4.

System location: Bonneville Power Administration, 1002 NE. Holladay Street, P.o. Box 3621, Portland, Oregon 97208.

Categories of individuals covered by the system: Drivers involved in automotive accidents, employees and private drivers involved in accidents with employees.

Categories of records in the system: Records concerning automotive accidents, forms, statements, police reports, claims and supporting information, and pictures.

Authority for maintenance of the system: Federal Tort Claims Act, 28 U.S.C. 2671-2680; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240-243.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Determination of the classification of the accident, i.e., preventable, nonpreventable, or reportable incident. (2) Adjudication of Tort claim; transfer of necessary information and forms to GSA so appropriate reimbursement may be requested. (3) Determination of financial liability and disciplinary action. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- maintained in manual form in file folders. (2) Retrievability -- indexed by employee name and by case number. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal -- maintained for 3 years, then transferred to GSA Federal Records Center for 3 years. Destroyed by shredding.

System manager(s) and address: Safety Manager, Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Notification procedure: System Manager. A written signed request stating the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Accident investigators, individual employees, witnesses, and State or local police.

System name: Motor Vehicle Operator Identification Records -- Interior,BPA -- 5.

System location: (1)Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208. (2)Bonneville Power Administration, Portland Area Office, 919 NE. 19th Avenue, P.O. Box 3621, Portland Oregon 97208. (3) Bonneville Power Administration, Ross Complex, 5400 NE. Highway 99, P.O. Box 491, Vancouver, Washington 98660. (4) Bonneville Power Administration, Seattle Area Office, 415 First Avenue North, Room 250, Seattle, Washington 98109. (5) Bonneville Power Administration Spokane Area Office, Room 561, U.S. Court House, W. 920 Riverside Avenue, Spokane, Washington 99201. (6) Bonneville Power Administration, Walla Walla Area Office, West 101 Poplar, P.O. Box 1518, Walla Walla, Washington 99362.

Categories of individuals covered by the system: BPA employees holding Motor Vehicle Operator Identification Cards.

Categories of records in the system: Application form and Physical Fitness Inquiry.

Authority for maintenance of the system: Section 211j of the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C., 491j.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Used for determining eligibility for Motor Vehicle operator Identification Cards. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- filed manually. (2) Retrievability -- alphabetically by employee name. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal -- Application form is filed in employee's official personnel file and Physical Fitness Inquiry is retained or destroyed at the discretion of the officer.

System manager(s) and address: Safety Manager, Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Notification procedure: System Manager. A written signed request stating the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: BPA employee and supervisors.

System name: Industrial Accident Files and Employee Claims Files -- Interior, BPA -- 6.

System location: Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Categories of individuals covered by the system: Employees, contractors, or private parties involved in serious accidents with BPA facilities or employees filing claims for lost or damaged personal property.

Categories of records in the system: Records concerning accidents involving serious injury, death, or which could have resulted in serious injury or death. Forms, statements, police reports, claims and supporting information, and pictures.

Authority for maintenance of the system: Federal Tort Claims Act, 28 U.S.C. 2671-2680; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240-243; Federal Employees Compensation Act, 5 U.S.C. 8101-8193.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Analyzing the facts and circumstances surrounding each accident for cause. Adjudication of tort and employee claims. (2) Transfer to another Federal agency or a State or local government body having partial or complete jurisdiction over the claim or related claims. (3) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (4) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal,

or regulatory in nature, to the appropriate agency or agencies, whether Federaln State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained in manual form in file folders. (2) Retrievability – indexed by claimant's name and by case number. (3) Safeguards – records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal – maintained for 3 years then transferred to GSA Federal Records Center for 4 years, and destroyed by shredding; except for fatalities which are retained indefinitely in Safety Office.

System manager(s) and address: Safety Manager, Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Notification procedure: System Manager. A written signed request stating the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Accident investigators, individual employees, witnesses, and State or local police.

System name: Safety Training Files – Interior, BPA – 7.

System location: Bonneville Power Administration, 1002 NE. Holladay Street, P.O. Box 3621, Portland, Oregon 97208.

Categories of individuals covered by the system: BPA employees who have completed safety training courses offered by BPA.

Categories of records in the system: Alphabetical listing of employee names by organization code.

Authority for maintenance of the system: 5 U.S.C 4101, et seq.; Executive Order 11348 (April 20, 1967).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To determine which employees have valid first aid cards. (2) To determine which employees hold certifications to access BPA facilities. (3) To determine which employees have completed defensive driver course. (4) Transfer to the U.S. Department of Justice in the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – computer list and manual files. (2) Retrievability – alphabetically by employee name within organization code. (3) Safeguards – records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal – destroyed by shredding when new list is issued. Manual files are destroyed by shredding upon separation of employee.

System manager(s) and address: Safety Manager, Bonneville Power Administration, 1002 NE. Holladay

Notification procedure: Same as above. A written signed request stating the requester seeks Street, P.O. Box 3621, Portland, Oregon 97208. information concerning records pertaining to him is required. See CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual employees who have completed BPA safety training courses, class attendance rosters, test papers, substation operators.

System name: Plant Services History Files – Interior, BPA – 8.

System location: Office of the Chief, Branch of Plant Services - EJ, Bonneville Power Administration, U.S. Department of the Interior, 5400 NE. Highway 99, P.O. Box 491, Vancouver, Washington 98660.

Categories of individuals covered by the system: Individuals who have been or are employed by the Branch of Plant Services, Bonneville Power Administration.

Categories of records in the system: Contains records concerning labor performed by above defined individuals including type of work, rate, pay, and travel and per diem status, and for whom these services were performed.

Authority for maintenance of the system: Budget and Accounting Act of 1921, 31 U.S.C 24; Budget and Accounting Act of 1950, as amended, 31 U.S.C. 65-66.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide a detailed record of costs incurred for labor against any Plant Services request on a monthly basis. (2) To provide backup for charges for work performed for other Federal agencies under the cross-servicing agreements authorized by GSA Bulletin FPMR No. G-23. (3) To provide backup charges against contractors and other vendors for corrective work performed by Branch of Plant Services. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage – maintained on magnetic tape. (2) Retrievability – indexed by individual's position number and time period involved. (3) Safeguards – records are maintained in accordance with 43 CFR 2.51. (4) Disposal – tapes are erased after 10 years as authorized under BPA Records Disposal Schedule. (5) Officials having access to system – BPA management, administrative, and accounting personnel.

System manager(s) and address: Chief, Branch of Plant Services - EJ, Bonneville Power Administration, U.S. Department of the Interior, 5400 E. Highway 99, P.O. Box 491, Vancouver, Washington 98660.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him/her is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager. See 43 CFR 2.71.

Record source categories: Daily Time Reports and leave applications completed and signed by individuals defined in 'Category of Individuals'.

System name: Plant Services Personal Accountability Property System – Interior, BPA – 9.

System location: Branch of Plant Services - EJ, Bonneville Power Administration, U.S. Department of the Interior, 5400 NE. Highway 99, P.O. Box 491, Vancouver, Washington 98660.

Categories of individuals covered by the system: BPA craftsmen and supervisors who are authorized to have tools and work equipment assigned to them.

Categories of records in the system: Contains records concerning the types, quantity, make and models, and value of equipment assigned to individuals and crews.

Authority for maintenance of the system: ?Federal Property and Administrative Services Act of 1949, Section 202(b), 40 U.S.C. 483(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Produce inventories to satisfy other FPMR requirements. (2) Maintain record of location of emergency equipment. (3) Control equipment assignments authorized under union contracts. (4) Provide management information necessary for the budgeting and allocation of equipment funds. (5) Provide evidence of assignment, location, and value when Goverment property is stolen. (6) Transfer to the U.S. Department

of Justice in the event of litigation involving the records or subject matter of the records. (7) Transfer, in the event there is indicated a violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- on magnetic disks. (2) Retrievability -- by position number, name, and BPA employee identification number. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (a) Reports do not include 'sensitive' information and (b) Special reports are personally handed to the requester after identification of a bona fide need. (4) Disposal -- tapes are erased after 10 years as authorized under BPA Records Disposal Schedule. (5) Officials having access to system -- BPA management, administrative, and accounting personnel.

System manager(s) and address: Chief, Branch of Plant Services - EJ, Bonneville Power Administration, U.S. Department of the Interior, 5400 NE. Highway 99, P.O. Box 491, Vancouver, Washington 98660.

Notification procedure: System Manager. A written and signed request stating that the requester seeks information concerning records pertaining to him/her is required. See 43 CFR 2.60.

Record access procedures: Requests for access for special reports not included in routine uses may be addressed to the System Manager. The requests must be in writing and signed by the requester. See 43 CFR 2.63.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager. See 43 CFR 2.71.

Record source categories: BPA employees who have authority to have tools and work equipment.

System name: Administrative Management and Fiscal Records -- Interior, Southeastern Power Administration--1.

System location: Southeastern Power Administration, Samuel Elbert Bldg., Elberton, Georgia 30635.

Categories of individuals covered by the system: Employees and some former employees of Southeastern Power Administration.

Categories of records in the system: Payroll records, including pay, leave and cost distribution records, including deductions for bonds, insurance, income taxes, allotments to financial institutions, overtime authorizations, and related documents. Travel records, including administrative approvals, travel expenses claimed and/or paid, receipts for expenditures claims, Government transportation requests, travel advance accounts and related records. Records of accountability for Government-owned property. Safety records, including claims under the Military Personnel and Civil Employees Claims Act. Records of issuance of Government identification cards and Government driver's licenses. Related records concerning administrative and fiscal management of the Southeastern Power Administration.

Authority for maintenance of the system: 5 U.S.C. 301, 3101, 5101-5115, 5501-5596, 5701-5709, 31 U.S.C. 66a, 240-243, 40 U.S.C. 483(b9, 43 U.S.C. 1467, 44 U.S.C. 3101, Executive Order No. 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Administrative and fiscal management of the Southeastern Power Administration. (2) Disclosure to the Department of the Treasury for preparation of (a) payroll checks, (b) payroll deduction and other checks to Federal, State and local government agencies, non-governmental organizations and individuals, and (c) checks for reimbursement of employees and others. (3) Disclosure to the Internal Revenue Service and to State, commonwealth, territorial and local governments for tax purposes. (4) Disclosure to the Civil Service Commission to report contributions to the Civil Service retirement system and other contributions. (5) Disclosure to another Federal agency to which an employee has transferred. (6) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (7) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (8) Transfer to another Federal agency having a subject matter interest in the records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- manual and automated. (2) Retrievability -- may be retrieved by individual name or social security number. (3) Safeguards -- records are maintained in accordance with 43 CFR 2.51. (4) Retention and Disposal -- according to approved records disposal schedules.

System manager(s) and address: Administrator, Southeastern Power Administration.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Employees, supervisors, timekeepers.

System name: Payroll System -- Interior, Southwestern Power Administration -- 1.

System location: (1) Southwestern Power Administration, U.S. Department of the Interior, 333 West Fourth Street, Tulsa, OK 74103. (2) All Field Offices of Southwestern Power Administration. (See appendix for addresses.)

Categories of individuals covered by the system: All Southwestern Power Administration personnel.

Categories of records in the system: Pay, leave, and cost distribution records, including deductions for bonds, insurance, income taxes, allotments to financial institutions, overtime authorizations, and shift schedules. All contain name and may contain grade, salary, organizational assignment, and Social Security number.

Authority for maintenance of the system: Classification Act of 1949 as amended, 5 U.S.C. 5101-5115 (1970), 5 U.S.C. 5501-5596 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Fiscal operations for payroll, leave, insurance, tax, retirement, and cost programs. (2) Transfer to the Treasury Department for issuance of payroll checks. (3) Transfer to Internal Revenue for audit of computations of income and Social Security taxes. (4) Transfer to state governments in area of operations for audit of computation of income tax. (5) Transfer to Civil Service Commission in connection with retirement, life insurance, and health insurance accounts. (6) Transfer to financial institutions in connection with net pay allotments as authorized by employee. (7) Transfer to charitable organizations in connection with charitable deductions authorized by employee. (8) Transfer to authorized insurance carriers for use in balancing and reconciling payments. (9) Transfer to Federal Power Commission in connection with listing officers in the Annual Report of SPA to the FPC. (10) Disclosure to the General Accounting Office for audit of computation of payroll. (11) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (12) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (13) Disclosure to a Federal, State or local agency maintianing civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (14) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records maintained manually on forms, on computer printouts, magnetic discs and punched cards. (2) Retrievability -- indexed by employee name and by SS number. (3) Safeguards -- maintained in a locked room or in metal filing cabinets equipped with locks. (4) Retention and Disposal -- subject to SPA's disposal schedule which authorizes disposal in periods that range from one to ten years.

System manager(s) and address: Chief, Division of Administrative Management, Room 3440, 333 West Fourth Street, Tulsa, OK 74103.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The? request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, supervisors, and personnel officials.

System name: Contracts System -- Interior, Southwestern Power Administration -- 2.

System location: (1) Southwestern Power Administration, U.S. Department of the Interior, 333 West Fourth Street, Tulsa, OK 74103. (2) All Field Offices of Southwestern Power Administration. (See appendix for addresses.)

Categories of individuals covered by the system: Individuals who have submitted bids, who have been granted a contract or a purchase order, or from whom materials have been purchased by open market. (The records contained in this system which pertain to individuals contain principally propietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however. Only the records reflecting personal information are subject to the Privacy Act. The system also contains records concerning corporations and other business entities. These records are not subject to the Privacy Act.)

Categories of records in the system: Contains bids submitted by individuals, copies of contracts and purchase orders with individuals, invoices received from vendors, and related papers. Contains name and address of individuals.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 486(c) (1970), 1 CFR 1-1.313, 1 CFR 1-2.204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Processing requisitions and requests, for purchasing materials and supplies, and processing invoices for payment. (2) Transfer to Treasury Department for issuance of checks for payment. (3) Disclosure to the General Accounting Office for audit. (4) Transfer to the U.S. Department of Justice in the event of litigation involving

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records maintained in manual form in file folders. the records or the subject matter of the records. (5) Transfer, in the (2) Retrievability -- indexed by name of individual. (3) Safeguards -- maintained in metal filing cabinet equipped with locks. (4) Retention event there is indicated a violation or potential violation of a and Disposal -- subject to disposal schedule which authorizes disposal statute, regulation, rule, order or license, whether civil, criminal or in periods that range from three to seven years. regulatory in nature, to the appropriate agency or agencies, whether

System manager(s) and address: Chief, Division of Administrative Management, Room 3440, 333 West Federal, State, local or foreign, charged with the responsibility of Fourth Street, Tulsa, OK 74103. investigation or prosecuting such violation or charged with enforcing

Notification procedure: Inquiries regarding the existence of records should be addressed or implementing the statute, rule, regulation, order or license violated or potentially violated. to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, or from persons for whom contractor has performed similar work or provided similar equipment.

System name: Budget Forecast System -- Interior, Southwestern Power Administration -- 3.

System location: Southwestern Power Administration, U.S. Department of the Interior, 333 West Fourth Street, Tulsa, Oklahoma 74103.

Categories of individuals covered by the system: All employees of Southwestern Power Administration.

Categories of records in the system: Contains projected detailed forecast of budget required for staffing by fiscal year. Contains name, title and grade of employees.

Authority for maintenance of the system: Budget and Accounting Procedures Act of 1950, as amended, 31 U.S.C. 22-24 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Preparation and justification of budget estimates. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records maintained manually on forms. (2) Retrievability -- indexed by organizational location an employee name. (3) Safeguards -- maintained in metal file cabinet equipped with locks. (4) Retention and Disposal -- subject to disposal schedules which authorize disposal during periods that range from one to three years after close of the fiscal year.

System manager(s) and address: Chief, Division of Administrative Management, Room 3440, 333 West Fourth Street, Tulsa, OK 74103.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Branch and Division Chiefs, and Supervisors.

System name: Property Management System -- Interior, Southwestern Power Administration -- 4.

System location: Southwestern Power Administration, U.S. Department of the Interior, 333 West Fourth Street, Tulsa, Oklahoma 74103.

Categories of individuals covered by the system: All SPA personnel.

Categories of records in the system: Contains reports of surveys, receipts for property, parking space assignments and requests for future use of parking space, and requests for use of motor vehicles. Contains name and title of employees.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 483(b), 486(c) (1970); 41 CFR 60.200-203; 41 CFR 114-38.001- 38.5203; 41 CFR 114-60.106.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Processing survey re-

ports of lost, stolen or worn out property, assignment of property items, parking space and motor vehicles for official use. (2) Disclosure to General Services Administration for assignment of parking space or motor vehicles. (3) Disclosure to the Postal Service for assignment of parking space. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (6) Disclosure to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (7) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of any employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1) Storage -- records maintained manually on forms. (2) Retrievability -- indexed alphabetically by employee name. (3) Safeguards -- maintained in a metal filing cabinet equipped with locks. (4) Retention and Disposal -- subject to authorized disposal schedules.

System manager(s) and address: Chief, Division of Administrative Management, Room 3440, 333 West Fourth Street, Tulsa, OK 74103.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories: Individual on whom the record is maintained, and supervisors.

System name: Travel Record System -- Interior, Southwestern Power Administration -- 5.

System location: Southwestern Power Administration, U.S. Department of the Interior, 333 West Fourth Street, Tulsa, OK 74103.

Categories of individuals covered by the system: All personnel who have been authorized to travel on official business.

Categories of records in the system: Contains travel authorizations, travel voucher, and related papers. Contains the name, title, address, and organizational location of traveler.

Authority for maintenance of the system: Travel Expense Act of 1949, as amended, 5 U.S.C. 5701-5742 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Processing travel vouchers for reimbursement of official travel. (2) Transfer to Treasury Department for issuance of travel reimbursement checks. (3) Transfer to the General Accounting Office foraudit of payments of transportation of persons. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated. (6) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (7) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of any employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: (1)Storage -- records maintained manually on forms. (2) Retrievability -- indexed alphabetically by employee name. (3) Safeguards --maintained in a metal file cabinet equipped with locks. (4) Retention and Disposal --subject to disposal schedule which authorizes transfer to the Federal Records Center in fiscal year blocks, retaining at least one full fiscal year after cutoff at end of year.

System manager(s) and address: Chief, Division of Administrative Management, Room 3440, 333 West Fourth Street, Tulsa, OK 74103.

Notification procedure: Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures: A PETITION FOR AMENDMENT SHOULD BE ADDRESSED TO THE SYSTEM MANAGER AND MUST MEET THE CONTENT REQUIREMENTS OF 43 CFR 2.71.

Record source categories: EMPLOYEES, SUPERVISORS.