federal register

FRIDAY, NOVEMBER 10, 1972

WASHINGTON, D.C.

Volume 37 ■ Number 218

Pages 23895–24017

PART I

(Part II begins on page 23959)

HIGHLIGHTS OF THIS ISSUE

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

WAGE STABILIZATION—Pay Board makes merit plans subject to 5.5 percent general wage and salary standard; effective 11–10–72 23913

INCOME TAX—
IRS rules on damage payments deductions under antitrust laws and temporary rules on deposits in capital construction funds (2 documents) 23916, 23917
IRS proposals on withholding taxes imposed on foreign private foundations and extension of time for corporations to pay (2 documents); comments by 12–12–72 ..... 23921, 23922

EXCISE TAX—
IRS rules relating to foreign private foundations 23918
IRS proposes revoking or suspending registrations for tax-free sales and purchases; comments by 12–12–72 23922

POISON PREVENTION—FDA proposals on containers for household use with pictorial labels; comments within 60 days 23924

ANTIBIOTIC DRUGS—FDA provides for certification of clindamycin phosphate; effective 11–10–72 23906

COUNTERVAILING DUTIES—Treasury Dept. proceedings on Italian refrigerating equipment; comments within 30 days 23928

NEW ANIMAL DRUGS—
FDA approves levamisole hydrochloride for treatment of intestinal thread worms; effective 11–10–72 23905
FDA approves revised combination limitations for multi-drug additive in turkey feed; effective 11–10–72 23906

(Continued inside)

Now Available

LIST OF CFR SECTIONS AFFECTED

1949–1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

Price: $6.75

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $2.50 per month or $25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (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.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

TRAVEL AGENTS—CAB invites comment on Air Traffic Conference of America agreements amending travel agency bonding program 23936

OCCUPATIONAL SAFETY AND HEALTH—HEW requests information within 60 days on 10 airborne dust contaminants and chemical agents 23934

MOTOR CARRIER SAFETY—DoT proposed change in fuel system requirements for commercial motor vehicles; comments by 12–1–72 .. 23925

SELECTIVE SERVICE—SSS proposals concerning appeals, Armed Forces Examination, alternate service, and other matters (2 documents); comments within 30 days 23926

WORLD HERITAGE CONVENTION—Interior Dept. announces availability of draft environmental statement; comments within 45 days 23928

DECLASSIFICATION—ACTION establishes procedures for review of declassification requests 23919

PUBLIC MEETINGS—
FDA Cardiovascular and Renal Advisory Committee, 11–29–72 23934
Commerce Dept. National Inventors Council, 11–29–72 23930
Advisory Committee on Occupational Safety and Health, 11–16 through 11–17–72 23955
Temporary Labor Camp Advisory Committee, 11–15 through 11–16–72 23954

Contents

THE PRESIDENT

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS

Determination of November 8, 1972 23901

EXECUTIVE AGENCIES

ACTION

Rules and Regulations

Classified materials; requests for review and declassification 23919

AGRICULTURAL MARKETING SERVICE

Rules and Regulations

Milk in South Texas marketing area; rescission of order 23903

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Beet sugar area; 1972 crop; rates of recoverability 23903

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service; Forest Service.

AIR FORCE DEPARTMENT

Rules and Regulations

Procurement; general provisions .. 23909

ATOMIC ENERGY COMMISSION

Notices

Duquesne Light Co. et al.; receipt of application for facility operating license; notice of hearing .. 23935

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Air Traffic Conference of America 23936
National Customs Brokers & Forwarders Association of America, Inc 23938
Twin Fair, Inc., et al 23938

COMMERCE DEPARTMENT

See Import Programs Office; National Bureau of Standards; National Technical Information Service.

CUSTOMS BUREAU

Notices

Refrigerators, freezers, equipment and parts from Italy; countervailing duty proceedings 23928

DEFENSE DEPARTMENT

See Air Force Department.

EMPLOYMENT STANDARDS ADMINISTRATION

Notices

Federal and federally assisted construction; area wage determination decisions 23960

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Airworthiness directive; North American Rockwell NA–265 23903
Control zones and transition area; alterations (2 documents) 23904
Jet route segments; alterations (2 documents) 23905
Special use airspace; alteration .. 23904

Proposed Rule Making

Control zone; designation 23925
Transition area; alteration 23924

FEDERAL COMMUNICATIONS COMMISSION

Notices

Common carrier services information; domestic public radio services; applications accepted for filing 23940

FEDERAL HIGHWAY ADMINISTRATION

Proposed Rule Making

Motor carrier safety regulations; fuel systems of commercial motor vehicles 23925

FEDERAL INSURANCE ADMINISTRATION

Rules and Regulations

Flood insurance program; areas eligible and special hazard areas (2 documents) 23912, 23913

(Continued on next page)

FEDERAL MARITIME COMMISSION

Notices

Agreements filed:
- Matson Terminals, Inc. and Honolulu Terminals Co., Ltd ... 23945
- Port of Tacoma and Continental Grain Corp ... 23946

Capitol Shipping Co.; revocation of independent ocean freight forwarder license ... 23945

Certificates of financial responsibility (oil pollution):
- Certificates issued (2 documents) ... 23946, 23947
- Certificates revoked (2 documents) ... 23948, 23949

Transamerican Trailer Transport, Inc.; order of investigation and suspension regarding proposed top wharfage charge at Baltimore ... 23946

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
- Arkansas Louisiana Gas Co ... 23950
- OHB Co., Ltd ... 23951
- Sun Oil Co. et al ... 23950
- Transco Energy Co ... 23951

FEDERAL RESERVE SYSTEM

Notices

Acquisitions of banks:
- Commerce Bancshares, Inc ... 23952
- United Jersey Banks ... 23953

Bank Shares Inc.; application to acquire voting shares of O.C.B. Agency, Inc ... 23952

Northwest Iowa Bancorporation; formation of bank holding company ... 23953

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Carbadox; tolerances for residues of new animal drugs in food; correction ... 23906

Clindamycin phosphate; tests and methods of assay of antibiotic drugs ... 23906

Colloidal ferric oxide injection; new animal drugs for implantation or injection ... 23905

Levamisole hydrochloride; new animal drugs in oral dosage forms ... 23905

Sulfadimethoxine, ormetoprim; new animal drugs for use in animal feeds ... 23906

Proposed Rule Making

Hazardous substances for household use marketed in containers identifiable as food, drug, or cosmetic containers ... 23924

Notices

Cardiovascular and Renal Advisory Committee; meeting ... 23934

FOREST SERVICE

Notices

Draft environmental statements; availability:
- Herbicide use on Deschutes, Fremont, Ochoco, and Winema National Forests ... 23929
- Herbicide use on Olympic, Mount Baker, Snoqualmie, and Gifford Pinchot National Forests ... 23928
- Monarch wilderness proposal ... 23929
- Trinity Alps wilderness proposal ... 23929

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Food and Drug Administration; Health Services and Mental Health Administration.

Notices

Office of Child Development; organization and functions ... 23934

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Notices

Occupational safety and health; request for information on certain airborne dust contaminants and chemical agents ... 23934

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Federal Insurance Administration.

IMPORT PROGRAMS OFFICE

Notices

Duty-free entry of scientific articles; applications and decisions:
- State University College at Cortland ... 23932
- Texas Southern University et al ... 23932
- University of Alabama ... 23933
- University of Pittsburgh ... 23933

INTERIOR DEPARTMENT

See also Land Management Bureau.

Notices

World Heritage Convention; availability of draft environmental statement ... 23928

INTERNAL REVENUE SERVICE

Rules and Regulations

Capital construction fund; deposits ... 23917

Economic stabilization; temporary procedural rules relating to certain Internal Revenue districts ... 23915

Foundation excise taxes:
- Foreign private foundation ... 23918
- Taxes on taxable expenditures; correction ... 23918

Income tax; deductibility of treble damage payments under antitrust laws ... 23916

Proposed Rule Making

Excise Tax Technical Changes Act; temporary regulations; revocation or suspension of registrations ... 23922

Income tax:
- Extension of time for corporations to pay tax ... 23922
- Withholding of tax imposed on foreign private foundations ... 23921

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Loss and damage claims; processing ... 23908

Notices

Assignment of hearings ... 23955

Motor carrier board transfer proceedings ... 23955

Turner Expediting Service; extension of Chicago Commercial Zone ... 23956

LABOR DEPARTMENT

See also Employment Standards Administration; Occupational Safety and Health Administration.

Notices

General Instrument Corp.; continuation of certification of eligibility of workers to apply for adjustment assistance ... 23954

National Advisory Committee on Occupational Safety and Health; public meeting ... 23954

LAND MANAGEMENT BUREAU

Rules and Regulations

Arizona; withdrawal for proposed reclamation project; correction ... 23911

Notices

Alaska; change in location and office hours of Fairbanks District Office ... 23928

NATIONAL BUREAU OF STANDARDS

Notices

Federal information processing standards; optical character recognition ... 23930

National Inventors Council; meeting ... 23930

NATIONAL TECHNICAL INFORMATION SERVICE

Notices

Government-owned inventions; availability for licensing ... 23931

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Notices

Arkansas Developmental Plan; extension of time for public comment ---- 23953
Temporary Labor Camp Advisory Committee; meeting ---- 23954
Vermont Developmental Plan; notice of informal hearing ---- 23954

PAY BOARD

Rules and Regulations

Stabilization of wages and salaries; prospective discontinuance of merit exception ---- 23913

PRICE COMMISSION

Rules and Regulations

Appeals from actions of District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex. ---- 23914
Authority delegation to District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex. ---- 23914

SELECTIVE SERVICE SYSTEM

Proposed Rule Making

Alternate service; selection of nonvolunteer ---- 23926
Appeals, examinations, allocations of inductions; miscellaneous amendments ---- 23926

SMALL BUSINESS ADMINISTRATION

Notices

Declarations of disaster loan areas:
California ---- 23953
Virginia ---- 23953

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration; Federal Highway Administration.

TREASURY DEPARTMENT

See Customs Bureau; Internal Revenue Service.

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month. In the last issue of the month the cumulative list will appear at the end of the issue.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1972, and specifies how they are affected.

3 CFR

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Determination of Nov. 8, 1972 ---- 23901

6 CFR

201 ---- 23913
300 ---- 23914
305 ---- 23914
411 ---- 23915

7 CFR

831 ---- 23903
1121 ---- 23903

14 CFR

39 ---- 23903
71 (4 documents) ---- 23904, 23905
75 (2 documents) ---- 23905
PROPOSED RULES:
71 (2 documents) ---- 23924, 23925

21 CFR

135b ---- 23905
135c ---- 23905
135e ---- 23906
135g ---- 23906
141 ---- 23906
149u ---- 23906
PROPOSED RULES:
191 ---- 23924

24 CFR

1914 ---- 23912
1915 ---- 23913

26 CFR

1 ---- 23916
3 ---- 23917
53 (2 documents) ---- 23918
PROPOSED RULES:
1 (2 documents) ---- 23921, 23922
13 ---- 23921
148 ---- 23922
301 ---- 23922

32 CFR

1001 ---- 23909
1009 ---- 23909
PROPOSED RULES:
1626 ---- 23926
1628 ---- 23926
1631 ---- 23926
1660 ---- 23926

43 CFR

PUBLIC LAND ORDERS:
5269 ---- 23911

45 CFR

1202 ---- 23919

49 CFR

1005 ---- 23908
PROPOSED RULES:
393 ---- 23925

Presidential Documents

Title 3—The President

DETERMINATION OF NOVEMBER 8, 1972

Presidential Determination

THE WHITE HOUSE,

Washington, November 8, 1972

I hereby determine that it is in the national interest for the Export-Import Bank of the United States to guarantee, insure, extend credit and participate in the extension of credit in connection with the purchase or lease of any product or service by, for use in, or for sale or lease to the Polish People's Republic, in accordance with Section 2(b)(2) of the Export-Import Bank Act of 1945, as amended.

[FR Doc.72-19414 Filed 11-9-72;9:42 am]

Rules and Regulations

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER E—DETERMINATION OF SUGAR COMMERCIALLY RECOVERABLE

[Rev. 1, Supp. 9, Amdt. 1]

PART 831—BEET SUGAR AREA

1972 Crop; Rates of Recoverability

Pursuant to section 302(a) of the Sugar Act of 1948, as amended, § 831.19 is amended by revising the table at the end of paragraph (c) to read as follows:

§ 831.19 Rates of recoverability, 1972 crop.

* * * * *

(c) * * *

	1965–71 average sugar content (percent)
Sugar companies and settlement areas:	
Amalgamated Sugar Co:	
Nyssa-Nampa district	15.20
American Crystal Sugar Co.:	
Mason City, Iowa factory	14.56
Utah-Idaho Sugar Co.:	
Toppenish-Moses Lake district	15.61
Utah and Idaho district	15.57

Statement of bases and considerations. The rates of recoverability for the 1972 crop of sugar beets inadvertently listed the Utah district and the Idaho district of the Utah-Idaho Sugar Co., as separate settlement areas with the 1965–71 average sugar content percentage computed as 15.37 and 15.72, respectively. In order that the settlement area used as the basis for determining Sugar Act payments will be the same as the settlement area used by the Utah-Idaho Sugar Co., in settling with growers, this amendment combines the 7-year average sugar content of the two districts into one settlement area for the 1972 crop.

A notice of proposed rule making was not given for this determination as it follows mathematical formulas which make use of actual operating and production data reported by the sugar factories involved. Therefore, no discretionary decisions are involved and a public recommendation would not change the data. Public notice is, therefore, unnecessary.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the applicable provisions of the Act.

(Secs. 302, 303, 304, 403, 61 Stat. 930, as amended, 932; 7 U.S.C. 1132, 1133, 1134)

Effective date: Date of publication (11–10–72).

Signed at Washington, D.C., on November 6, 1972.

E. J. PERSON,
Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service.

[FR Doc.72–19344 Filed 11–9–72;8:46 am]

Chapter X—Agricultural and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

PART 1121—MILK IN THE SOUTH TEXAS MARKETING AREA

Rescission of Order Terminating Order

Findings. (a) On July 16, 1971, an order was issued by the Assistant Secretary (36 F.R. 13369) which would terminate on August 1, 1971, all of the order, as amended, regulating the handling of milk in the South Texas marketing area (7 CFR Part 1121) except that part of § 1121.1 incorporating §§ 1000.4 (c) and (d), 1000.5 (b) and (c), and 1000.6 of the general provisions.

(b) The order terminating the South Texas order was based on a determination by the Assistant Secretary that termination of the South Texas order was favored by a majority of the producers engaged in the production of milk for sale in the South Texas marketing area in the representative period of May 1971, and that such producers produced more than 50 percent of the milk produced for sale in the South Texas marketing area in such representative period. Section 608c(16)(B) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), requires that if a majority of the producers engaged in the production of milk for sale in the marketing area in a representative period determined by the Secretary favors termination of the order, and such producers produced more than 50 percent of the milk produced for sale in the marketing area in such period, the order shall be terminated at the end of the current marketing period. The current marketing period was determined to be July 1971.

(c) On July 30, 1971, the U.S. District Court for the District of Columbia issued, on the basis of a civil action before it, a preliminary injunction restraining the Secretary from effectuating the termination order pending a further hearing by the court on the authority of the Secretary to terminate the order in the manner contemplated. On the basis of this injunction, the effective date of the termination order was suspended by the Assistant Secretary on July 30, 1971 (36 F.R. 14312).

(d) On October 12, 1972, a cooperative association representing a majority of the producers on the South Texas market filed with the Department a request that the order terminating the South Texas order be rescinded. Such action thereby removes any basis for invoking the provisions of 608c(16)(B) of the Agricultural Marketing Agreement Act of 1937, as amended.

(e) Following the submission of the cooperative association's request for rescission, the U.S. District Court for the District of Columbia vacated its preliminary injunction and dismissed the aforesaid civil action.

RESCISSION ORDER

In view of the above findings, it is hereby ordered that the order issued July 16, 1971, terminating the South Texas order (7 CFR Part 1121) be rescinded.

(Secs. 1–9, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: Upon publication in the FEDERAL REGISTER (11–10–72).

Signed at Washington, D.C. on November 6, 1972.

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.72–19345 Filed 11–9–72;8:46 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 72–WE–18–AD; Amdt. 39–1553]

PART 39—AIRWORTHINESS DIRECTIVES

North American Rockwell NA–265

There has been one instance of a fatigue crack and one instance of prior damage in the trunnion area of the main landing gear strut on North American Rockwell NA–265 Sabreliner airplanes. In each case, a failure and collapse of the landing gear resulted.

Since the condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspections and any necessary rework of the main landing gear shock strut on North American Rockwell NA–265 airplanes.

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 F.R. 13697) § 239.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

NORTH AMERICAN ROCKWELL. Applies to Sabreliner Model NA-265-40, Serial Nos. 282-1 through 282-97; Model NA-265-50, Serial No. 287-1; and Model NA-265-60, Serial Nos. 306-1 through 306-63.

Compliance required within the next 100 hours' time in service, but not later than 90 days after the effective date of this AD, whichever occurs first, unless already accomplished within the last 2,300 hours' time in service, and thereafter at intervals not to exceed 2,400 hours' time in service or 2,400 landings, whichever occurs first, from the last inspection.

To detect and remove cracks, tool marks, nicks, scratches, rust, or other minor surface blemishes, inspect and rework the main landing gear outer strut cylinder and inner trunnion (cone shaped) surface in accordance with the inspection and rework provisions of North American Rockwell Sabreliner Service Bulletin No. 72-15 dated October 30, 1972, or later FAA-approved revision, or an equivalent procedure approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective November 11, 1972.

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

Issued in Los Angeles, Calif., on November 1, 1972.

CHARLES J. WINGER,
Acting Director,
FAA Western Region.

[FR Doc.72-19307 Filed 11-9-72;8:47 am]

[Airspace Docket No. 72-AL-9]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On June 3, 1972, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (37 F.R. 11186) stating that the Federal Aviation Administration (FAA) was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Point Barrow, Alaska, control zone and transition area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

Subsequent to the publication of the notice of proposed rule making, the Point Barrow RBN (PBA) was decommissioned and the Browerville RBN (NMT) substituted therefor in the description of control zone and transition area. This resulted in minor adjustments and reductions to the airspace proposed in the notice. Since these changes are minor in nature and less restrictive than the proposed amendment, further notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 4, 1973, as hereinafter set forth.

1. In § 71.171 (37 F.R. 2056) the Point Barrow control zone is amended to read:

POINT BARROW, ALASKA

Within a 5-mile radius of the Point Barrow AFS Airport (latitude 71°20'21" N., longitude 156°37'45" W.); within a 5-mile radius of the Wiley Post-Will Rogers Memorial Airport (latitude 71°17'11" N., longitude 156°46'15" W.); within 3 miles each side of the Point Barrow RBN (PTR) 051° bearing extending from the 5-mile radius zone to 10 miles northeast of the RBN (PTR); within 2.5 miles each side of the Barrow RBN (BRW) 090° bearing, extending from the 5-mile radius zone to 10 miles east of the RBN; within 2.5 miles each side of the Barrow RBN (BRW) 226° bearing, extending from the 5-mile radius zone to 10 miles southwest of the RBN; and within 2.5 miles each side of the Barrow RBN (BRW) 270° bearing, extending from the 5-mile radius zone to 10.5 miles west of the RBN.

2. In § 71.181 (37 F.R. 2143) the Point Barrow transition area is amended to read:

POINT BARROW, ALASKA

That airspace extending upward from 700 feet above the surface within 3 miles each side of the Browerville RBN (NMT) 155° bearing, extending from the control zone to 10 miles south of the RBN; and that airspace extending upward from 1,200 feet above the surface within a 22-mile radius of latitude 71°18'00" N., longitude 156°43'00" W.

(Secs. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510; Executive Order 10854 (34 F.R. 9565); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 3, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-19310 Filed 11-9-72;8:47 am]

[Airspace Docket No. 72-WE-36]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

On September 28, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 20258) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would designate a new control zone for Chino, Calif. Airport and alter the description of the Ontario, Calif., control zone.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendments are hereby adopted without change.

Effective date. These amendments shall be effective 0901 G.m.t., December 18, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on October 31, 1972.

CHARLES J. WINGER,
Acting Director, Western Region.

In § 71.171 (37 F.R. 2056) the following control zone is added:

CHINO, CALIF.

Within a 3-mile radius of the Chino, Calif. Airport (latitude 33°58'30" N., longitude 117°38'10" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

In § 71.171 (37 F.R. 2056) the description of the Ontario, Calif., control zone is amended to read as follows:

ONTARIO, CALIF.

Within a 5-mile radius of Ontario International Airport (latitude 34°03'25" N., longitude 117°36'30" W.); within 2 miles each side of the Ontario ILS localizer east course extending from the 5-mile radius zone to 3 miles east of the OM, and within a 3-mile radius of Chino, Calif., excluding the portion within the Chino control zone when it is effective.

[FR Doc.72-19308 Filed 1-9-72;8:47 am]

[Airspace Docket No. 72-RM-26]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Alteration of Special Use Airspace

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations (FAR's) is to divide and reidentify R-6408 as R-6408A for the northern portion and R-6408B for the southern portion. The lateral/vertical dimensions of R-6408A and R-6408B combined will be identical to the present R-6408.

The purpose of this alteration to R-6408 is to permit use of only the northern portion of present R-6408 for LOKI meteorological missile operations, thus minimizing impact on other airspace users and tourist activities in the Canyonlands National Park area.

Since these amendments are minor in nature and no substantive change in the regulation or its effect upon the operation of aircraft is effected, notice and public procedure thereon are unnecessary, and good cause exists for making these amendments effective on less than

30-day notice. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective January 4, 1973.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., January 4, 1973, as hereinafter set forth.

1. Section 71.151 (37 F.R. 2045) is amended as follows:

a. "R-6408 Indian Creek, Utah" is deleted.

b. "R-6408A Indian Creek, Utah" is added.

c. "R-6408B Indian Creek, Utah" is added.

2. Section 73.64 (37 F.R. 2373) is amended as follows:

a. R-6408 is deleted.

b. The following restricted area is added:

R-6408A INDIAN CREEK, UTAH

Boundaries. Beginning at lat. 38°15'00" N., long. 109°54'00" W.; to lat. 38°21'00" N., long. 109°54'00" W.; to lat. 38°23'00" N., long. 109°52'00" W.; to lat. 38°23'00" N., long. 109°34'00" W.; to lat 38°16'00" N., long. 109°24'00" W.; to lat. 38°15'00" N., long. 109°21'30" W.; to point of beginning.

Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Denver ARTC Center.
Using agency. Air Force Special Weapons Center, Kirtland AFB, N. Mex.

c. The following restricted area is added:

R-6408B INDIAN CREEK, UTAH

Boundaries. Beginning at lat. 38°15'00" N., long. 109°54'00" W.; to lat. 38°15'00" N., long. 109°21'30" W.; to lat. 38°06'00" N., long. 109°22'00" W.; to lat. 37°59'00" N., long. 109°23'00" W.; to lat. 37°57'00" N., long. 109°25'00" W.; to lat. 37°58'00" N., long. 109°40'00" W.; to lat. 38°02'00" N., long. 109°54'00" W.; to point of beginning.

Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Denver ARTC Center.
Using agency. Air Force Special Weapons Center, Kirtland AFB, N. Mex.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 3, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-19312 Filed 11-9-72;8:48 am]

[Airspace Docket No. 72-SO-75]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Jet Route Segment

On September 1, 1972, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (37 F.R. 17857) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would revoke the Gainesville, Fla., high-altitude reporting point; designate Taylor, Fla., as a high-altitude reporting point; alter Jet Route Nos. 85 and 89 between Lakeland, Fla., and Alma, Ga.; and redescribe Jet Route No. 119 between St. Petersburg, Fla., and Taylor, Ga.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901, G.m.t., January 4, 1973, as hereinafter set forth.

1. Section 71.207 (37 F.R. 2318) is amended as follows:

a. "Gainesville, Fla." is deleted.

b. "Taylor, Fla." is added.

2. Section 75.100 (37 F.R. 2382) is amended as follows:

a. In Jet Route No. 85 "Lakeland; Gainesville, Fla.; INT of the Gainesville 350° and the Alma, Ga., 182° radials; Alma;" is deleted and "Lakeland; Taylor, Fla.; Alma, Ga.;" is substituted therefor.

b. In Jet Route No. 89 "Lakeland; Gainesville, Fla.; INT of the Gainesville 350° and the Alma, Ga., 182° radials; Alma;" is deleted and "Lakeland; Taylor, Fla.; Alma, Ga.;" is substituted therefor.

c. In Jet Route No. 119 "St. Petersburg; to Alma, Ga." is deleted and "St. Petersburg; to Taylor, Fla." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 3, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-19311 Filed 11-9-72;8:47 am]

[Airspace Docket No. 72-GL-39]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Jet Route Segment

On August 25, 1972, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (37 F.R. 17214) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would alter Jet Route 71 between Centralia, Ill., and Northbrook, Ill., to overlie Roberts, Ill., VORTAC.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 4, 1973, as hereinafter set forth.

In § 75.100 (37 F.R. 2382) Jet Route No. 71 is amended to read as follows: "From Memphis, Tenn., Centralia, Ill.; INT Centralia 019° and Northbrook, Ill., 186° radials; to Northbrook."

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 3, 1972.

CHARLES H. NEWPOL,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-19309 Filed 11-9-72;8:47 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

Colloidal Ferric Oxide Injection

The Commissioner of Food and Drugs has evaluated a new animal drug application (46-210V) filed by Wittney & Co., 4655 Colorado Boulevard, Denver, CO 80216, proposing the safe and effective use of colloidal ferric oxide to prevent and treat anemia in baby pigs. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135b.61 is amended in paragraph (b) as follows to include Wittney & Co. as an additional sponsor of the product.

§ 135b.61 Colloidal ferric oxide injection.

* * * * *

(b) *Sponsor.* See Code Nos. 004, 026, and 080 in § 135.501(c) of this chapter.

* * * * *

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (11-10-72).

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

Dated: November 2, 1972.

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

[FR Doc.72-19335 Filed 11-9-72;8:45 am]

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Levamisole Hydrochloride

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (45-513V) filed by American Cyanamid Co., Post Office Box 400, Princeton, NJ 08540, proposing revised labeling regarding the safe and

effective use of levamisole hydrochloride to include its use against intestinal thread worms (*Strongyloides ransomi*). The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135c.18 *Levamisole hydrochloride* is amended in the table in paragraph (f) for item 5 in the "Indications for Use" column by adding the words "intestinal thread worms (*Strongyloides ransomi*)" between the word "*Oesophagostonum*", and the word "and".

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (11-10-72).

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

Dated: November 2, 1972.

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

[FR Doc.72-19334 Filed 11-9-72;8:45 am]

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

Sulfadimethoxine, Ormetoprim

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (47-089V) filed by Hoffmann-La Roche, Inc., Nutley, N.J. 07110, proposing a revision in the limitations for the combination of sulfadimethoxine, ormetroprim with ipronidazole when used in turkey feed. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135e (21 CFR 135e) is amended by revising item 4 in the "Limitations" column in the table in § 135e.55(e), as follows:

§ 135e.55 Sulfadimethoxine, ormetoprim.

* * * * *

(e) * * *

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
Sulfadimethoxine and ormetoprim.	* * *	* * *	* * *	For turkeys; do not feed to turkeys producing eggs for food; withdraw 4 days before slaughter.	* * *
* * *	* * *	* * *	* * *	* * *	* * *

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (11-10-72).

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

Dated: November 2, 1972.

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

[FR Doc.72-19336 Filed 11-9-72;8:45 am]

PART 135g—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

Carbadox

Correction

In F.R. Doc. 72-16746 appearing at page 20633 of the issue for Tuesday, October 3, 1972, make the following changes in § 135g.81:

1. Under "II. Solutions," items B and C, reading "B. 5M Sodium hydroxide." and "C. 3th Potassium hydroxide.", should read "B. 5*M* Sodium hydroxide." and "C. 3*M* Potassium hydroxide."; and

2. Under "IV. Procedure" in paragraph 1 of "E. Thin-Layer Chromatography" the word "absorbent" in the 10th line should read "adsorbent".

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 149u—CLINDAMYCIN

Clindamycin Phosphate

The Commissioner has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, with respect to approval of the antibiotic drug clindamycin phosphate.

He concludes that data supplied by the manufacturer concerning the subject antibiotic drug is adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should be amended to provide for the certification of this drug.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 141 and 149u (21 CFR 141 and 149u) are amended as follows:

1. Part 141 is amended:

a. In § 141.5(b) by alphabetically inserting a new item in the table, as follows:

§ 141.5 Safety test.

* * * * *

(b) * * *

Antibiotic drug	Diluent (diluent number as listed in § 141.3)	Test dose: Concentration in units or milligrams of activity per milliliter	Test dose: Volume in milliliters to be administered to each mouse	Route of administration as described in paragraph (c) of this section
* * *	* * *	* * *	* * *	* * *
Clindamycin phosphate	4	20 mg	5	Intravenous.
* * *	* * *	* * *	* * *	* * *

b. In § 141.7(c) by alphabetically inserting a new item in the table, as follows:

§ 141.7 Histamine test.

* * * * * * *

(c) * * *

Antibiotic	Diluent (diluent number as listed in § 141.3(b))	Concentration of test solution (milligrams of activity per milliliter)	Volume of test solution to be injected (milliliters per kilogram of body weight)
* * *	* * *	* * *	* * *
Clindamycin phosphate	4	5.0	1.0
* * *	* * *	* * *	* * *

c. By adding a new section as follows:

§ 141.574 Clindamycin phosphate vapor phase chromatography.

(a) *Equipment.* Gas chromatograph equipped with an electronic integrator and with a flame ionization detector that has a sensitivity of at least 1×10^{-10} amperes: Hewlett-Packard 7600 or equivalent.

(b) *Reagents.* (1) Trifluoroacetic anhydride.

(2) Intestinal alkaline phosphatase.

(3) pH 9.0 borate buffer: Transfer 3.1 grams of boric acid into a 1-liter volumetric flask containing 500 milliliters of water, mix, and add 21 milliliters of 1.0*N* sodium hydroxide and 10 milliliters of 0.1*M* magnesium chloride. Dilute to volume with water and mix well.

(4) Internal standard: Prepare a chloroform solution containing approximately 0.45 milligram hexacosane per milliliter.

(5) Anhydrous sodium carbonate.

(c) *Typical conditions.* (1) Column: 2 feet x 3 millimeters ID, glass, with 1 percent SE-30 on Diatoport S (80/100 mesh), or equivalent.

(2) Temperatures: Column, 180° C., detector, 215° C., injection port, ambient temperature.

(3) Carrier gas: Helium approximately 60 milliliters per minute.

(4) Detector: Hydrogen flame—hydrogen flow at 40 milliliters per minute. Air flow at 400 milliliters per minute.

(5) Sensitivity: 1×10^{-9} amperes.

(d) *Preparation of clindamycin phosphate sample solution.* Accurately weigh

approximately 12 milligrams of the clindamycin phosphate sample into a 50-milliliter glass-stoppered centrifuge tube. Pipet 25 milliliters of the pH 9.0 borate buffer into the centrifuge tube. Add 10 milliliters chloroform and shake vigorously for 15 minutes. Centrifuge the resulting mixture and pipet a 20-milliliter aliquot of the aqueous phase into a 35-milliliter centrifuge tube. Add a weighed amount of intestinal alkaline phosphatase equivalent to 50 units of activity[1] and allow the solution to stand until the enzyme has completely dissolved. Place the tube into a water bath at 37° C.±2° C. for 2.5 hours. After the 2.5-hour hydrolysis, allow the solution to cool and proceed as directed in paragraph (f) of this section.

(e) *Preparation of the clindamycin hydrochloride standard solution.* Accurately weigh approximately 9 milligrams of the clindamycin hydrochloride working standard into a 35-milliliter glass-stoppered centrifuge tube and dissolve in 20 milliliters of pH 9.0 borate buffer. Proceed as directed in paragraph (f) of this section.

(f) *Procedure.* Add 10 milliliters of the internal standard solution to each sample and standard solution. Shake the centrifuge tubes vigorously for 30 minutes and centrifuge. Remove the aqueous layer and discard. Shake the tubes again; mix in an ultrasonic mixer for 2 minutes, then centrifuge. No emulsion should be present at this stage. Remove the remaining aqueous layer by suction and transfer a 3-milliliter aliquot of the chloroform layer to a 1-dram tablet vial containing approximately 1 gram of anhydrous sodium sulfate. Swirl the vial to dry the chloroform and transfer a 1-milliliter aliquot to another 1-dram tablet vial. Using a 0.25-milliliter pipet, add 0.25 milliliter of trifluoracetic anhydride to each of the vials and place into a water bath at 45° C.±2° C. for 30 minutes. Remove the vials from the bath, add about 10 granules of anhydrous sodium carbonate to each vial, and allow to stand for approximately 30 minutes. Centrifuge the vials for approximately 10 minutes at 5,000 r.p.m. Inject 2 microliters of each of the resulting solutions into the gas chromatograph. Use the conditions and materials listed in paragraphs (a), (b), and (c) of this section. The elution order is: Internal standard, clindamycin, and epiclindamycin (if present). Calculate the clindamycin content as directed in paragraph (g) of this section.

(g) *Calculations.* Calculate the clindamycin content of the sample as follows:

$$\text{Micrograms of clindamycin per milligram} = \frac{R_u \times W_s \times f}{R_s \times W_u}$$

where:

$R_u = \dfrac{\text{Area of the clindamycin sample peak (at a retention time equal to that observed for the clindamycin standard)}}{\text{Area of internal standard peak}}$;

$R_s = \dfrac{\text{Area of the clindamycin standard peak}}{\text{Area of internal standard peak}}$;

W_s = Weight of the clindamycin working standard in milligrams;

W_u = Weight of the sample in milligrams;

f = Potency of the clindamycin working standard in micrograms per milligram.

[1] Defined such that 50 units hydrolyzes at least 20 micromoles of a clindamycin phosphate authentic sample under the assay conditions described in this section.

2. Part 149u is amended to provide for the certification of the antibiotic clindamycin phosphate by adding the following two new sections:

§ 149u.4 Sterile clindamycin phosphate.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Sterile clindamycin phosphate is a water-soluble ester of clindamycin and phosphoric acid. It occurs as a white to off-white powder. It is so purified and dried that:

(i) Its clindamycin content is not less than 758 micrograms of clindamycin per milligram calculated on an anhydrous basis.

(ii) Its microbiological activity is not less than 758 micrograms of clindamycin per milligram calculated on an anhydrous basis.

(iii) It is sterile.

(iv) It is nonpyrogenic.

(v) It passes the safety test.

(vi) It contains no histamine nor histamine-like substances.

(vii) Its moisture content is not more than 6 percent.

(viii) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 3.5 and not more than 4.5.

(ix) It is crystalline.

(x) It passes the identity test for clindamycin phosphate.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for clindamycin content, microbiological activity, sterility, pyrogens, safety, histamine, moisture, pH, crystallinity, and identity.

(ii) Samples required:

(*a*) For all tests except sterility: 10 packages, nine containing approximately 300 milligrams and one containing 1.5 grams.

(*b*) For sterility testing: 20 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay*—(1) *Clindamycin content (vapor phase chromatography).* Proceed as directed in § 141.574 of this chapter.

(2) *Microbiological activity (microbiological agar diffusion assay).* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Accurately weigh approximately 12 milligrams of the clindamycin phosphate sample into a 50-milliliter glass-stoppered centrifuge tube. Pipet 25 milliliters of the pH 9.0 borate buffer into the centrifuge tube. Add 10 milliliters of chloroform and shake vigorously for 15 minutes. Centrifuge the resulting mixture and pipet a 20-milliliter aliquot of the aqueous phase into a 35-milliliter centrifuge tube. Add a weighed amount of intestinal alkaline phosphatase equivalent to 50 units of activity[1] and allow the solution to stand until the enzyme has completely dissolved. Place the tube into a water bath at 37° C.±2° C. for 2.5 hours. After the 2.5-hour hydrolysis, allow the solution to cool. Further dilute an aliquot of the solution with 0.1*M* potassium phosphate buffer, pH 8.0 (solution 3), to the reference concentration of 1.0 microgram of clindamycin per milliliter (estimated).

(3) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section.

(4) *Pyrogens.* Proceed as directed in § 141.4(a) of this chapter, using a solution containing 24 miligrams of clindamycin per milliliter.

(5) *Safety.* Proceed as directed in § 141.5 of this chapter.

(6) *Histamine.* Proceed as directed in § 141.7 of this chapter.

(7) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(8) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(9) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

(10) *Identity.* Proceed as directed in § 141.521 of this chapter, using the sample preparation method described in paragraph (b)(2) of that section, except dry the sample for 2 hours at 100° C. and

[1] Defined such that 50 units hydrolyzes at least 20 micromoles of a clindamycin phosphate authentic sample under the assay conditions described in § 141.574 of this chapter.

allow to equilibrate with the atmosphere for 1 hour.

§ 149u.13 Clindamycin phosphate injection.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Clindamycin phosphate injection is an aqueous solution of clindamycin phospate with one or more suitable and harmless preservatives and sequestering agents. Each milliliter contains clindamycin phosphate equivalent to 150 milligrams of clindamycin. Its clindamycin content is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of clindamycin that it is represented to contain. It is sterile. It is nonpyrogenic. It passes the safety test. It contains no histamine nor histamine-like substances. Its pH is not less than 5.5 and not more than 7. The clindamycin phosphate used conforms to the standards prescribed by § 149u.4(a)(1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The clindamycin phosphate used in making the batch for clindamycin content, microbiological activity, moisture, pH, crystallinity, and identity.

(*b*) The batch for clindamycin content, sterility, pyrogens, safety, histamine, and pH.

(ii) Samples required:

(*a*) The clindamycin phosphate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 10 immediate containers.

(*2*) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(b) *Tests and methods of assay*—(1) *Clindamycin content (vapor phase chromatography).* Proceed as directed in § 141.574 of this chapter, except prepare the sample for assay as follows: Shake the sample and dilute a portion with pH 9.0 borate buffer to obtain a solution containing the equivalent of approximately 0.4 milligram of clindamycin per milliliter. Place 25 milliliters of this solution into a 50-milliliter stoppered centrifuge tube. Add 10 milliliters of chloroform. Shake vigorously for 15 minutes and centrifuge. There should be no emulsion present after centrifugation. Transfer 20 milliliters of the aqueous phase from the tube into a 35-milliliter stoppered centrifuge tube. Add to the tube a weighed amount of intestinal alkaline phosphatase equivalent to 50 units of activity[1] and allow to stand until the phosphatase has dissolved completely. Place the centrifuge tube into a water bath at 37° C.±2° C. for 2.5 hours. After the 2.5-hour hydrolysis, allow the solution to cool.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section.

(3) *Pyrogens.* Proceed as directed in § 141.4(a) of this chapter, using a solution containing the equivalent of 24 milligrams of clindamycin per milliliter.

(4) *Safety.* Proceed as directed in § 141.5 of this chapter.

(5) *Histamine.* Proceed as directed in § 141.7 of this chapter.

(6) *pH.* Proceed as directed in § 141.503 of this chapter, using the undiluted drug.

Since the conditions prerequisite to providing for certification of subject antibiotic have been complied with and since the matter is noncontroversial, notice and public procedures and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (11-10-72).

(Sec. 507, 59 Stat. 465, as amended; 21 U.S.C. 357)

Dated: November 2, 1972.

MARY A. MCENIRY,
Assistant to the Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc.72-19216 Filed 11-9-72;8:45 am]

[1] Defined such that 50 units hydrolyzes at least 20 micromoles of a clindamycin phosphate authentic sample under the assay conditions described in § 141.574 of this chapter.

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 263]

PART 1005—PRINCIPLES AND PRACTICES FOR THE INVESTIGATION AND VOLUNTARY DISPOSITION OF LOSS AND DAMAGE CLAIMS AND PROCESSING SALVAGE

Processing of Loss and Damage Claims

Order. At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 15th day of September 1972.

Upon consideration of the record in the above-entitled proceeding, including the report and order at 340 I.C.C. 515, and of:

(1) Petition of the trustees of the property of the Penn Central Transportation Co., respondents, filed July 31, 1972, for waiver of Rule 101(e) of the Commission's general rules of practice, embracing a tendered petition for modification of paragraph 2 of 49 CFR 1005.3 (acknowledgment of claims);

(2) Petition (letter) of American Trucking Associations, Inc., on behalf of member motor common carriers of property, respondents, filed August 15, 1972, conditionally in support of the petition in (1) above;

It appearing, that although petitioners seek to have modified the second paragraph of 49 CFR 1005.3 assertedly in order better to accommodate the provisions thereof to their utilization of electronic computers, data recording media, and microfilm processes for recording and filing shipping orders and delivery receipts, their proposed modification would not be wholly consistent with the purposes intended to be served by said second paragraph (as specifically set forth in the answer to question No. 6 in the appendix to the order entered herein on Apr. 13, 1972); that, in addition, petitioners' proposals would serve only to disclose, and not prevent, duplicate claims payments; and that the modification of the said paragraph set forth in the third ordering paragraph below will enable the utilization of modern recordkeeping techniques in keeping with the original purposes and intent of the said rule, and is consistent with the public interest and the national transportation policy;

It further appearing, that the Commission has become aware of a growing concern that the present form of paragraph (c) of 49 CFR 1005.4 would allow carrier respondents arbitrarily to deny legitimate shortage claims and that modification thereof would therefore be in the public interest; and good cause appearing therefor:

It is ordered, That the tendered petitions be, and they are hereby, accepted for filing.

It is further ordered, That the petitions in (1) and (2) above be, and they are hereby, denied for the reasons that the requested modification of the order of February 3, 1972, served February 24, 1972, as modified, would not be in the public interest for the reasons expressed above.

It is further ordered, That the second paragraph of 49 CFR 1005.3 be, and it is hereby, modified by substituting in lieu thereof the following:

The carrier shall at the time each claim is received create a separate file and assign thereto a successive claim file number and note that number on all documents filed in support of the claim and all records and correspondence with respect to the claim, including the written acknowledgment of receipt. At the time such claim is received the carrier shall cause the date of receipt to be recorded on the face of the claim document, and the date of receipt shall also cause the claim file number to be noted appear in the carrier's written acknowledgment of receipt to the claimant. The carrier shall also cause the claim file number to be noted on the shipping order, if in its possession, and the delivery receipt, if any, covering such shipment, unless the carrier has established an orderly and consistent internal procedure for assuring (a) that all information contained in shipping orders, delivery receipts, tally sheets, and all other pertinent records made with

respect to the transportation of the shipment on which claim is made, is available for examination upon receipt of a claim; (b) that all such records and documents (or true and complete reproductions thereof) are in fact examined in the course of the investigation of the claim (and an appropriate record is made that such examination has in fact taken place); and (c) that such procedures prevent the duplicate or otherwise unlawful payment of claims.

It is further ordered, That paragraph (c) of 49 CFR 1005.4 be, and it is hereby modified by substituting in lieu thereof the following:

(c) *Verification of Loss.* When an asserted claim for loss of an entire package or an entire shipment cannot be otherwise authenticated upon investigation, the carrier shall obtain from the consignee of the shipment involved a certified statement in writing that the property for which the claim is filed has not been received from any other source.

It is further ordered, That the modifications in the first and second preceding paragraphs be, and they are hereby, made effective on October 16, 1972, and shall apply to all claims received by respondents on and after that date.

It is further ordered, That Title 49 Subtitle B, Chapter X, Subchapter A, Part 1005, of the Code of Federal Regulations be, and it is hereby, amended in the manner set forth in the second and third preceding paragraphs. (Authority: 24 Stat. 380 (this section and subsequent citations designated with an asterisk, as amended), 383*, 386: 34 Stat. 595*, 44 Stat. 1450*; 49 Stat. 546*, 550*, 558*, 560*, 561*, 563*, 52 Stat. 1237; 54 Stat. 900, 922, 933, 934*, 935, 944*, 946; 56 Stat. 285, 286, 287, 294*, 295, 297, 746*; 62 Stat. 472; 63 Stat. 486; and 64 Stat. 1114*, 49 U.S.C. 1, 5, 5b, 6, 12, 20, 304, 305, 316, 317, 318, 319, 320, 904, 905, 906, 913, 916, 1003, 1004, 1005, 1009, 1012, 1013, and 1017.).

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 filing a copy with the Director, Office of the Federal Register.

By the Commission.

NOTE: This decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

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

[FR Doc.72-19358 Filed 11-9-72;8:50 am]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT

PART 1001—GENERAL PROVISIONS

PART 1009—PATENTS, DATA, AND COPYRIGHTS

Miscellaneous Amendments

Part 1001, Subchapter W of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

§ 1001.452 [Amended]

1. Change the last sentence in § 1001.452 to read: "This authority has been delegated to Deputy Chief of Staff, Systems and Logistics and the Director of Procurement Policy, DCS/S&L, by Secretary of the Air Force Order (SAFO) 6504 dated July 3, 1969, and redelegated to the Major Commands by Director of Procurement Policy (AF/LGP)".

2. Section 1001.453 is revised to read as follows:

§ 1001.453 Designation of heads of procuring activities.

(a) The Commanders of the commands specified in ASPR 1-201.14 are designated as a "Head of a Procuring Activity" (HPA). Each HPA may authorize an individual not below the level of the staff officer responsible for procurement within the Command headquarters to act for him in exercising ASPR prescribed responsibilities vested only in the HPA.

(b) The Director of Procurement Policy, DCS/S&L is the HPA for all Major Commands and Separate Operating Agencies listed below:

(1) Air Force Accounting and Finance Center.

(2) Air University.

(3) Air Force Communications Service.

(4) Air Force Reserve.

(5) Hq Command USAF.

(6) USAF Academy.

(7) USAF Security Services.

(8) USAF Southern Command.

(c) Commanders of Major Commands and Separate Operating Agencies who are not designated as a HPA but who have a need for one of the ASPR prescribed responsibilities vested in the HPA will submit a request for such responsibility to the Director of Procurement Policy, DCS/S&L, Hq USAF (LGP).

(d) The Commanders of the agencies set forth in paragraph (b) of this section are designated the "Designee" as defined in ASPR 1-201.23 to the Head of Procuring Activity and are authorized to perform any act or make determinations contemplated in ASPR or Air Force ASPR Supplements where such authority is vested in the "Head of the Procuring Activity or his Designee" with the power of redelegation not below the level of the staff office responsible for procurement within the headquarters of the Major Command or Special Operating Activity.

(e) The air attachés and chiefs of Air Force Foreign Missions are designated the "Designee" as defined in ASPR 1-201.23 and authorized to perform any act or make determinations contemplated in ASPR or Air Force ASPR Supplements where such authority is vested in the "Head of the Procuring Activity or Designee."

3. Section 1001.454 is revised to read as follows:

§ 1001.454 Contracts for public utility services extending beyond current fiscal year but not exceeding 10 years.

(a) Contracts for public utilities. The authority to enter into contracts for public utility services has been redelegated to the HPA's and all Major Commands and Separate Operating Agencies as listed in § 1001.453(b).

(b) Contracts for communications services.

(1) The Director of Procurement Policy, DCS/S&L, Hq USAF has been authorized to enter into contracts for communication services for periods extending beyond the current fiscal year but not to exceed 10 years, under one or more of the following circumstances.

(i) When services are obtained for communication common carrier whose rates are regulated by a Federal, State, or other public regulatory body;

(ii) When the services are obtained by competitive means from other than communication carriers; and

(*a*) Where there are obtained lower rates, larger discounts, or more favorable conditions of service than those available under contracts the firm terms of which would not extend beyond a current fiscal year.

(*b*) Where nonrecurring or termination charges payable under contracts the firm term of which would not extend beyond a current fiscal year are eliminated or reduced.

(iii) The termination liability incurred under the contract, when added to the cumulative termination liabilities of existing contracts does not exceed the termination liability ceilings imposed by public law or departmental administrative procedures.

(2) The authority of the Director of Procurement Policy, DCS/S&L HQ USAF, as described in subparagraph (1) of this paragraph has been delegated by § 1001.-453.

§ 1001.455 [Amended]

4. Section 1001.455 is amended by changing the symbol "HQ USAF (AFSPP)" to "HQ USAF (LGP)".

5. A new § 1001.456 is added to read as follows:

§ 1001.456 Extraordinary actions to facilitate the national defense.

Authority to take action under Public Law 85-804 is prescribed in § 1017.203 of this chapter.

6. Section 1001.905-50 is amended by revising paragraphs (b), (d), (e), and (g) to read as follows:

§ 1001.905-50 Air Force contractor experience list.

* * * * *

(b) *Purpose.* The purpose of the AFCEL is to identify contractors, including nonappropriated fund contractors, who have not performed satisfactorily or who have encountered difficulties that might endanger future performance. The AFCEL alerts contracting officers to these difficulties prior to placing new business with listed contractors. It also serves to identify conditions which the contractor must correct to justify removal from the AFCEL.

* * * * *

(d) *Reasons for listing contractors.* Contractors with one or more of the following letter coded deficiencies will be considered for the AFCEL.

(1) Code D—Contractors who have a less than satisfactory record in meeting contract delivery schedules on one or more contracts.

(2) Code Q—Contractors who fail to meet quality standards established by the contract.

(3) Code T—Contractors who have had one or more contracts terminated for default.

(4) Code F—Contractors whose contract performance has become unsatisfactory because of financial problems.

(5) Code M—Contractors whose performance is considered unsatisfactory or whose responsibility is questioned for other specific reasons.

(e) *Procedures.* (1) The procedures outlined below apply to initial recommendations for AFCEL listing and also to the addition of codes to an already listed contractor. Both purchasing and contract administration offices, as well as nonappropriated fund purchasing offices, may initiate recommendations for the AFCEL. The purchasing office will coordinate the intended AFCEL action with the contract administration office, or vice versa, as applicable, and will obtain supporting information needed to substantiate the recommendation:

(2) To initiate an AFCEL case, the chief of the purchasing or contract administration office (or higher level authority as determined by the major command concerned) will notify the contractor by letter of the proposed AFCEL recommendation. For nonappropriated fund cases, the notification letter will be signed by the chief of the central purchasing office, or by the base commander, as appropriate. Notification letters to contractors will identify the specific deficiencies in performance or financial condition and, except as indicated below, request a reply within 15 days to permit the contractor to present reasons why he should not be recommended for AFCEL listing. For Code T and Code F (bankruptcy or receivership) no request for reply will be made. For Code F, other than bankruptcy or receivership, the contractor will be requested to reply.

(3) If the contractor does not respond within 15 days, or if the response is considered unsatisfactory, immediately advise the contractor that he is being recommended for the AFCEL. Simultaneously submit the recommendations to HQ USAF/LGP through procurement channels. Recommendations for Code T and for Code F (bankruptcy or receivership) will be submitted simultaneously with the issuance of the notification letter specified in subparagraph (2) of this paragraph. The major command will forward the recommendation within 15 days to HQ USAF with concurrence/nonconcurrence unless there are valid reasons for delay.

(4) Recommendations should be brief, but complete and factual. Copies of contracts and other lengthy documents are normally not required. All recommendations should include at least the following information:

(i) Complete identity of contractor, including name of firm, name of president or owner, address, and product line. If only one part of a company is recommended, specifically identify and indicate the relationship to the parent office.

(ii) Purchasing and contract administration offices, including autovon phone number.

(iii) Code(s) for which the contractor is recommended. See paragraph (d) of this section.

(iv) Contract number, effective date, type of contract, dollar value, items covered, and unusual pertinent provisions.

(v) Brief narrative of contract requirements not met, and the contractor's actual performance, or other reasons for the recommended listing. If contractor's performance is considered less than satisfactory for only certain product lines or services, identify such qualification specifically in the recommendation.

(vi) Brief outline of previous corrective actions taken by the contracting officer, such as "show cause" or "cure" notices, including dates such actions were taken and results obtained.

(vii) State whether a preaward survey was conducted and if the recommendation was affirmative or negative.

(viii) Copy of notification(s) to contractor.

(ix) For Code D give original contract delivery dates and changes thereto, including reasons therefor, action taken to assure that delivery schedules are current and realistic, and a brief summary of the frequency, duration, and seriousness of late deliveries considered to be the fault of the contractor.

(x) For Code Q provide a brief current evaluation of the contractor's quality control system in addition to identifying the specific quality deficiency.

(xi) For Code T include reasons for the default termination and results of any appeal or other disposition of the case, if available.

(xii) For Code F describe how contractor's financial problems caused unsatisfactory contract performance. In cases of bankruptcy or receivership, provide latest known data.

(xiii) AFCEL recommendations from purchasing activities will include a copy of a statement from the cognizant contract administration office providing current performance evaluation on the specific contracts involved, pertinent overall performance, background information, and concurrence or nonconcurrence with the recommendation.

(5) The AFCEL Review Board at HQ USAF will review all recommendations prior to final approval by the Director of Procurement policy, HQ USAF/LGP.

(6) HQ USAF/LGP will advise the contractor by letter of the decision on AFCEL listing, with copies to all offices concerned.

(7) HQ USAF/LGP will publish an updated AFCEL quarterly and will distribute it to all major commands, DSA, and Navy for distribution to their procuring activities, including those dealing with nonappropriated funds. Interim changes will be published as required.

(8) AFCEL Review: (i) Each contractor on the current AFCEL will be reviewed by the recommending activity each quarter to keep the listing current and to determine if removal or retention is warranted. If the purchasing office is the recommending activity, contact the appropriate contract administration activity to obtain an evaluation of the contractor's current overall performance.

Promptly recommend removal when the contractor has corrected the deficiency for which he was placed on the AFCEL and no other major deficiencies exist. Specifically substantiate recommendations. If retention is recommended, also validate the letter coding.

(ii) Forward results of quarterly reviews by letter through procurement channels to arrive at HQ USAF/LGP by the 10th of February, May, August, and November of each year. HQ USAF/LGP will advise the contractor by letter if removal is approved, with copies to all offices concerned.

(iii) Recommend removal of a contractor who no longer has or seeks Government contracts after 1 year on the list unless there are valid reasons for retention.

(iv) Recommend removal of a contractor who is subsequently included in the Joint Consolidated List of Debarred, Ineligible, and Suspended Contractors (AFR 70-23).

(v) Do not recommend removal of a contractor who has appealed any matter which caused AFCEL listing, other than Code T, until final resolution of the appeal with the contractor's position substantially upheld.

(vi) Do not recommend removal of a contractor who has listed for Code T until the termination for default is converted to a termination for convenience, the Armed Services Board of Contract Appeals substantially upholds the contractor's position, or until other contractor actions such as demonstrated improvement in overall delivery performance, financial condition or corrective action to preclude future default determinations for the same reason as that which caused AFCEL action, warrant removal consideration.

(vii) Do not recommend removal of a contractor who was listed under Code F for filing a petition of bankruptcy or for receivership until such proceedings have been completed and the contractor has reestablished his financial capability or has been legally dissolved.

(viii) Whenever a listed contractor changes his name or address promptly notify HQ USAF/LGP. Identify whether the new name or address replaces or is in addition to the present listing. This includes contractors listed on the Navy or DSA CELs.

* * * * *

(g) *Letters to contractors.* The following are formats for letters to contractor top management.

(1) Formats for initial notice to contractors for Codes D, Q, M and F (except bankruptcy or receivership).

Dear Mr. ---------- (president): The Air Force maintains a listing of contractors whose performance record or financial condition has been determined to be unsatisfactory. This list is the Air Force Contractor Experience List (AFCEL). Further information on the AFCEL is contained in Air Force ASPR Supplement 1-905.50.

This is to notify you that (recommending activity) considers the (performance or financial condition) of your company to be unsatisfactory for the following reasons: (State specific deficiencies). We are considering recommending your firm for placement on the AFCEL (or for placement on the AFCEL for deficiencies other than those currently listed), based on the above unsatisfactory conditions. However, you are being afforded the opportunity at this time to provide reasons why this action should not be taken. Please provide your written response to this office within 15 days.

Sincerely

(2) Format for notice to contractor of recommendation to HQ USAF.

(i) For Codes D, Q, M, and F (except bankruptcy or receivership).

Dear Mr. ---------- (president): Your response of (date) has been carefully reviewed (or: no response has been received to my letter of (date)) and the basis for recommending your firm for the Air Force Contractor Experience List (AFCEL) is still considered appropriate. Therefore, I have recommended that your firm be placed on the AFCEL. If approved by HQ USAF, your firm will be listed in the next AFCEL publication. Your listing will be carefully reviewed at least quarterly, and at such time as there is assurance that you have taken effective action to correct the unsatisfactory condition, we will recommend that your company be removed from the AFCEL.

Being listed on the AFCEL will not prevent your firm from bidding on or submitting proposals for future contracts. However, the list will alert contracting officers to companies whose performance or financial conditions has been determined to be currently unsatisfactory.

We sincerely hope that you soon correct the condition(s) that prompted this recommendation.

Sincerely

(ii) For Code T and F (bankruptcy or receivership).

Dear Mr. ---------- (president): The Air Force maintains a listing of contractors whose performance record or financial condition has been determined to be unsatisfactory. This is the Air Force Contractor Experience List (AFCEL). Further information regarding the AFCEL is contained in Air Force ASPR Supplement 1-905.50.

This is to notify you that the (recommending activity) considers the (performance or financial condition) of your company to be unsatisfactory for the following reasons: (State specific deficiencies). Therefore, I have recommended that your firm be placed on the AFCEL. If this recommendation is approved by HQ USAF, your firm will be listed in the next AFCEL publication. The basis for listing your firm will be carefully reviewed at least quarterly, and at such time as conditions warrant, we will recommend that the name of your company be removed from the AFCEL.

Being listed on the AFCEL will not prevent your firm from bidding on or submitting proposals for future contracts. However, the list will alert contracting officers to companies whose performance or financial condition has been determined to be currently unsatisfactory.

We sincerely hope that you correct the condition(s) that prompted this recommendation.

Sincerely

Part 1009, Subchapter W of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

§§ 1009.203-52 and 1009.203-53 [Deleted]

§ 1009.203-54 [Redesignated]

Delete §§ 1009.203-52 and 1009.203-53 and redesignate § 1009.203-54 to § 1009.-203-52.

(Ch. 137, 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

JOHN W. FAHRNEY,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.72-19317 Filed 11-9-72;8:48 am]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5269]

[Arizona 822, 3753]

ARIZONA

Withdrawal for Proposed Reclamation Project

Correction

In F.R. Doc. 72-17897 appearing on page 22617 of the issue for Friday, October 20, 1972, in the fifth line under the description "T. 21 S., R. 22 E.," the figure "7" should be inserted immediately following the word "Sec.".

Title 24—HOUSING AND URBAN DEVELOPMENT

Chapter X—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
* * *	* * *	* * *	* * *	* * *	* * *	* * *
California	San Mateo	Burlingame	I 06 081 0490 01 through I 06 081 0490 06	Department of Water Resources, Post Office Box 388, Sacramento, CA 95802. California Insurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103.	Office of the City Clerk, First Floor, City Hall, 501 Primrose Rd., Burlingame, CA 94010.	Mar. 24, 1971. Emergency. Nov. 10, 1972. Regular.
Do	Tulare	Woodlake	I 06 107 4250 02 through I 06 107 4250 04	do	Office of the City Clerk, City of Woodlake, 350 North Valencia Blvd., Woodlake, CA 93286.	Mar. 12, 1971. Emergency. Nov. 10, 1972. Regular.
Florida	Broward	Deerfield Beach	I 12 011 0790 01 I 12 011 0790 02	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	City Engineer's Office, City of Deerfield Beach, 150 Northeast Second Ave., Post Office Drawer AH, Deerfield Beach, FL 33441.	Feb. 19, 1972. Emergency. Nov. 10, 1972. Regular.
Do	do	Davie				Nov. 10, 1972. Emergency.
Do	Pinellas	Unincorporated areas.				June 17, 1970. Emergency. June 18, 1971. Regular. Sept. 15, 1972. Suspended. Nov. 3, 1972. Reinstated.
Illinois	Cook	Hoffman Estates Village.				Nov. 10, 1972. Emergency.
Massachusetts	Norfolk	Braintree				Do.
New Jersey	Hunterdon	Clinton				Do.
North Carolina	Dare	Nag's Head	I 37 055 3235 01 through I 37 055 3235 08	North Carolina Office of Water and Air Resources, Department of Natural and Economic Resources, Post Office Box 27687, Raleigh, NC 27611. North Carolina Insurance Department, Post Office Box 26387, Raleigh, NC 27611.	Office of the Town Clerk, Town of Nag's Head, Town Hall, Nag's Head, N.C. 27959.	Dec. 23, 1971. Emergency. Nov. 10, 1972. Regular.
Pennsylvania	Bucks	Bristol Township				Nov. 10, 1972. Emergency.
Do	Dauphin	Highspire Borough.				Do.
Do	Huntington	Mount Union Borough.				Do.
Wisconsin	St. Croix	Hudson	I 55 109 2220 01	Department of Natural Resources, Post Office Box 450, Madison, WI 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, WI 53703.	City Hall, City of Hudson, 505 Third St., Hudson, WI 54016.	Apr. 27, 1971.

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

Issued: November 3, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-19269 Filed 11-9-72;8:45 am]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
California	San Mateo	Burlingame	H 06 081 0490 01 through H 06 081 0490 06	Department of Water Resources, Post Office Box 388, Sacramento, CA 95802. California Insurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103.	Office of the City Clerk, First Floor, City Hall, 501 Primrose Rd., Burlingame, CA 94010.	Mar. 24, 1971.
Do	Tulare	Woodlake	H 06 107 4250 02 through H 06 017 4250 04	do	Office of the City Clerk, City of Woodlake, 350 North Valencia Blvd., Woodlake, CA 93286.	Mar. 12, 1971.
Florida	Broward	Deerfield Beach	H 12 011 0790 01 H 12 011 0790 02	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	City Engineer's Office, City of Deerfield Beach, 150 Northeast Second Ave., Post Office Drawer AH, Deerfield Beach, FL 33441.	Feb. 19, 1972.
Do	do	Davie				Nov. 10, 1972.
Illinois	Cook	Hoffman Estates Village.				Do.
Massachusetts	Norfolk	Braintree				Do.
New Jersey	Hunterdon	Clinton				Do.
North Carolina	Dare	Nag's Head	H 37 055 3235 01 through H 37 055 3235 08	North Carolina Office of Water and Air Resources, Department of Natural and Economic Resources, Post Office Box 27687, Raleigh, NC 27611. North Carolina Insurance Department, Post Office Box 26387, Raleigh, NC 27611.	Office of the Town Clerk, Town of Nag's Head, Town Hall, Nag's Head, N.C. 27959.	Dec. 23, 1971.
Pennsylvania	Bucks	Bristol Township				Nov. 10, 1972.
Do	Dauphin	Highspire Borough				Do.
Do	Huntington	Mount Union Borough.				Do.
Wisconsin	St. Croix	Hudson	H 55 109 2220 01	Department of Natural Resources, Post Office Box 450, Madison, WI 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, WI 53703.	City Hall, City of Hudson, 505 Third St., Hudson, WI 54016.	Apr. 27, 1971.

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

Issued: November 3, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-19270 Filed 11-9-72;8:45 am]

Title 6—ECONOMIC STABILIZATION

Chapter II—Pay Board

PART 201—STABILIZATION OF WAGES AND SALARIES

Prospective Discontinuance of Merit Exception

The purpose of the amendments set forth below is to provide for discontinuance of the exception with respect to qualified merit plans. The effect of this action is not to prevent merit plans from operating, but to require them to operate subject to the 5.5-percent general wage and salary standard.

Before taking this action, the Pay Board conducted a review of cases submitted to the Board during Phase II in order to assess the economic impact the merit exception has had on the goals of the Economic Stabilization Program. Further, the Board considered the fact that the full year's operation of the exception has served the purpose of accomplishing an orderly and equitable transition for employees under qualified merit plans into the control program. In view of these and other considerations, the Board has concluded that stabilization of wages and salaries can now be accomplished more effectively and equitably by eliminating the exception, thereby making merit plans—whether or not "qualified"—subject to the 5.5-percent general wage and salary standard and other applicable regulations.

Discontinuance of the merit exception is consistent with the Board's previous action in discontinuing the life of certain pay practices previously set forth. Under present Pay Board regulations such practices are scheduled to expire on November 13, 1972. This action is also consistent with the previous discontinuance of the exception for "catch-up" increases generally scheduled to expire on November 13, 1972.

In order to avoid disruptions in the course of current control years the discontinuance of the merit exception will not be effective until the start of the next control year for the appropriate employee unit involved. In a great many instances, this will be the calendar year beginning January 1, 1973. However, the merit exception will not be available for any control year beginning after November 13, 1972. Accordingly, appropriate employee units with control years beginning November 14, 1972, will be subject to the change in treatment for qualified merit plans.

Since these amendments are essential to the expeditious implementation of the Economic Stabilization Act of 1970, as amended, and Executive Order No. 11640, amended, the Board finds that the time for submission of written comments by interested persons in accordance with the usual rule making procedure is impracticable and that good cause exists for promulgating these amendments in

less than 30 days. Interested persons may submit written comments regarding these amendments. Communications should be addressed to the Office of the General Counsel, Pay Board, Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Public Law 92-210, 85 Stat. 743; Executive Order No. 11640, 37 F.R. 1213 (1972), as amended by Executive Order No. 11660, 37 F.R. 6175 (1972), and Cost of Living Council Order No. 3, 36 F.R. 2020, (1971), as amended)

Effective date. These amendments are effective on November 10, 1972.

GEORGE H. BOLDT,
Chairman.

Section 201.11(a)(5) is amended by revising subdivisions (i) and (iii) to read as follows:

§ 201.11 Criteria for exceptions.

(a) *In general.* * * *

(5) *Merit increases*—(i) *Exception for qualified merit plans contained in successor employment contracts or successor pay practices.* Wage and salary increases granted pursuant to a qualified merit plan (as defined in subdivision (ii) of this subparagraph), provided for in an employment contract or pay practice previously set forth which existed prior to November 14, 1971, and which is continued in a successor employment contract or successor pay practice effective after November 13, 1971, without any changes of terms or administrative practice may (subject to the provisions of paragraphs (b) and (c) of this section) be permitted as an exception to the general wage and salary standard: *Provided, however,* That such exception shall apply only with respect to a control year beginning prior to November 14, 1972. For purposes of the preceding sentence, a change in the maximum or minimum terminal points of a pay rate range in a qualified merit plan shall not be deemed a change of terms if the ratio of such maximum to such minimum terminal point is not increased. For purposes of this subparagraph, a qualified merit plan provided for in a pay practice which meets all of the criteria set forth in the first sentence of this subdivision, except that such pay practice is not "previously set forth" within the meaning of § 201.14(b) because the aggregate amount to be expended cannot be documented as being finally and formally decided prior to November 14, 1971, shall be treated as a successor pay practice otherwise eligible for the exception provided in this subparagraph.

* * * * *

(iii) *Special rules.* Wage and salary increases granted pursuant to a merit plan provided for in an employment contract existing prior to November 14, 1971, and continued in a successor employment contract entered into prior to April 19, 1972, shall be excluded from the computation of the annual aggregate increase in the base-compensation rate in any control year beginning prior to November 14, 1972. Such merit plan may continue to operate according to the following rules: Any increases applied to a rate range under such merit pay plan shall be considered a general increase in wages and salaries under the regulations in this chapter. However, individual increases within the rate range under such plans shall not be considered a wage and salary increase under such regulations in any control year beginning prior to November 14, 1972.

* * * * *

[FR Doc.72-19502 Filed 11-9-72;11:05 am]

Chapter III—Price Commission

PART 300—PRICE STABILIZATION

Delegation of Authority to District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex.

The purpose of this amendment is to delegate authority to the District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex., to make decisions and issue orders in price cases, consider and grant or deny exceptions to this part, review and determine the correctness of reported price increases, issue orders in connection therewith, and order and supervise investigations and make findings and determinations with respect thereto.

Section 300.507 currently limits the delegated authority of District Directors to cases involving exceptions for providers of health services and price Category III firms other than public utilities. Similarly, § 301.108(e) of the rent regulations delegates exception authority with respect to rents to District Directors.

It has been determined by the Commission that the Dallas and Austin District Offices should have the delegated authority, on a pilot basis, to handle the broad range of price and exceptions cases at places convenient to persons whose legal residence, principal place of business, or principal office or agency is located within their respective areas. Because of the Price Commission's desire to provide more convenient and expeditious service on price and exception matters, the delegation provides for the broad exercise of functions and duties respecting those matters for persons located in the Dallas and Austin Districts. The delegation will, unless extended, expire at the close of February 10, 1973.

This amendment has been approved by the Secretary of the Treasury pursuant to § 300.511.

Because the purpose of this amendment is to provide immediate guidance and information as to economic stabilization program matters, and procedures with respect thereto, it is hereby found that notice and public procedure thereon is impracticable and unnecessary and that good cause exists for making it effective less than 30 days after publication.

(Economic Stabilization Act of 1970, as amended, Public Law 91-379, 84 Stat. 799, Public Law 91-558, 84 Stat. 1468; Public Law 92-8, 85 Stat. 13; Public Law 92-15, 85 Stat. 38; Economic Stabilization Act Amendments of 1971, Public Law 92-210; Executive Order No. 11640, 37 F.R. 1213, Jan. 27, 1972; Cost of Living Council Order No. 4, 36 F.R. 20202, Oct. 16, 1971)

In consideration of the foregoing, Part 300 of Title 6 of the Code of Federal Regulations is amended by adding the following new section after § 300.507, effective November 13, 1972:

§ 300.509 Authority of District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex.

(a) There is hereby delegated to the District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex., the authority to perform the following functions and duties with respect to firms whose legal residence, principal place of business, or principal office or agency is located within their respective districts:

(1) Make decisions and issue orders with respect to individual requests for price increases or adjustments.

(2) Consider, and grant or deny, in whole or in part, any request for an exception to any provision of this part.

(3) Review and determine the correctness of reported price increases or adjustments and issue appropriate orders with respect thereto.

(4) Order and supervise investigations to determine whether persons are in compliance with the regulations, decisions, and orders issued under this chapter, and make findings and determinations with respect thereto.

(b) This section expires at the close of February 10, 1973.

Issued in Washington, D.C., on November 7, 1972.

[SEAL] C. JACKSON GRAYSON, Jr.,
Chairman, Price Commission.

Delegation approved: October 31, 1972.

GEORGE P. SHULTZ,
Secretary of the Treasury.

[FR Doc.72-19440 Filed 11-9-72;8:52 am]

PART 305—PROCEDURAL REGULATIONS

Appeals From Actions of District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex.

The purpose of this amendment to § 305.21 of the regulations of the Price Commission is to provide that, during the period November 13, 1972, through February 10, 1973, appeals to the Price Commission from adverse actions, other than interpretations, by the District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex., will not be permitted. Such appeals will, however, be authorized to the extent provided in Part 401 of Title 6 of the Code of Federal Regulations.

Effective November 13, 1972, the Commission has delegated authority to the District Directors of Internal Revenue, Dallas, Tex., and Austin, Tex., on a pilot basis, to make decisions and issue orders in price cases, consider and grant or deny

exceptions to Part 300 of the Price Commission regulations, review and determine the correctness of reported price increases, issue orders in connection therewith, and order and supervise investigations and make findings and determinations with respect thereto. The purpose of the delegation, which, unless extended, will expire at the close of February 10, 1973, is to determine the feasibility of providing expeditious service on price and exceptions matters to persons at a place convenient to their legal residences, principal place of business, or principal office or agency.

The amendment to § 305.21, proscribing appeal to the Commission from actions, other than interpretations, of the Texas District Directors, will insure that this pilot project is a realistic one and is in accordance with the Commission's intent that the Dallas, Tex., and Austin, Tex., District Directors, and other offices of the Internal Revenue Service, have full and final authority over the matters delegated.

Because the purpose of this amendment is to provide immediate guidance and information as to the procedures of the economic stabilization program, it is hereby found that notice and public procedure thereon is impracticable and unnecessary and that good cause exists for making it effective less than 30 days after publication.

(Economic Stabilization Act of 1970, as amended, Public Law 91-379, 84 Stat. 799; Public Law 91-558; 84 Stat. 1468; Public Law 92-8, 85 Stat. 13; Public Law 92-15, 85 Stat. 38; Economic Stabilization Act Amendments of 1971, Public Law 92-210; Executive Order No. 11640, 37 F.R. 1213, Jan. 27, 1972; Cost of Living Council Order No. 4, 36 F.R. 20202, Oct. 16, 1971)

In consideration of the foregoing, § 305.21 of Part 305 of Title 6 of the Code of Federal Regulations is amended to read as follows, effective November 13, 1972:

§ 305.21 Who may appeal.

(a) Except as provided in paragraph (b) of this section, any person aggrieved by an adverse action by IRS or the Chief Counsel's Office for IRS, issued pursuant to Part 401 of this title, other than a person who seeks to appeal from a notice of violation or apparent liability issued by IRS under Part 401 of this title, may file an appeal with the Commission.

(b) No person aggrieved by an adverse action, other than an interpretation, by the District Directors of Internal Revenue, Dallas, Tex., or Austin, Tex., during the period beginning on November 13, 1972, and ending at the close of February 10, 1973, may file an appeal with the Commission.

Issued in Washington, D.C., on November 1, 1972.

JAMES B. MINOR,
General Counsel,
Price Commission.

[FR Doc.72-19441 Filed 11-9-72;8:52 am]

Chapter IV—Internal Revenue Service

PART 411—TEMPORARY PROCEDURAL RULES RELATING TO CERTAIN INTERNAL REVENUE DISTRICTS

Establishment of new part. Part 411—Temporary Procedural Rules Relating to Certain Internal Revenue Districts is added to Chapter IV, Title 6, Code of Federal Regulations. The purpose of this new part is to prescribe the procedures to be used by the Internal Revenue Service in exercising the delegation of authority granted by new Price Commission Reg. § 300.509, 37 F.R. 23914 (1972).

Because the purpose of these regulations is to provide immediate guidance as to procedures applicable after November 12, 1972, it is hereby found impracticable to issue this regulation with notice and public procedure thereon under 5 U.S.C., section 553(b), or subject to the effective date limitation of 5 U.S.C., section 553(d).

These regulations shall become effective on November 13, 1972.

JOHNNIE M. WALTERS,
Commissioner of
Internal Revenue.

411.1 General rules.
411.11 Requests for price increases and adjustments.
411.12 Requests for exceptions.
411.13 Remedial orders.

AUTHORITY: The provisions of this Part 411 are issued pursuant to Economic Stabilization Act of 1970, as amended, Public Law 91-379, 84 Stat. 799; Public Law 91-558, 84 Stat. 1468; Public Law 92-8, 85 Stat. 13; Public Law 92-15, 85 Stat. 38; Public Law 92-210, 85 Stat. 743; Executive Order No. 11640, 37 F.R. 1213 (1972); Cost of Living Council Order No. 8, 37 F.R. 2727 (1972); Price Commission Order No. 2, 37 F.R. 3212 (1972).

§ 411.1 General rules.

(a) *In general.* Notwithstanding any other provision of this chapter, the provisions of this part shall apply, with respect to the matters mentioned or described in the context, to those persons whose legal residence, principal place of business, or principal office or agency is located within the district of a designated district director. Thus, with respect to such matters a designated district director shall perform functions such as (but not limited to) receiving and acting upon requests, forms, reports, and other documents.

(b) *Designated district directors.* For purposes of this part, the term "designated district director" means the district director for one of the following districts:

Austin, Tex.
Dallas, Tex.

(c) *Application of Part 401.* Except to the extent that they are contrary to a provision of this part, the provisions of Part 401 of this chapter shall be applied to the provisions of this part.

§ 411.11 Requests for increases and adjustments.

(a) *In general.* Pursuant to § 300.509 of this title, a designated district director shall make decisions and issue orders with respect to individual requests for price increases or adjustments under Part 300 of this title. With respect to such requests, a designated district director or his delegate shall perform the functions mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) as being performed by the Price Commission. With respect to such performance, the procedures mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) shall pertain.

(b) *Review of decisions under paragraph (a).* A person whose request under paragraph (a) of this section is denied in whole or in part may request a reconsideration under part 305G of this title. With respect to such request for reconsideration, a designated district director or his delegate shall perform the functions mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) as being performed by the Price Commission. With respect to such performance, the procedures mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) shall pertain.

§ 411.12 Requests for exceptions.

(a) *In general.* Pursuant to § 300.509 of this title, a district director may grant a request for an exception under Parts 300D and 305C of this title. With respect to such requests, a designated district director or his delegate shall perform the functions mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) as being performed by the Price Commission. With respect to such performance, the procedures mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) shall pertain.

(b) *Review of decisions under paragraph (a) of this section.* A person whose request under paragraph (a) of this section is denied in whole or in part may request a reconsideration under Part 305C of this title. With respect to such requests for reconsideration, a designated district director or his delegate shall perform the functions mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) as being performed by the Price Commission. With respect to such performance, the procedures mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) shall pertain.

§ 411.13 Remedial orders.

(a) *In general.* Pursuant to § 300.509 of this title, a designated district director may issue remedial orders under Part 305H of this title. With respect to such orders, a designated district director or his delegate shall perform the functions mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) as being performed by the Price Commission. With respect to such performance, the procedures mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) shall pertain.

(b) *Review of orders under paragraph (a).* A person to whom an order is issued under paragraph (a) of this section may request a modification or rescission under Part 305H of this title. With respect to such requests for modification or rescission, a designated district director or his delegate shall perform the functions mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) as being performed by the Price Commission. With respect to such performance, the procedures mentioned or described in such part (and in the other provisions of Chapter III of this title therein referenced) shall pertain.

[FR Doc. 72-19501 Filed 11-9-72;11:00 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7217]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Deductibility of Treble Damage Payments Under the Antitrust Laws

On May 27, 1971, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under sections 162, 212, and 471 of the Internal Revenue Code of 1954 to conform the regulations to section 902 of the Tax Reform Act of 1969 (Public Law 91-172, 83 Stat. 710) was published in the FEDERAL REGISTER (36 F.R. 9637). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed under section 162(g) of such code, the amendments of the regulations as set forth in paragraphs 1 and 4 of the appendix to the notice of proposed rule making are hereby adopted subject to the changes set forth below:

PARAGRAPH 1. Section 1.162-21, as set forth in paragraph 4 of the appendix to the notice of proposed rule making, is revised as set forth below.

PAR. 2. Section 1.162-22, as set forth in paragraph 4 of the appendix to the notice of proposed rule making, is amended by revising paragraph (a) as set forth below.

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

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

Approved: November 6, 1972.

FREDRIC W. HICKMAN,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 162 of the Internal Revenue Code of 1954 to section 902 of the Tax Reform Act of 1969 (Public Law 91-172, 83 Stat. 710), such regulations are amended as follows:

PARAGRAPH 1. Section 1.162 is amended by revising section 162(c), by redesignating section 162(f) as section 162(h), by inserting after section 162(e) new section 162 (f) and (g), and by revising the historical note. These amended and added provisions read as follows:

§ 1.162 Statutory provisions; trade or business expenses.

SEC. 162. *Trade or business expenses.* * * *

(c) *Bribes and illegal kickbacks*—(1) *Illegal payments to government officials or employees.* No deduction shall be allowed under subsection (a) for any payment made, directly or indirectly, to an official or employee of any government, or of any agency or instrumentality of any government, if the payment constitutes an illegal bribe or kickback or, if the payment is to an official or employee of a foreign government, the payment would be unlawful under the laws of the United States if such laws were applicable to such payment and to such official or employee. The burden of proof in respect of the issue, for the purposes of this paragraph, as to whether a payment constitutes an illegal bribe or kickback (or would be unlawful under the laws of the United States) shall be upon the Secretary or his delegate to the same extent as he bears the burden of proof under section 7454 (concerning the burden of proof when the issue relates to fraud).

(2) *Other bribes or kickbacks.* If in a criminal proceeding a taxpayer is convicted of making a payment (other than a payment described in paragraph (1)) which is an illegal bribe or kickback, or his plea of guilty or nolo contendere to an indictment or information charging the making of such a payment is entered or accepted in such a proceeding, no deduction shall be allowed under subsection (a) on account of such payment or any related payment made prior to the date of the final judgment in such proceeding.

(3) *Statute of limitations.* If a taxpayer claimed a deduction for a payment described in paragraph (2) which is disallowed because of a final judgment entered after the close of the taxable year for which the deduction was claimed, and if the proceeding was based on an indictment returned or an information filed prior to the expiration of the period for the assessment of any deficiency for such taxable year, the period for the assessment of any deficiency attributable to the deduction of such payment shall not expire prior to the expiration of one year from the date of such final judgment, and such deficiency may be assessed prior to the expiration of such one-year period notwithstanding the provision of any other law or rule of law which would otherwise prevent such assessment.

* * * * *

(f) *Fines and penalties.* No deduction shall be allowed under subsection (a) for any fine or similar penalty paid to a government for the violation of any law.

(g) *Treble damage payments under the antitrust laws.* If in a criminal proceeding a taxpayer is convicted of a violation of the antitrust laws, or his plea of guilty or nolo contendere to an indictment or information charging such a violation is entered or accepted in such a proceeding, no deduction shall be allowed under subsection (a) for two-thirds of any amount paid or incurred—

(1) On any judgment for damages entered against the taxpayer under section 4 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (commonly known as the Clayton Act), on account of such violation or any related violation of the antitrust laws which occurred prior to the date of the final judgment of such conviction, or

(2) In settlement of any action brought under section 4 on account of such violation or related violation.

The preceding sentence shall not apply with respect to any conviction or plea before January 1, 1970, or to any conviction or plea on or after such date in a new trial following an appeal of a conviction before such date.

(h) *Cross reference.* * * *

[Sec. 162 as amended by sec. 5, Technical Amendments Act 1958 (72 Stat. 1608); secs. 7(b) and 8, Act of Sept. 14, 1960 (Public Law 86-779, 74 Stat. 1002, 1003); sec. 3(a), Revenue Act 1962 (76 Stat. 973); sec. 902, Tax Reform Act 1969 (83 Stat. 710)]

§ 1.162-21 [Reserved]

§ 1.162-22 Treble damage payments under the antitrust laws.

(a) *In general.* In the case of a taxpayer who after December 31, 1969, either is convicted in a criminal action of a violation of the Federal antitrust laws or enters a plea of guilty or *nolo contendere* to an indictment or information charging such a violation, and whose conviction or plea does not occur in a new trial following an appeal of a conviction on or before such date, no deduction shall be allowed under section 162(a) for two-thirds of any amount paid or incurred after December 31, 1969, with respect to—

(1) Any judgment for damages entered against the taxpayer under section 4 of the Clayton Act (15 U.S.C. 15), as amended, on account of such violation or any related violation of the Federal antitrust laws, provided such related violation occurred prior to the date of the final judgment of such conviction, or

(2) Settlement of any action brought under such section 4 on account of such violation or related violation.

For the purposes of this section, where a civil judgment has been entered or a

settlement made with respect to a violation of the antitrust laws and a criminal proceeding is based upon the same violation, the criminal proceeding need not have been brought prior to the civil judgment or settlement. If, in his return for any taxable year, a taxpayer claims a deduction for an amount paid or incurred with respect to a judgment or settlement described in the first sentence of this paragraph and is subsequently convicted of a violation of the antitrust laws which makes a portion of such amount unallowable, then the taxpayer shall file an amended return for such taxable year on which the amount of the deduction is appropriately reduced. Attorney's fees, court costs, and other amounts paid or incurred in connection with a controversy under such section 4 which meet the requirements of section 162 are deductible under that section. For purposes of subparagraph (2) of this paragraph, the amount paid or incurred in settlement shall not include amounts attributable to the plaintiff's costs of suit and attorney's fees, to the extent that such costs or fees have actually been paid.

(b) *Conviction.* For purposes of paragraph (a) of this section, a taxpayer is convicted of a violation of the antitrust laws if a judgment of conviction (whether or not a final judgment) with respect to such violation has been entered against him, provided a subsequent final judgment of acquittal has not been entered or criminal prosecution with respect to such violation terminated without a final judgment of conviction. During the pendency of an appeal or other action directly contesting a judgment of conviction, the taxpayer should file a protective claim for credit or refund to avoid being barred by the period of limitations on credit or refund under section 6511.

(c) *Related violation.* For purposes of this section, a violation of the Federal antitrust laws is related to a subsequent violation if (1) with respect to the subsequent violation the United States obtains both a judgment in a criminal proceeding and an injunction against the taxpayer, and (2) the taxpayer's actions which constituted the prior violation would have contravened such injunction if such injunction were applicable at the time of the prior violation.

(d) *Settlement following a dismissal of an action or amendment of the complaint.* For purposes of paragraph (a) (2) of this section, an amount may be considered as paid in settlement of an action even though the action is dismissed or otherwise disposed of prior to such settlement or the complaint is amended to eliminate the claim with respect to the violation or related violation.

(e) *Antitrust laws.* The term "antitrust laws" as used in section 162(g) and this section shall include the Federal acts enumerated in paragraph (1) of section 1 of the Clayton Act (15 U.S.C. 12), as amended.

(f) *Examples.* The application of this section may be illustrated by the following examples:

Example (1). In 1970, the United States instituted a criminal prosecution against X Co., Y Co., A, the president of X Co., and B, the president of Y Co., under section 1 of the Sherman Anti-Trust Act, 15 U.S.C. 1. In the indictment, the defendants were charged with conspiring to fix and maintain prices of electrical transformers from 1965 to 1970. All defendants entered pleas of nolo contendere to these charges. These pleas were accepted and judgments of conviction entered. In a companion civil suit, the United States obtained an injunction prohibiting the defendants from conspiring to fix and maintain prices in the electrical transformer market. Thereafter, Z Co. sued X Co. and Y Co. for $300,000 in treble damages under section 4 of the Clayton Act. Z Co.'s complaint alleged that the criminal conspiracy between X Co. and Y Co. forced Z Co. to pay excessive prices for electrical transformers. X Co. and Y Co. each paid Z Co. $85,000 in full settlement of Z Co's action. Of each $85,000 paid, $10,000 was attributable to court costs and attorney's fees actually paid by Z Co. Under section 162(g), X Co. and Y Co. are each precluded from deducting as a trade or business expense more than $35,000 of the $85,000 paid to Z Co. in settlement

$$\left(\$10{,}000+\frac{\$85{,}000-\$10{,}000}{3}\right)$$

Example (2). Assume the same facts as in example (1) except that Z Co.'s claim for treble damages was based on a conspiracy to fix and maintain prices in the sale of electrical transformers during 1963. Although the criminal prosecution of the defendants did not involve 1963 (a year barred by the applicable criminal statute of limitations when the prosecution was instituted), Z Co.'s pleadings alleged that the civil statute of limitations had been tolled by the defendants' fraudulent concealment of their conspiracy. Since the United States has obtained both a judgment in a criminal proceeding and an injunction against the defendants in connection with their activities from 1965 to 1970, and the alleged actions of the defendants in 1963 would have contravened such injunction if it were applicable in 1963, the alleged violation in 1963 is related to the violation from 1965 to 1970. Accordingly, the tax consequences to X Co. and Y Co. of the payments of $85,000 in settlement of Z Co.'s claim against X Co. and Y Co. are the same as in example (1).

Example (3). Assume the same facts as in example (1) except that Z Co.'s claim for treble damages was based on a conspiracy to fix and maintain prices with respect to electrical insulators for high-tension power poles. Since the civil action was not based on the same violation of the Federal antitrust laws as the criminal action, or on a related violation (a violation which would have contravened the injunction if it were applicable), X Co. and Y Co. are not precluded by section 162(g) from deducting as a trade or business expense the entire $85,000 paid by each in settlement of the civil action.

[FR Doc.72-19376 Filed 11-9-72;8:51 am]

[T.D. 7219]

PART 3—CAPITAL CONSTRUCTION FUND

Deposits

The following regulations relate to the application of section 607 of the Merchant Marine Act, 1936 (46 U.S.C. 1177) as amended by section 21(a) of the Merchant Marine Act of 1970 (84 Stat. 1026) and to the requirement thereof with respect to deposits in capital construction funds for taxable years beginning after December 31, 1970, and before January 1, 1972. The regulations set forth herein are temporary and are designed to provide transitional rules with respect to deposits in capital construction funds for such years. The regulations are effective until the issuance of final regulations to be prescribed by the Commissioner of Internal Revenue and approved by the Secretary or his delegate and prescribed by the Secretary of Commerce or his delegate. These regulations have been issued jointly by the Secretary of the Treasury and the Secretary of Commerce and also appear under 46 CFR Part 390.

In order to extend the time within which deposits may be made in capital construction funds with respect to income reported on certain taxpayer's 1971 Federal income tax returns, § 3.1 of chapter I of 26 CFR is amended by redesignating paragraph (c) thereof as paragraph (c)(1) and by adding a new subparagraph (2) to such paragraph (c), to read as follows:

§ 3.1 Capital construction fund.

* * * * *

(c)(1) * * *

(2) Notwithstanding subparagraph (1) of this paragraph, for taxable years beginning after December 31, 1970, and ending prior to January 1, 1972, deposits made later than the last date permitted under subpararaph (1) of this paragraph but on or before January 9, 1973, in a capital construction fund pursuant to an agreement with the Secretary of Commerce, acting by and through the Administrator of the National Oceanic and Atmospheric Administration, shall be deemed to have been made on the date of the actual deposit or as of the close of business of the last regular business day of such taxable year, whichever is earlier.

* * * * *

Because this Treasury decision merely extends the time within which certain deposits into a capital construction fund may be made it is found unnecessary to issue it with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d).

(Sec. 607, Merchant Marine Act, 1936, 46 U.S.C. 1177, as amended by sec. 21(a), Merchant Marine Act of 1970, 84 Stat. 1026; sec. 7805, Internal Revenue Code of 1954, 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

Approved: November 6, 1972.

FREDERIC W. HICKMAN,
Assistant Secretary of the Treasury.

ROBERT W. WHITE,
Administrator, National Oceanic and Atmospheric Administration.

HOWARD F. CASEY,
Acting Assistant Secretary of Commerce for Maritime Affairs.

[FR Doc.72-19375 Filed 11-9-72;8:51 am]

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

[T.D. 7215]

PART 53—FOUNDATION EXCISE TAXES

Taxes on Taxable Expenditures

Correction

In F.R. Doc. 72-18555 appearing at page 23161 of the issue for Tuesday, October 31, 1972, the following changes should be made:

1. In § 53.4945-2(d)(2)(iii), the words "such as discussions of alternative scholarships" should be inserted in the eighth line of example (3), between the words "program," and "programs".

2. In § 53.4945-3(b)(3)(i), the words "four taxable years. However, the support" should be inserted in the seventh line between the words "preceding" and "received".

3. In § 53.4945-5(e)(1)(iv), the words "the grantor foundation determines that any part of a" should be inserted in the third line between the words "and" and "grant".

[T.D. 7218]

PART 53—FOUNDATION EXCISE TAXES

Foreign Private Foundations

On April 13, 1971, notice of proposed rule making with respect to the amendment of the Miscellaneous Excise Taxes Regulations (26 CFR Part 53) under section 4948 of the Internal Revenue Code of 1954, as enacted by section 101(b) of the Tax Reform Act of 1969 (83 Stat. 498) (relating to tax on investment income of and denial of exemption to certain foreign organizations) to provide rules under that section was published in the FEDERAL REGISTER (36 F.R. 7014). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted, subject to the changes set forth below:

Paragraph (a) of § 53.4948-1, as set forth in the notice of proposed rule making, is changed by revising subparagraphs (1) and (3) thereof. These revised provisions read as set forth below.

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

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

Approved: November 6, 1972.

FREDERIC W. HICKMAN,
Assistant Secretary of the Treasury.

Subpart I—Tax on Investment Income of and Denial of Exemption to Certain Foreign Organizations

§ 53.4948 Statutory provisions; tax on investment income and denial of exemption.

SEC. 4948. *Application of taxes and denial of exemption with respect to certain foreign organizations—(a) Tax on income of certain foreign organizations.* In lieu of the tax imposed by section 4940, there is hereby imposed for each taxable year on the gross investment income (within the meaning of section 4940(c)(2)) derived from sources within the United States (within the meaning of section 861) by every foreign organization which is a private foundation for the taxable year a tax equal to 4 percent of such income.

(b) *Certain sections inapplicable.* Section 507 (relating to termination of private foundation status), section 508 (relating to special rules with respect to section 501(c)(3) organizations), and this chapter (other than this section) shall not apply to any foreign organization which has received substantially all of its support (other than gross investment income) from sources outside the United States.

(c) *Denial of exemption to foreign organizations engaged in prohibited transactions—* (1) *General rule.* A foreign organization described in subsection (b) shall not be exempt from taxation under section 501(a) if it has engaged in a prohibited transaction after December 31, 1969.

(2) *Prohibited transactions.* For purposes of this subsection, the term "prohibited transactions" means any act or failure to act (other than with respect to section 4942(e)) which would subject a foreign organization described in subsection (b), or a disqualified person (as defined in section 4946) with respect thereto, to liability for a penalty under section 6684 or a tax under section 507 if such foreign organization were a domestic organization.

(3) *Taxable years affected.*

(A) Except as provided in subparagraph (B), a foreign organization described in subsection (b) shall be denied exemption from taxation under section 501(a) by reason of paragraph (1) for all taxable years beginning with the taxable year during which it is notified by the Secretary or his delegate that it has engaged in a prohibited transaction. The Secretary or his delegate shall publish such notice in the Federal Register on the day on which he so notifies such foreign organization.

(B) Under regulations prescribed by the Secretary or his delegate, any foreign organization described in subsection (b) which is denied exemption from taxation under section 501(a) by reason of paragraph (1) may, with respect to the second taxable year following the taxable year in which notice is given under subparagraph (A) (or any taxable year thereafter), file claim for exemption from taxation under section 501(a). If the Secretary or his delegate is satisfied that such organization will not knowingly again engage in a prohibited transaction, such organization shall not, with respect to taxable years beginning with the taxable year with respect to which such claim is filed, be denied exemption from taxation under section 501(a) by reason of any prohibited transaction which was engaged in before the date on which such notice was given under subparagraph (A).

(4) *Disallowance of certain charitable deductions.* No gift or bequest shall be allowed as a deduction under section 170, 545(b)(2), 556(b)(2), 642(c), 2055, 2106(a)(2), or 2522, if made—

(A) to a foreign organization described in subsection (b) after the date on which the Secretary or his delegate publishes notice under paragraph (3)(A) that he has notified such organization that it has engaged in a prohibited transaction, and

(B) in a taxable year of such organization for which it is not exempt from taxation under section 501(a) by reason of paragraph (1).

[Sec. 4948 as added by sec. 101(b), Tax Reform Act 1969 (83 Stat. 518)]

§ 53.4948-1 Application of taxes and denial of exemption with respect to certain foreign organizations.

(a) *Tax on income of certain foreign organizations.* (1) In lieu of the tax imposed by section 4940 and the regulations thereunder, there is hereby imposed for each taxable year beginning after December 31, 1969, on the gross investment income (within the meaning of section 4940(c)(2) and the regulations thereunder) derived from sources within the United States (within the meaning of section 861 and the regulations thereunder) by every foreign organization which is a private foundation (within the meaning of section 509 and the regulations thereunder) and exempt from taxation under section 501(a) for the taxable year a tax equal to 4 percent of such income, except as provided in subparagraph (3) of this paragraph. The tax (if any) will be reported on the form the foundation is required to file under section 6033 for the taxable year, at the time prescribed for filing such annual return (determined without regard to any extension of time for filing). For purposes of this section, the term "foreign organization" means any organization which is not described in section 170(c)(2)(A).

(2) With respect to the deduction and withholding of tax imposed by section 4948(a), see section 1443(b) and the regulations thereunder.

(3) Whenever there exists a tax treaty between the United States and a foreign country, and a foreign private foundation subject to section 4948(a) is a resident of such country or is otherwise entitled to the benefits of such treaty (whether or not such benefits are available to all residents), if the treaty provides that any item or items (or all items with respect to an organization exempt from income taxation) of gross investment income (within the meaning of section 4940(c)(2)) shall be exempt from income tax, such item or items shall not be taken into account by such foundation in computing the tax to be imposed under section 4943(a) for any taxable year for which the treaty is effective.

(b) *Certain sections inapplicable.* Section 507 (relating to termination of private foundation status), section 508 (relating to special rules with respect to section 501(c)(3) organizations), and chapter 42 (other than section 4948) of the Code shall not apply to any foreign organization which from the date of its creation has received at least 85 percent of its support (as defined in section 509 (d), other than section 509(d)(4)) from sources outside the United States. For purposes of this paragraph, gifts, grants, contributions, or membership fees directly or indirectly from a United States person (as defined in section 7701(a)(30)) are from sources within the United States.

(c) *Denial of exemption to foreign organizations engaged in prohibited transactions*—(1) *In general.* A foreign private foundation described in section 4948(b) and paragraph (b) of this section shall not be exempt from taxation under section 501(a) if it has engaged in a prohibited transaction (within the meaning of subparagraph (2) of this paragraph) after December 31, 1969.

(2) *Prohibited transactions.* (i) For purposes of this section, the term "prohibited transaction" means any act or failure to act (other than with respect to section 4942(e), relating to minimum investment return) which would subject a foreign private foundation described in paragraph (b) of this section, or a disqualified person (as defined in section 4946) with respect thereto, to liability for a penalty under section 6684 (relating to assessable penalties with respect to liability for tax under chapter 42) or a tax under section 507 (relating to termination of private foundation status) if such foreign private foundation were a domestic private foundation.

(ii) For purposes of subdivision (i) of this subparagraph—

(*a*) Approval by an appropriate foreign government of grants by the foreign private foundation to individuals is sufficient to satisfy the requirements of section 4945(g) and the regulations thereunder.

(*b*) In determining whether a grantee of the foreign organization is a private foundation which is not an operating foundation for purposes of section 4942(g)(1)(A)(ii) or is an organization which is not described in section 509(a)(1), (2), or (3) for purposes of section 4945 (d)(4) and (h), a determination made by such foreign organization will be accepted if such determination is made in good faith after a reasonable effort to identify the status of its grantee.

(iii) For purposes of subdivision (i) of this subparagraph, in order for an act or failure to act (without regard to section 4942(e)) to be treated as a prohibited transaction under section 4948(c)(2) by reason of the application of section 6684(1), there must have been a prior act or failure to act (without regard to section 4942(e)), which—

(*a*) Would have resulted in liability for tax under chapter 42 (other than section 4940 or 4948(a)) if the foreign private foundation had been a domestic private foundation, and

(*b*) Had been the subject of a warning from the Commissioner that a second act or failure to act (without regard to section 4942(e)) would result in a prohibited transaction.

The second act or failure to act (with respect to which a warning described in subparagraph (3)(i) of this paragraph is given) need not be related to the prior act or failure to act with respect to which a warning from the Commissioner was given under (*b*) of this subdivision.

(3) *Taxable years affected.* (i) Except as provided in subdivision (ii) of this subparagraph, a foreign private foundation described in paragraph (b) of this section shall be denied exemption from taxation under section 501(a) by reason of subparagraph (1) of this paragraph for all taxable years beginning with the taxable year during which it is notified by the Commissioner that it has engaged in a prohibited transaction. The Commissioner shall publish such notice in the FEDERAL REGISTER on the day on which he so notifies such foreign private foundation. In the case of an act or failure to act (without regard to section 4942(e)) which would result in a penalty under section 6684(1) if the foreign private foundation were a domestic private foundation, before giving notice under this subdivision the Commissioner shall warn such foreign private foundation that such act or failure to act may be treated as a prohibited transaction. However, such act or failure to act will not be treated as a prohibited transaction if it is corrected (within the meaning of chapter 42 and the regulations thereunder) within 90 days after the making of such warning.

(ii) (*a*) Any foreign private foundation described in paragraph (b) of this section which is denied exemption from taxation under section 501(a) by reason of subparagraph (1) of this paragraph may, with respect to the second taxable year following the taxable year in which notice is given under subdivision (i) of this subparagraph (or any taxable year subsequent to such second taxable year), file a request for exemption from taxation under section 501(a) on Form 1023. In addition to the information generally required of an organization requesting exemption as an organization described in section 501(a), a request under this subdivision must contain or have attached to it a written declaration, made under the penalties of perjury, by a principal officer of such organization authorized to make such declaration, that the organization will not knowingly again engage in a prohibited transaction.

(*b*) If the Commissioner is satisfied that such organization will not knowingly again engage in a prohibited transaction and that the organization has satisfied all other requirements under section 501, the organization will be so notified in writing. In such case the organization shall not, with respect to taxable years beginning with the taxable year with respect to which a request under this subdivision is filed, be denied exemption from taxation under section 501(a) by reason of any prohibited transaction which was engaged in before the date on which notice was given under subdivision (i) of this subparagraph. Section 4948(c) provides that an organization denied exemption under such section will not be exempt from taxation under section 501(a) for the taxable year in which notice of loss of exemption is given and at least one immediately subsequent taxable year.

(d) *Disallowance of certain charitable deductions.* No gift, bequest, legacy, devise, or transfer shall be allowed as a deduction under section 170, 545 (b)(2), 556(b)(2), 642(c), 2055, 2106(a)(2), or 2522, if made:

(1) To a foreign private foundation described in paragraph (b) of this section after the date on which the Commissioner publishes notice under paragraph (c)(3)(i) of this section that he has notified such organization that it has engaged in a prohibited transaction, and

(2) In a taxable year of such organization for which it is not exempt from taxation under section 501(a) by reason of paragraph (c)(1) of this section.

For purposes of this paragraph, a bequest, legacy, devise, or transfer under section 2055 or 2106(a)(2) shall be treated as made on the date of death of the decedent. For example, assume that an individual gives money to a foreign private foundation described in section 4948(b) in January 1970, January 1971, and January 1972. The organization has a taxable year from June 1 through May 31. In February 1970, notice is duly published that the foreign organization has engaged in a prohibited transaction. In December 1970, the organization duly submits a request for exemption under paragraph (c)(3)(ii)(*a*) of this section which is granted for the taxable year ending May 31, 1972. The January 1970 gift is allowable as a deduction under section 2522 since it was made before the notice (February 1970). The January 1971 gift is not allowable as a deduction because the taxable year ending May 31, 1971, is a nonexempt year (the first taxable year subsequent to the taxable year of the notice) for the foreign organization. The January 1972 gift is allowable as a deduction under section 2522 because the taxable year ending May 31, 1972, is an exempt year for the organization.

[FR Doc.72-19374 Filed 11-9-72;8:51 am]

Title 45—PUBLIC WELFARE

Chapter XII—Action

PART 1202—DECLASSIFICATION

Title 45 is hereby amended by the addition of a new *Part 1202, Declassification,* to establish review procedures for declassification requests relating to classified ACTION materials.

Sec.
1202.1 Introduction.

Sec.
1202.2 Request for classification review of documents.
1202.3 Action on requests for classification review.

AUTHORITY: The provisions of this Part 1202 issued under Executive Order 11652.

§ 1202.1 Introduction.

The following guidance is provided for members of the public desiring a classification review of a document of ACTION pursuant to sections 5(c) and 5(f) of Executive Order 11652 and section III.B. of the National Security Council Directive covering the Classification, Downgrading, Declassification and Safeguarding of National Security Information.

§ 1202.2 Request for classification review of documents.

(a) Any person desiring a classification review of an ACTION document containing information classified as National Security information by reason of Executive Order 11652 (or any predecessor Executive order) and which is more than 10 years old, should address such request to the General Counsel, ACTION, Washington, D.C. 20525.

(b) Requests need not be made on any special form but shall, as specified in Executive Order 11652, describe the document with sufficient particularity to enable ACTION personnel to identify and obtain the document from ACTION records without expending more than a reasonable amount of effort.

(c) Charges for locating and reproducing copies of records will be made when deemed applicable in accordance with title 5 of the Independent Offices Appropriations Act, 1952 (65 Stat. 290; 31 U.S.C. 483a).

§ 1202.3 Action on requests for classification review.

(a) The General Counsel shall assign each request to the ACTION Classification Review Committee which will consist of the Associate Director of International Operations, the Director of Public Affairs, and the General Counsel and will be chaired by the Associate Director of International Operations.

(b) Every effort will be made to complete action on each request within 30 days of receipt of the request. If action cannot be completed within 30 days, the requester will be so advised by the General Counsel along with reasons for the need for additional time. If the requester does not receive a decision on his request within 60 days from the date of receipt of his request by ACTION, or from the date of the most recent receipt of his response to an ACTION request for more particulars, he may appeal to the Interagency Classification Review Committee as provided in paragraph (c) of this section.

(c) In the event the ACTION Classification Review Committee determines that requested information must remain classified by reason of the provisions of Executive Order 11652, the requester shall be given prompt notification of that decision and whenever possible shall be provided with a brief statement as to why the information or material cannot be declassified. He shall also be advised that if he desires he may appeal that determination to the Interagency Classification Review Committee established under section 7A of Executive Order 11652. Such appeals should be in writing and addressed to the Interagency Classification Review Committee, Executive Office Building, Washington, D.C. 20500.

(d) For purposes of administrative determinations under this section, the burden of proof is on ACTION to show that continued classification is required under the terms of Executive Order 11652.

JOSEPH H. BLATCHFORD,
Director.

[FR Doc.72-19362 Filed 11-9-72;8:50 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 13]

FOREIGN PRIVATE FOUNDATIONS

Withholding of Tax

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by December 12, 1972. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by December 12, 1972. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

In order to provide rules for the withholding of the tax imposed by section 4948(a) of the Code, the Income Tax Regulations (26 CFR Part 1) under section 1443(b) of the Internal Revenue Code of 1954, as amended by section 101 (j)(22)(B) of the Tax Reform Act of 1969 (83 Stat. 528), relating to income subject to section 4948, are hereby amended. Temporary Treasury Regulation 13.14, 35 F.R. 17331 (T.D. 7067, 1970) is repealed.

Section 1.1443-1 is amended by adding thereto a new paragraph (b). This added provision reads as follows:

§ 1.1443-1 Foreign tax-exempt organizations.

* * * * *

(b) *Income subject to section 4948*—(1) *In general*—(i) *Application of withholding provisions.* Except as provided in subdivision (ii) of this subparagraph, in the case of a foreign private foundation which is subject to the tax imposed by section 4948(a) and the regulations thereunder, the withholding provisions of Chapter 3 of the Code and the regulations thereunder shall apply with respect to the gross investment income (as defined in section 4940(c)(2)) of such foundation from sources within the United States (within the meaning of section 861 and the regulations thereunder) as if the excise tax imposed by section 4948(a) were a tax imposed by Chapter 3 of the Code, except that the deduction and withholding shall be at the rate of 4 percent. The withholding requirements imposed by this paragraph are in addition to the requirements otherwise applicable to a withholding agent, such as the depositary requirements of section 6302 and the regulations thereunder. Similarly, the requirements of this paragraph do not obviate a private foundation's obligation to file any return required by law with respect to such an organization, such as the form the foundation is required to file under section 6033 for the taxable year.

(ii) *Special rule with respect to certain tax treaties.* Whenever there exists a tax treaty between the United States and a foreign country, and a foreign private foundation which is subject to the tax imposed by section 4948(a) and the regulations thereunder is a resident of such country or is otherwise entitled to the benefits of such treaty (whether or not such benefits are available to all residents), if the treaty provides that any item or items (or all items with respect to an organization exempt from income taxation) of gross investment income (within the meaning of section 4940(c)(2)) shall be exempt from income tax, the withholding provisions of Chapter 3 of the Code and the regulations thereunder shall not apply to such item or items.

(2) *Return on Form 1042.* Every withholding agent required to deduct and withhold any amount by virtue of the provisions of this paragraph shall make a return of the amount required to be deducted and withheld by completing and filing a Form 1042 with the Internal Revenue Service in accordance with the instructions accompanying that form and submitting the balance due (if any). In addition, in any case in which any amount is so withheld, the withholding agent shall prepare and submit to the foreign private foundation one of the copies of the Form 1042S showing the tax withheld under this paragraph in addition to any tax otherwise shown on such form.

(3) *Claims for refund and credits.* Claims for refund of or credit for amounts overpaid shall be made on a Form 843 or 1042 or other appropriate form, which shall be filed with the Mid-Atlantic Service Center on or after January 1, 1973. Claims filed prior to January 1, 1973, shall be filed with the Director of International Operations. In determining whether a claim for refund is appropriate and, if appropriate, who should make the claim, the provisions of section 1464 and the regulations thereunder shall apply.

(4) *Identification of foregin private foundations; general rule.* (i) Except as provided in subparagraph (6) of this paragraph, where a foreign organization does not have a ruling or determination letter that it is an organization described in section 509(a) (1), (2), (3), or (4), any person required under section 1443(b) and this paragraph to deduct and withhold any tax imposed by section 4948(a) on such foreign organization (if it were a private foundation) shall not be liable for such tax if prior to the day on which the person deposits or pays to the Internal Revenue Service any amount required to be withheld, such person has made a good faith determination that the foreign organization is an organization described in section 509 (a) (1), (2), (3), or (4). For purposes of this subdivision, such a "good faith determination" ordinarily will be considered as made where the determination is based on an affidavit of the foreign organization or an opinion of counsel (of the withholding agent or the foreign organization) that the foreign organization is an organization described in section 509(a) (1), (2), (3), or (4). Such an affidavit or opinion must set forth sufficient facts concerning the operations and support of the foreign organization for the Internal Revenue Service to determine that such organization would be likely to qualify as an organization described in section 509(a) (1), (2), (3), or (4).

(ii) For special transitional rules relating to the identification of foreign private foundations, see subparagraph (5) of this paragraph.

(iii) Nothing in this paragraph relieves any foreign private foundation of the liability for the tax (including interest and penalties) imposed by section 4948(a).

(5) *Special transitional rules relating to identification of foreign private foundations.* (i) Any person required under section 1443(b) and this paragraph to deduct and withhold any tax imposed by section 4948(a) on any foreign organization for any period after December 31, 1969, and before the 90th day after publication of final regulations under section 508 in the FEDERAL REGISTER shall not be liable for such tax if such person receives a certified statement from the foreign

organization prior to the day on which the person deposits or pays to the Internal Revenue Service any amount required to be withheld stating that either—

(*a*) Such foreign organization has properly filed the notice described in section 508(b) and the regulations thereunder and has not been notified by the Commissioner or his delegate by the 30th day after the day on which the notice is filed that such notice has failed to establish that such foreign organization is not a private foundation, or

(*b*) The presumption contained in section 508(b) does not apply to such foreign organization by reason of section 508(c) and the regulations thereunder.

(ii) If a certified statement described in subdivision (i) of this subparagraph is not received prior to the day on which a deposit or payment of any amount withheld in accordance with the provisions of this paragraph must be made by any person required to deduct and withhold any tax imposed by section 4948(a) with respect to any foreign organization, except as provided in subparagraph (4) of this paragraph such person shall be liable for all such tax imposed (including interest and penalties) for the period being returned by such person on Form 1042, to the extent that such person incurs liability to the foreign organization for gross investment income, as defined in section 4940(c)(2).

(iii) Any foreign organization to which section 508 by reason of section 4948(b) does not apply because such organization has received substantially all of its support (other than gross investment income, as defined in section 4940 (c)(2)) from sources outside the United States may nevertheless receive the benefits of subdivision (i) of this subparagraph by following the procedure set forth in such subdivision.

(6) *Effect of notice by Internal Revenue Service concerning organization's statement.* Subparagraphs (4) and (5) of this paragraph shall have no effect with respect to a withholding agent as to a particular foreign organization on or after the earlier (i) the date on which such agent acquires knowledge that the Internal Revenue Service has given notice to such foreign organization that its notice or statement has failed to establish that it is not a private foundation, (ii) the date on which the Internal Revenue Service makes notice to the public that such foreign organization has failed to establish that it is not a private foundation, or (iii) the date on which the Internal Revenue Service makes notice to the public that such foreign organization is a private foundation.

[FR Doc.72-19371 Filed 11-9-72;8:51 am]

[26 CFR Parts 1, 148]

REVOCATION OR SUSPENSION OF REGISTRATIONS

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by December 12, 1972. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by December 12, 1972. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 4222(c) and 7805 of the Internal Revenue Code of 1954 (72 Stat. 1285, 68A Stat. 917; 26 U.S.C. 4222(c) and 7805).

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

In order to prescribe temporary rules relating to the revocation or suspension of the registration of any person to sell or purchase articles free of any tax imposed under Chapter 32 of the Internal Revenue Code of 1954, § 148.1-3 of the temporary regulations under the Excise Tax Technical Changes Act of 1958 (26 CFR Part 148) is amended by adding at the end thereof a new paragraph (j) which reads as follows:

§ 148.1-3 Temporary procedures for tax-free sales and purchases.

* * * * *

(j) *Revocation or suspension of registration*—(1) *Revocation or suspension by district director or Director of International Operations.* Except as provided in subparagraph (2) of this paragraph, the district director or the Director of International Operations, as the case may be, is authorized to revoke or temporarily suspend the registration of any person and the right of such person to sell or purchase articles tax free under section 4221 of the Code (or under any section specified in section 4222(d) to which the provisions of section 4222 have been extended) in any case in which he finds that—

(i) The registrant is not a bona fide manufacturer, or a purchaser reselling direct to manufacturers or exporters;

(ii) The registrant is for some other reason (including a change in the law relating to an exemption to which section 4222 applies) not eligible to retain a certificate of registry;

(iii) The registrant has unlawfully used his registration to avoid the payment of any tax imposed by Chapter 32 of the Code, or to postpone or interfere in any manner with the collection of such tax;

(iv) Such revocation or suspension is necessary to protect the revenue; or

(v) The registrant failed to comply with the requirements of paragraph (f) of this section, relating to evidence required in support of a tax-free sale.

Written notice of such revocation or suspension shall be sent by mail to the registrant's last known address. Such notice shall specify the grounds for the revocation or suspension and state the effective date of revocation or suspension. Notwithstanding the provisions of paragraph (e) (1) or (2) of this section, any person whose registration is revoked or suspended must reregister in accordance with the provisions of paragraph (e)(3) of this section before selling or purchasing articles tax free on or after the effective date of revocation or suspension. The revocation or suspension of registration is in addition to any penalty which may apply under the law for any act or failure to act.

(2) *Blanket revocation and reregistration.* The Commissioner is authorized to revoke the registration of every person and the right of every person to sell or purchase articles tax free under section 4221 of the Code (or under any section specified in section 4222(d) to which the provisions of section 4222 have been extended) when he finds that a blanket revocation is necessary to protect the revenue. Notice of blanket revocation shall be given by publication of such notice in the Internal Revenue Bulletin at least 60 days prior to the effective date of revocation. Notwithstanding the first sentence of this paragraph, the published notice may specify that the blanket revocation is to apply only to registrations made prior to a particular date provided in such notice, and may limit application of the blanket revocation to a defined group or classification of persons who are registered to sell or purchase tax free under any exemption provision to which section 4222 applies. In any case, persons registering during the period beginning with the date of publication of notice of revocation and ending with the effective date shall be excluded from the blanket revocation. Notwithstanding the provisions of paragraph (e) (1) or (2) of this section, persons who are affected by the blanket revocation shall be required to reregister in accordance with the provisions of paragraph (e)(3) of this section before selling or purchasing articles tax free on or after the effective date of revocation.

[FR Doc.72-19373 Filed 11-9-72;8:51 am]

[26 CFR Parts 1, 301]

PROCEDURE AND ADMINISTRATION

Extension of Time for Corporations To Pay Tax

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the

Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by December 12, 1972. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by December 12, 1972. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their request for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

In order to provide that an automatic extension of time to file a corporation income tax return does not operate to extend the time for payment of tax due on such return and to specify that reasonable cause for any underpayment of such tax will be presumed if certain conditions are satisfied, the Income Tax Regulations (26 CFR Part 1) under sections 6081 and 6161 of the Internal Revenue Code of 1954 and the Procedure and Administration Regulations (26 CFR Part 301) under section 6651 of such code are hereby amended as follows, effective for returns with respect to taxable years ending on or after December 31, 1972:

PARAGRAPH 1. Section 1.6081–1 is amended by revising paragraph (a) to read as follows:

§ 1.6081–1 Extension of time for filing returns.

(a) *In general.* District directors and directors of service centers are authorized to grant a reasonable extension of time for filing any return, declaration, statement, or other document which relates to any tax imposed by Subtitle A of the code and which is required under the provisions of Subtitle A or F of the code or the regulations thereunder. However, other than in the case of taxpayers who are abroad, such extensions of time shall not be granted for more than 6 months. Except in the case of an extension of time pursuant to § 1.6081–2, an extension of time for filing an income-tax return shall not operate to extend the time for the payment of the tax or any installment thereof unless specified to the contrary in the extension. In the case of an extension of time pursuant to § 1.6081–2, an extension of time for filing an income-tax return shall operate to extend the time for the payment of the tax or any installment thereof unless specified to the contrary in the extension. For extension of time for filing of declarations of estimated tax, see § 1.6073–4. For rules relating to extension of time for paying tax, see § 1.6161–1.

* * * * *

PAR. 2. Section 1.6081–3 is amended by redesignating paragraph (c) as paragraph (d) and by adding a new paragraph (c) reading as follows:

§ 1.6081–3 Automatic extension of time for filing corporation income tax returns.

* * * * *

(c) *Special rule for the extension of time for the payment of tax.* Notwithstanding the application of § 1.6081–1(a), any automatic extension of time for filing a corporation income tax return granted under paragraph (a) or (b) of this section shall not operate to extend the time for payment of any tax due on such return.

* * * * *

§ 1.6161–1 [Amended]

PAR. 3. Section 1.6161–1 is amended by deleting paragraph (a)(3).

PAR. 4. Section 301.6651–1 is amended by revising subparagraph (1) of paragraph (c) and by adding a new subparagraph (4) to such paragraph, to read as follows:

§ 301.6651–1 Failure to file tax return or to pay tax.

* * * * *

(c) *Showing of reasonable cause.* (1) Except as provided in subparagraphs (3) and (4) of this paragraph, a taxpayer who wishes to avoid the addition to the tax for failure to file a tax return or pay tax must make an affirmative showing of all facts alleged as a reasonable cause for his failure to file such return or pay such tax on time in the form of a written statement containing a declaration that it is made under penalties of perjury. Such statement should be filed with the district director or the director of the service center with whom the return is required to be filed; *Provided,* That where special tax returns of liquor dealers are delivered to an alcohol, tobacco and firearms officer working under the supervision of the Regional Director, Bureau of Alcohol, Tobacco and Firearms, such statement may be delivered with the return. If the district director, the director of the service center, or, where applicable, the Regional Director, Bureau of Alcohol, Tobacco and Firearms, determines that the delinquency was due to a reasonable cause and not to willful neglect, the addition to the tax will not be assessed. If the taxpayer exercised ordinary business care and prudence and was nevertheless unable to file the return within the prescribed time, then the delay is due to a reasonable cause. A failure to pay will be considered to be due to reasonable cause to the extent that the taxpayer has made a satisfactory showing that he exercised ordinary business care and prudence in providing for payment of his tax liability and was nevertheless either unable to pay the tax or would suffer an undue hardship (as described in § 1.6161–1(b) of this chapter) if he paid on the due date. In determining whether the taxpayer was unable to pay the tax in spite of the exercise of ordinary business care and prudence in providing for payment of his tax liability, consideration will be given to all the facts and circumstances of the taxpayer's financial situation, including the amount and nature of the taxpayer's expenditures in light of the income (or other amounts) he could, at the time of such expenditures, reasonably expect to receive prior to the date prescribed for the payment of the tax. Thus, for example, a taxpayer who incurs lavish or extravagant living expenses in an amount such that the remainder of his assets and anticipated income will be insufficient to pay his tax, has not exercised ordinary business care and prudence in providing for the payment of his tax liability. Further, a taxpayer who invests funds in speculative or illiquid assets has not exercised ordinary business care and prudence in providing for the payment of his tax liability unless, at the time of the investment, the remainder of the taxpayer's assets and estimated income will be sufficient to pay his tax or it can be reasonably foreseen that the speculative or illiquid investment made by the taxpayer can be utilized (by sale or as security for a loan) to realize sufficient funds to satisfy the tax liability. A taxpayer will be considered to have exercised ordinary business care and prudence if he made reasonable efforts to conserve sufficient assets in marketable form to satisfy his tax liability and nevertheless was unable to pay all or a portion of the tax when it became due.

* * * * *

(4) If, for a taxable year ending on or after December 31, 1972, a corporate taxpayer satisfies the requirements of § 1.6081–3 (a) or (b) (relating to an automatic extension of time for filing a corporation income tax return), reasonable cause shall be presumed, for the period of the extension of time to file, with respect to any underpayment of tax if—

(i) Not less than the amount of tax that would be required as the first installment under section 6152(a)(1), if the taxpayer elected to pay the tax in installments, is paid on or before the regular due date of the return and the second installment is paid on or before 3 months after such date,

(ii) The amount of tax (determined without regard to any prepayment thereof) shown on Form 7004, or the amount of tax paid on or before the regular due date of the return, is at least 90 percent of the amount of tax shown on the taxpayer's Form 1120, and

(iii) Any balance due shown on the Form 1120 is paid on, or before the due date of the return, including any extensions of time for filing.

* * * * *

[FR Doc.72-19372 Filed 11-9-72;8:51 am]

[21 CFR Part 191]

HAZARDOUS SUBSTANCES FOR HOUSEHOLD USE MARKETED IN CONTAINERS IDENTIFIABLE AS FOOD, DRUG, OR COSMETIC CONTAINERS

Notice of Proposed Rule Making

Investigations by the Food and Drug Administration reveal that hazardous substances for household use, particularly cleaners, waxes, and polishes, are being introduced into interstate commerce with labels bearing pictorial equivalents or references to food products. In some instances, the product also has a scent corresponding with a food. Such hazardous substances are also being marketed in containers associated with food contents, such as gable-top containers and pull-ring cans commonly used for milk, fruit juice beverages, beer, soft drinks, etc. Such products present the obvious hazard of nonfood contents being mistaken by a child or inattentive adult as food contents. Small children in particular, reacting to picture, scent, and/or container shape and unaware of printed labeling, are subject to injury by such products.

Section 4(f) of the Federal Hazardous Substances Act prohibits the introduction or delivery for introduction into interstate commerce, or the receipt and subsequent delivery or proffered delivery for pay or otherwise, of a hazardous substance in a container identifiable as a food, drug, or cosmetic container by its labeling or by other identification. Section 5(a) of the act prescribes penalties for violators of section 4.

In view of the above, the Commissioner of Food and Drugs concludes that to promote consumer protection and safety a regulation regarding said provision of section 4(f) of the act should be established as proposed below.

Therefore, pursuant to provisions of the Federal Hazardous Substances Act (secs. 4(f), 5(a), 10(a), 74 Stat. 375, 376, 378; 15 U.S.C. 1263(f), 1264(a), 1269(a)) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that a new section be added to Part 191, as follows:

§ 191.5a Hazardous substances marketed in containers identifiable as food, drug, or cosmetic containers.

(a) Section 4(f) of the Federal Hazardous Substances Act prohibits the introduction or delivery for introduction into interstate commerce, or the receipt and subsequent delivery or proffered delivery for pay or otherwise, of a hazardous substance in a container identifiable as a food, drug, or cosmetic container by its labeling or by other identification. Section 5(a) of the act prescribes penalties for violators of any provision of section 4 of the act.

(b) Investigations by the Food and Drug Administration reveal that hazardous substances for household use, such as cleaners, waxes, and polishes, have been introduced or delivered for introduction into interstate commerce in containers that may be mistakenly identified as food containers by their labeling or other identifying characteristics. The container label may bear a pictorial equivalent of a food product, or the contents may have a scent associated with food, or the product may be in a type of container usually associated with food contents (such as a gable-top container or pull-ring can commonly used for beverages). Such products present the obvious hazard of nonfood contents being mistaken by a child or inattentive adult as food contents. Small children in particular, reacting to picture, scent, and/or container shape and unaware of printed labeling, are subject to injury by such products.

(c) To reduce reasonably foreseeable injuries deriving from accidental misuse of misleading packaged hazardous substances, no container that resembles a food, drug, or cosmetic container by virtue of its shape, size, color, label vignette, label design, illustration, content appearance (if visible), content fragrance, closure design, or any combination of these, may be used for a hazardous substance. In applying this regulation, consideration shall be given to such factors as the impression an article will make on a child or casual adult, historical package usage in the home environment, and market ratios, particularly where the container has been used predominantly as a food container.

(d) Examples of household articles subject to this regulation are:

(1) Containers of hazardous substances with labeling that bears pictorial equivalents, vignettes, or illustrations of any food, drug, or cosmetic substance.

(2) Hazardous substances in metal cans with the "pull-ring" throwaway tab openings commonly used on soft drink, beer, and fruit juice cans.

(3) Hazardous substances in gable-top type containers commonly used for milk and other beverages.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: November 1, 1972.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.72-19091 Filed 11-9-72;8:49 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72-GL-57]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Detroit, Mich.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018.

A review of the transition area in the Detroit, Mich. area indicated a requirement for additional 700-foot transition area to protect instrument approach procedures at Ann Arbor Airport. The review also indicated that the transition area in this location has been built up in individual airspace actions and was covered under six citations. The chart showing these transition areas is difficult for both the pilot and controller to read and to determine when the aircraft is in, or out of the controlled airspace. It would be advantageous to the public and air traffic controllers to combine these into one citation and eliminate the small areas not covered by the transition area. This would also make charting much easier.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (37 F.R. 2143), the following transition areas are deleted:

Port Huron, Mich.	Detroit City, Mich.
Mt. Clemens, Mich.	Ann Arbor, Mich.
Pontiac, Mich.	

In § 71.181 (37 F.R. 2143), the following transition area is amended to read:

DETROIT, MICH.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 43°00'00" N., longitude 82°25'00" W., on the Canadian boundary to latitude 43°04'00" N., longitude 82°30'00" W., to latitude 42°53'00" N., longitude 83°00'00" W., to latitude 42°45'00" N., longitude 83°50'00" W., to latitude 42°30'00" N., longitude 83°50'00" W., to latitude 42°10'00" N., longitude 84°00'00" W., to latitude 42°00'00" N., longitude 83°30'00" W., thence east along the 42d parallel to the Canadian boundary, thence along the Canadian boundary to point of beginning.

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

Issued in Des Plaines, Ill., on October 24, 1972.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.72-19313 Filed 11-9-72;8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 72-GL-56]

CONTROL ZONE

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a control zone at Ann Arbor, Mich.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018.

A control tower will be established on the Ann Arbor Airport in January 1973. Accordingly, the Ann Arbor, Mich., control zone must be established for the protection of IFR air traffic utilizing the Ann Arbor Airport.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.171 (37 F.R. 2056), the following control zone is added:

ANN ARBOR, MICH.

Within a 5-mile radius of the Ann Arbor, Mich. Airport (latitude 42°13'22" N., longitude 83°44'40" W.); excluding that portion which overlies the Detroit, Mich., Willow Run Airport control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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

Issued in Des Plaines, Ill., on October 24, 1972.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.72-19314 Filed 11-9-72;8:48 am]

Federal Highway Administration

[49 CFR Part 393]

[Docket No. MC-18; Notice 72-20]

COMMERCIAL MOTOR VEHICLES

Proposed General Requirements for Liquid Fuel Systems

The Director of the Bureau of Motor Carrier Safety is considering issuing amendments to §§ 393.65 and 393.67 of the Motor Carrier Safety Regulations. These sections contain general requirements for liquid fuel systems. They are part of Subpart E of the Bureau's rules pertaining to parts and accessories of commercial motor vehicles (49 CFR Part 393). On August 6, 1971, the Director issued a complete revision of Subpart E (36 F.R. 15444) and, on February 14, 1972, he specified that that revision would become effective on January 1, 1973 (37 F.R. 4340).

The primary objective of the amendments under consideration is to move certain provisions of §§ 393.67 to 393.65. Those provisions deal with design and installation of fuel lines and with excess flow valves. As a result of these changes, § 393.67 would contain only provisions relating to the design and construction of liquid fuel tanks.

Paragraph (f) of § 393.67 specifies that liquid fuel tanks must be certified that they meet all requirements in §§ 393.65 and 393.67. A number of fuel tank manufacturers have expressed concern about the certification requirement, saying that they should not be compelled to certify the correctness of installation of their products on motor vehicles. The tank manufacturers point out that they do not normally install the tanks in completed vehicles and, therefore, exercise no control over how the installation work is done.

It was not the purpose of the certification requirement to compel any person, including a manufacturer, to certify the correctness of work he neither performs nor supervises. That is why § 393.67(f) explicitly provided for partial and conditional certifications. In light of the comments, however, the Director believes that the best policy may be to redistribute certain of the provisions of § 393.67 so that the section will deal exclusively with fuel tanks. He is also proposing to amend § 393.67(f) to make it clear that certification does not apply to installation work. There appears to be no need to have installation work certified, because a visual inspection can easily determine whether that work, the requirements for which are spelled out in § 393.65, has been properly done.

In consideration of the foregoing, the Director of the Bureau of Motor Carrier Safety proposes to amend §§ 393.65 and 393.67 of Subchapter B in Chapter III of Title 49, CFR, as set forth below. It is proposed to make these amendments effective on January 1, 1973.

Interested persons are invited to submit written data, views, or arguments pertaining to the proposed amendments. Comments must identify the docket number and notice number appearing at the top of this document and must be submitted in three copies to the Director, Bureau of Motor Carrier Safety, Washington, D.C. 20590. All comments received before the close of business on December 1, 1972, will be considered before further action is taken. All comments will be available for examination in the docket room of the Bureau of Motor Carrier Safety, Room 4136, 400 Seventh Street SW., Washington, DC, both before and after the closing date for comments.

This notice of proposed rule making is issued under the authority of section 204 of the Interstate Commerce Act, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator in 49 CFR 1.48 and 389.4, respectively.

Issued on November 6, 1972.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

I. New paragraphs (f) and (g) would be added at the end of § 393.65, reading as follows:

§ 393.65 All fuel systems.

* * * * *

(f) *Fuel lines.* A fuel line which is not completely enclosed in a protective housing must not extend more than 2 inches below the fuel tank or its sump. Diesel fuel crossover, return, and withdrawal lines which extend below the bottom of the tank or sump must be protected against damage from impact. Every fuel line must be—

(1) Long enough and flexible enough to accommodate normal movements of the parts to which it is attached without incurring damage; and

(2) Secured against chafing, kinking, or other causes of mechanical damage.

(g) *Excess flow valve.* When pressure devices are used to force fuel from a fuel tank, a device which prevents the flow of fuel from the fuel tank if the fuel feed line is broken must be installed in the fuel system.

II. Section 393.67 is amended as follows:

a. The heading of § 393.67 would be amended to read as set forth below.

b. Paragraph (c) (5) would be revised and paragraph (c) (6) would be deleted, and paragraph (f) would be revised to read as follows:

§ 393.67 Liquid fuel tanks.

* * * * *

(c) * * *

(5) *Fuel withdrawal fittings.* Except for diesel fuel tanks, the fittings through which fuel is withdrawn from a fuel tank must be located above the normal level of the fuel in the tank when the tank is full.

(6) [Reserved].

* * * * *

(f) *Certification.* Each liquid fuel tank shall be legibly and permanently marked with the month and year of its manufacture and with a certificate that it conforms to the rules in this section applicable to the tank. If a tank conforms to all the rules in this section pertaining to side-mounted fuel tanks, the certificate may be in the following form: "Meets all FHWA side-mounted fuel tank requirements." If a tank conforms to all the rules in this section pertaining to fuel tanks which are not side-mounted fuel tanks, the certificate may be in the following form: "Meets all FHWA requirements for non-side-mounted fuel tanks."

[FR Doc.72-19367 Filed 11-9-72;8:50 am]

SELECTIVE SERVICE SYSTEM

[32 CFR Part 1660]

ALTERNATE SERVICE

Selection of Nonvolunteer

Pursuant to the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.), and § 1604.1 of Selective Service regulations (32 CFR 1604.1), the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the Selective Service regulations constituting a portion of Chapter XVI of the Code of Federal Regulations. These regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.).

All persons who desire to submit views to the Director on the proposals should prepare them in writing and mail them to the General Counsel, National Headquarters, Selective Service System, 1724 F Street NW., Washington, DC 20435, within 30 days following the publication of this notice in the FEDERAL REGISTER.

The proposed amendments follow:

Paragraph (a) of § 1660.4 *Selective of Nonvolunteer for Alternate Service,* is amended to read as follows:

§ 1660.4 Selection of Nonvolunteer for alternate service.

(a) Any member or compensated employee of the local board, or any compensated employee of the Selective Service System whose official duties include the performance of administrative duties at a local board, will issue to a registrant classified in Class 1-O an order to report for alternate service (SSS Form 153) together with Conscientious Objectors Skills Questionnaire (SSS Form 152) and three copies of Employer's Statement of Availability of a Job as Alternate Service (SSS Form 156) at the same time that he would be issued an Order to Report for Induction (SSS Form 252) were he classified in Class 1-A or 1-A-O. Such Order to Report for Alternate Service (SSS Form 153) shall specify the place and a date on which the registrant is to report for alternate service in accord with the instructions of the State Director. The date specified shall be not earlier than 70 days after such order is mailed.

* * * * *

BYRON V. PEPITONE,
Acting Director.

NOVEMBER 7, 1972.

[FR Doc.72-19352 Filed 11-9-72;8:49 am]

[32 CFR Parts 1626, 1628, 1631]

APPEALS, EXAMINATIONS, ALLOCATIONS OF INDUCTIONS

Notice of Proposed Rule Making

Pursuant to the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.), and Executive Order No. 11623 dated October 12, 1971, the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the Selective Service regulations constituting a portion of Chapter XVI of the Code of Federal Regulations. These regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.).

All persons who desire to submit views to the Director on the proposals should prepare them in writing and mail them to the General Counsel, National Headquarters, Selective Service System, 1724 F Street NW., Washington, DC 20435, within 30 days following the publication of this notice in the FEDERAL REGISTER.

The proposed amendments follow:

1. Section 1626.1 *Who may appeal,* is amended to read as follows:

§ 1626.1 Who may appeal.

The Director of Selective Service and the State Director of Selective Service as to the local boards in his State may appeal from any determination of a local board at any time prior to the induction of the registrant or his reporting for alternate service in lieu of induction. The registrant may appeal to an appeal board from his classification by the local board except his initial administrative classification into Class 1-H.

2. Paragraph (b) of § 1628.6 *Order to Report for Armed Forces Examination,* is amended to read as follows:

§ 1628.6 Order to Report for Armed Forces Examination.

* * * * *

(b) Any member or compensated employee of the local board, or any compensated employee of the Selective Service System whose official duties include the performance of administrative duties at a local board, shall select and order for Armed Forces examination registrants in accordance with the instructions of the Director of Selective Service. The date specified for reporting for such examination shall be at least 15 days after the date on which the Order to Report for Armed Forces Examination (SSS Form 223) is mailed, except that a registrant who has volunteered for induction may be ordered to report for such examination on any date after he has so volunteered.

* * * * *

Paragraph (a) of § 1631.6 *Action by local board upon receipt of allocation,* is amended to read as follows:

§ 1631.6 Action by local board upon receipt of allocation.

(a) When an allocation is received from the State Director of Selective Service, any member or compensated employee of the local board, or any compensated employee of the Selective Service System whose official duties include the performance of administrative duties at a local board, shall select as provided herein, and issue orders to report for induction to those men required to fill the call from among its registrants who have been classified in Class 1-A or Class 1-A-O and have been found acceptable for service in the Armed Forces and to whom a Statement of Acceptability (DD Form 62) has been mailed: *Provided,* That notwithstanding Part 1628 or any other provision of these regulations, when a registrant in whatever classification has refused or otherwise failed to comply

with an order of his local board to report for and submit to an Armed Forces examination, he may, after he is classified into Class 1-A or 1-A-O be selected and ordered to report for induction even though he has not been found acceptable for service in the Armed Forces and a Statement of Acceptability (DD Form 62) has not been mailed to him, and in such case the Armed Forces examination shall be performed after he has reported for induction as ordered and he shall not be inducted until his acceptability has been satisfactorily determined: *Provided further*, That a registrant who has volunteered for induction may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found acceptable for service in the Armed Forces and regardless of whether or not a Statement of Acceptability (DD Form 62) has been mailed to him, but in such case the Armed Forces examination shall be performed after he has reported for induction as ordered and he shall not be inducted until his acceptability has been satisfactorily determined.

* * * * *

BYRON V. PEPITONE,
Acting Director.

NOVEMBER 7, 1972.

[FR Doc.72-19351 Filed 11-9-72;8:49 am]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

REFRIGERATORS, FREEZERS, OTHER REFRIGERATING EQUIPMENT, AND PARTS THEREOF FROM ITALY

Notice of Countervailing Duty Proceedings

Information has been received pursuant to the provisions of § 16.24(b) of the Customs Regulations (19 CFR 16.24 (b)), which appears to indicate that certain payments, bestowals, rebates, or refunds granted by the Government of Italy upon the manufacture, production, or exportation of refrigerators, freezers, other refrigerating equipment, and parts thereof constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303), upon the manufacture, production, or exportation of the merchandise to which the payments, bestowals, rebates or refunds apply.

The available information indicates that the approximate amount of the payments, bestowals, rebates, or refunds is between 20 lire and 45 lire per kilogram on refrigerators, freezers, other refrigerating equipment, and parts thereof.

After the expiration of the time limits set forth in this notice, a determination will be made whether a bounty or grant is being paid or bestowed in connection with any such manufacture, production, or export. If it is determined that a bounty or grant is being paid or bestowed, an appropriate countervailing duty order will be issued and published in accordance with § 16.24 of the Customs Regulations (19 CFR 16.24).

Before a determination is made, consideration will be given to any relevant data, views, or arguments submitted in writing with respect to the existence of nonexistence, and the net amount of a bounty or grant. Submissions should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice is published pursuant to § 16.24(d) of the Customs Regulations (19 CFR 16.24(d)).

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: November 2, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-19473 Filed 11-9-72;9:54 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Change in Location and Office Hours of Fairbanks District Office

Effective November 20, 1972, the location of the Fairbanks District is changed from 516 Second Avenue to 1028 Aurora Drive, Fairbanks, Alaska. The hours of business are changed from: 7:45 a.m. A.s.t.-4:30 p.m. A.s.t. to 8 a.m. A.s.t-4:30 p.m. A.s.t. The hours which the Division of Lands is open to the public for filing of documents, payment of fees and inspection of records are 10 a.m. to 4 p.m. standard time or daylight savings time, whichever is in effect.

The address for the District Office is Post Office Box 1150, Fairbanks, AK 99707. The telephone number for the District Office will be 907—456-6687.

RICHARD H. LEDOSQUET,
Manager, Fairbanks District and Land Office.

[FR Doc.72-19350 Filed 11-9-72;8:49 am]

Office of the Secretary

[DES 72-111]

WORLD HERITAGE CONVENTION

Notice of 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 a proposed international convention establishing the World Heritage. The Department of the Interior invites comments within forty-five (45) days of this notice.

The convention provides for the establishment of an international system for protecting natural and cultural heritage throughout the world that is of outstanding universal value. For purposes of the convention, international protection is understood to mean establishment of a system of international cooperation designed to support efforts of nations ratifying the convention to identify and preserve that heritage.

Copies are available for inspection at:

Office of International Activities, Room 5312, Department of the Interior, Washington, D.C. 20240, telephone 202-343-5678.

Single copies may be obtained by writing to the Office of International Activities.

Dated: November 3, 1972.

W. W. LYONS,
Deputy Assistant Secretary of the Interior.

[FR Doc.72-19315 Filed 11-9-72;8:48 am]

DEPARTMENT OF AGRICULTURE

Forest Service

HERBICIDE USE ON OLYMPIC, MOUNT BAKER, SNOQUALMIE, AND GIFFORD PINCHOT NATIONAL FORESTS

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Calendar Year 1973 Herbicide Use on the Olympic, Mount Baker, Snoqualmie, and Gifford Pinchot National Forests, USDA-FS-DES(Adm) 73-31.

The environmental statement concerns a proposed use of herbicides for control of undesirable vegetation.

This draft statement was filed with CEQ 11-2-72.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 14th Street and Independence Avenue SW., Washington, DC 20250.

USDA, Forest Service, 319 Southwest Pine Street, Portland, OR 97208.

Olympic National Forest, Federal Building, Olympia, Wash. 98501.

Mount Baker National Forest, 1601 Second Avenue Building, Seattle, WA 98101.

Gifford Pinchot National Forest, 500 West 12th Street, Vancouver, WA 98660.

A limited number of single copies are available upon request to Theodore A. Schlapfer, Regional Forester, Pacific Northwest Region, Portland, Oreg. 97208.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Theodore A. Schlapfer, Regional Forester, Pacific Northwest Region, Portland, Oreg. 97208. Comments must be received by December 21, 1972, in order to be con-

sidered in the preparation of the final environmental statement.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

NOVEMBER 6, 1972.

[FR Doc.72-19347 Filed 11-9-72;8:47 am]

HERBICIDE USE ON DESCHUTES, FREMONT, OCHOCO, AND WINEMA NATIONAL FORESTS

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Calendar Year 1973 Herbicide Use on the Deschutes, Fremont, Ochoco, and Winema National Forests, USDA-FS-DES(Adm) 73-30.

The environmental statement covers the proposed Forest Service use of Amitrole, Dicamba, 2,4,5-T, 2,4-D, Silvex and Picloram on the Deschutes, Fremont, Ochoco, and Winema National Forests in the State of Oregon.

This draft environmental statement was filed with CEQ October 31, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 14th Street and Independence Avenue SW., Washington, DC 20250.
USDA, Forest Service, 319 Southwest Pine Street, Portland, OR 97208.
Deschutes National Forest, 211 East Revere, Bend, OR 97701.
Fremont National Forest, 34 D Street North, Lakeview, OR 97630.
Ochoco National Forest, Federal Office Building, Princeville, Oreg. 97754.
Winema National Forest, Post Office Building, Klamath Falls, Oreg. 97601.

A limited number of single copies are available upon request to Theodore A. Schlapfer, Regional Forester, Pacific Northwest Region, Portland, Oreg. 97208.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Theodore A. Schlapfer, Regional Forester, Pacific Northwest Region, Portland, Oreg. 97208. Comments must be received by December 29, 1972, in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

NOVEMBER 6, 1972.

[FR Doc.72-19348 Filed 11-9-72;8:47 am]

MONARCH WILDERNESS PROPOSAL

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Monarch Wilderness Proposal, USDA-FS-DES(Leg) 73-26.

The environmental statement is a report on proposed legislation to establish a Monarch Wilderness as a National Forest unit of the National Wilderness Preservation System in Fresno County, State of California.

This draft environmental statement was filed with CEQ October 12, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 14th Street and Independence Avenue SW., Washington, 20250.
USDA, Forest Service, 630 Sansome Street, San Francisco, CA 94111.
Sequoia National Forest, 900 West Grand Avenue, Porterville, CA 93257.
Sierra National Forest, Federal Building, Room 3211, Fresno, Calif. 93721.

A limited number of single copies are available upon request to U.S. Forest Service, California Region, 630 Sansome Street, San Francisco, CA 94111.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Douglas R. Leisz, Regional Forester, 630 Sansome Street, San Francisco, CA 94111. Comments must be received by December 18, 1972, in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

NOVEMBER 6, 1972.

[FR Doc.72-19346 Filed 11-9-72;8:46 am]

TRINITY ALPS WILDERNESS PROPOSAL

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Trinity Alps Wilderness Proposal, USDA-FS-DES(Leg) 73-25.

The environmental statement concerns proposed legislation to establish a Trinity Alps Wilderness as a National Forest Unit of the National Wilderness Preservation System in the State of California.

This draft environmental statement was filed with CEQ on October 10, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 14th Street and Independence Avenue SW., Washington, DC 20250.
USDA, Forest Service, California Region, 630 Sansome Street, San Francisco, CA 94111.

A limited number of single copies are available upon request to Douglas R. Leisz, Regional Forester, 630 Sansome Street, San Francisco, CA 94111.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Mr. Douglas R. Leisz, Regional Forester, 630 Sansome Street, San Francisco, CA 94111. Comments must be received by January 8, 1973, in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

NOVEMBER 6, 1972.

[FR Doc.72-19349 Filed 11-9-72;8:47 am]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NATIONAL INVENTORS COUNCIL

Notice of Meeting

Pursuant to Executive Orders 11671 and 11686, notice is hereby given of a meeting of the National Inventors Council to be held in Room 6802 at the Department of Commerce, Washington, D.C., from 10 a.m. to 5 p.m. on November 29, 1972.

The purpose of the Council is to advise the Secretary of Commerce on policies affecting the processes of technological change.

The Council is composed of approximately 15 members from the industrial, legal, and academic communities, and 10 observers from Federal agencies in the Washington, D.C. area.

The agenda for the meeting will include a discussion of plans for a conference on "The Public Need and the Role of the Inventor," and the role that the Council might have in the experimental technology incentives program of the National Bureau of Standards.

The meeting will be open to public observation; applications for admission will be accepted and granted on a first-come-first-served basis up to the capacity of the conference room. These applications should be sent by first-class mail to Mrs. Florence Essers, Executive Secretary, National Inventors Council, National Bureau of Standards, Washington, D.C. 20234, telephone (301) 921-3615.

Dated: November 6, 1972.

LAWRENCE M. KUSHNER,
Acting Director.

[FR Doc.72-19343 Filed 11-9-72;8:46 am]

OPTICAL CHARACTER RECOGNITION

Notice of Two Proposed Federal Information Processing Standards

Under the provisions of Public Law 89-306, the Secretary of Commerce is authorized to make appropriate recommendations to the President relating to the establishment of uniform Federal automatic data processing standards.

Two proposed standards relating to optical character recognition are being recommended by the National Bureau of Standards, (1) Character Set for Handprinting, and (2) Optical Character Recognition Character Sets. These standards, at such time as they may be approved by the Office of Management and Budget, will be published as Federal Information Processing Standards.

Prior to the submission of the final endorsement of these proposals to the OMB, it is essential to assure that proper consideration is given the needs and views of manufacturers, the public, and State and local governments. The purpose of this notice is to solicit such views.

Proposed Federal Information Processing Standards contain two basic sections: (1) An announcement section which provides information concerning the applicability, implementation, and maintenance of the standard, and (2) a specification section which details the technical requirements of the standard. A copy of the technical specifications for both of these proposed standards is available without cost from the Office of Information Processing Standards, Center for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234. The title of the document should be cited in the request.

Interested parties may submit comments to the Associate Director, ADP Standards, Center for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234, within 90 days after publication of this notice in the FEDERAL REGISTER.

LAWRENCE M. KUSHNER,
Acting Director.

NOVEMBER 6, 1972.

PROPOSED FEDERAL INFORMATION PROCESSING STANDARDS PUBLICATION

Date _____

ANNOUNCING THE STANDARD FOR OPTICAL CHARACTER RECOGNITION CHARACTER SETS

Federal Information Processing Standards publications are issued by the National Bureau of Standards under the direction of the Office of Management and Budget in accordance with the provisions of Public Law 89-306 and Office of Management and Budget Circular No. A-86.

Name of standard. Optical Character Recognition Character Sets (FIPS ____).

Category of standard. Hardware Standard, Character Recognition.

Explanation. This standard provides the description, scope, and identification for standard sets of graphic shapes to be used in the application of Optical Character Recognition (OCR) systems.

Approving authority. Office of Management and Budget.

Maintenance agency. Department of Commerce, National Bureau of Standards, Center for Computer Sciences and Technology.

Cross index. a. ANS X3.17-1966 or X3.17 (Revised), American National Standard Character Set for Optical Character Recognition.

b. ECMA 11 (Revised), Character Set for Optical Character Recognition.

c. ISO DR 1073 Character Set for Character Recognition.

d. FIPS 1, Code for Information Interchange.

e. FIPS PUB 12, Federal Information Processing Standards Index.

Applicability. This standard is applicable to Optical Character Recognition systems utilizing any part or all of the character sets contained herein. The choice of the character set to be used is not prescribed.

Implementation schedule. All applicable equipment ordered on or after the date of this FIPS PUB must be in conformance with this standard unless a waiver has been obtained in accordance with the procedure prescribed below. Exceptions to this standard are made in the following cases:

a. For equipment installed or on order prior to the date of this FIPS PUB.

b. Where procurement actions are into the solicitation phase (i.e., request for proposals or invitation for bids have been issued) on the date of this FIPS PUB.

Waiver procedure. Heads of agencies may waive the provisions of the implementation schedule. Proposed waivers relating to procurement of nonconforming equipment or the use of nonconforming character sets will be coordinated in advance with the National Bureau of Standards. Letters should be addressed to the Associate Director ADP Standards, Center for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234. They should describe the nature of the waiver and set forth the reasons therefor.

Sixty days should be allowed for review and response by the National Bureau of Standards. The waiver is not to be effective until a reply is received from the National Bureau of Standards; however, the final decision for the granting of a waiver is a responsibility of the agency head.

Specifications. Federal Information Processing Standard ____ (FIPS ____), Optical Character Recognition Character Sets, dated _____ (affixed).

Qualifications. As contained in the specifications.

Where to obtain copies of the standard. Copies of this publication are for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (Price __ cents a copy; SD Catalog No. C13.52:-__). There is a 25-percent discount on quantities of 100 or more. When ordering, specify document number, title, and SD catalog number or accession number.

PROPOSED FEDERAL INFORMATION PROCESSING STANDARDS PUBLICATION

Date _____

ANNOUNCING THE STANDARD FOR CHARACTER SET FOR HANDPRINTING

Federal Information Processing Standards Publications are issued by the National Bureau of Standards under the direction of the Office of Management and Budget in accordance with the provisions of Public Law 89-306 and Office of Management and Budget Circular No. A-86.

Name of standard. Character Set for Handprinting (FIPS ____).

Category of standard. Hardware Standard, Character Recognition.

Explanation. This standard provides the description, scope, and application rules for a character set for handprinting, to be used in optical character recognition systems.

Approving authority. Office of Management and Budget.

Maintenance agency. Department of Commerce, National Bureau of Standards, Center for Computer Sciences and Technology.

Cross index. a. Proposed American National Standard ANS X3.45-__, Character Set for Handprinting.

Applicability. This standard is applicable to optical character recognition systems using handprinting capabilities.

Implementation schedule. All applicable equipment ordered on or after the date of this FIPS PUB must be in conformance with this standard unless a waiver has been obtained in accordance with the procedure described below. Exceptions to this standard are made in the following cases:

a. For equipment installed or on order prior to the date of this FIPS PUB.

b. Where procurement actions are into the solicitation phase (i.e., request for proposals or invitation for bids have been issued) on the date of this FIPS PUB.

Waiver procedure. Heads of agencies may waive the provisions of the implementation schedule. Proposed waivers relating to procurement of nonconforming character sets will be coordinated in advance with the National Bureau of Standards. Letters should be addressed to the Associate Director ADP Standards, Center for Computer Sciences and Technology, National Bureau of Standards,

Washington, D.C. 20234. They should describe the nature of the waiver and set forth the reasons therefor.

Sixty days should be allowed for review and response by the National Bureau of Standards. The waiver is not to be effective until a reply is received from the National Bureau of Standards; however, the final decision for the granting of a waiver is a responsibility of the agency head.

Specifications. This standard adopts in whole the requirements set forth in the American National Standard X3.45-__, Character Set for Handprinting which was developed and approved by the American National Standards Institute.

Qualifications. The proposed American National Standard Character Set for Handprinting describes a set of characters and associated procedural rules for use in data entry systems for OCR and involving alphabetic and numeric handprinted characters. Additional standards and information sources are required to describe the full set of necessary characteristics of an installed, operating OCR system. In general, these cover the topics of OCR Forms, OCR Print Quality, and OCR Tutorial Papers. Refer to FIPS PUB 12, Federal Information Processing Standards Index, for the latest current listing of available publications relating to character recognition. Use of these standards, guidelines, and information papers is required for the effective operation of installed OCR systems.

The set of characters and associated procedural rules described in this standard may also provide a method of improved man-to-man communication. Such an application of the standard is optional; however, it is urged that the use of the standard for such man-to-man communications be carefully considered for its contribution to increased efficiency and ease of operation wherever handprinted characters are involved in a data processing environment.

Where to obtain copies of the specifications. a. Federal Government activities should obtain copies from established sources within each agency. When there is no established source, purchase orders should be submitted to the General Services Administration, Specification Activity, Printed Materials Supply Division, Building 197, Washington Navy Yard Annex, Washington, D.C. 20407. Refer to Federal Information Standards Publication ____ (Price __ cents a copy).

b. Others may obtain copies from the American National Standards Institute, 1430 Broadway, New York, NY 10018. Refer to American National Standard X3.45-__, Character Set for Handprinting. (Price __ a copy. Discounts are available on quantity order. See ANSI Catalog.)

[FR Doc.72-19342 Filed 11-9-72;8:46 am]

National Technical Information Service

GOVERNMENT-OWNED INVENTIONS

Notice of Availability for Licensing

The inventions listed below resulted from research in aeronautical and space activities performed under programs of the National Aeronautics and Space Administration. The inventions are available for licensing in accordance with the NASA Patent Licensing Regulations (14 CFR 1245.2).

Each invention is covered by a patent application currently pending in the U.S. Patent Office. Copies of the patent applications can be purchased from the National Technical Information Service, Springfield, Va. at $3 each for paper copy and $0.95 each for microfiche. Orders for copies of the patent applications must cite the patent application number and the title.

Inquiries and requests for licensing information should be directed to the address cited on the first page of each copy of the patent application.

DOUGLAS J. CAMPION,
Patent Promotion Coordinator, National Technical Information Service.

Patent Application Number	*Title*
PAT-APPL-150 215	Ablative System.
PAT-APPL-193 980	Molding Process for Imidazopyrrolone Polymers.
PAT-APPL-195 061	Underwater Space Suit Pressure Control Regulator.
PAT-APPL-198 289	Low Power Electromagnetic Flowmeter Providing Accurate Zero Set.
PAT-APPL-215 076	Chemical Laser.
PAT-APPL-220 051	A Spiral Groove Seal.
PAT-APPL-221 714	Lightning Tracking System.
PAT-APPL-223 560	Event Sequence Detector.
PAT-APPL-226 551	Low Outgassing Polymeric Material and Preparation Thereof.
PAT-APPL-228 163	Improved Storage Battery.
PAT-APPL-228 189	Image Data Rate Converter.
PAT-APPL-228 229	Oil and Fat Absorbing Polymers.
PAT-APPL-231 662	A Compton Scatter Attenuation Gamma Ray Spectrometer.
PAT-APPL-233 098	Apparatus and Method for Generating Large Mass Flow of High Temperature Air at Hypersonic Speeds.
PAT-APPL-233 173	Apparatus and Method for Generating Large Mass Flow of High Temperature Air at Hypersonic Speeds.
PAT-APPL-233 587	A Technique fro Breaking Ice in the Path of a Ship.
PAT-APPL-235 268	Short Range Laser Obstacle Detector.
PAT-APPL-235 295	Ferrofluidic Solenoid.
PAT-APPL-235 338	Digital Servo Control of Random Sound Test Excitation.
PAT-APPL-235 957	Apparatus for Sampling Particulates in Gasses.
PAT-APPL-235 962	Cavity Resonator for Hydrogen Maser.
PAT-APPL-236 052	Ultraviolet Atomic Emission Detector.
PAT-APPL-236 285	Counting Digital Filters.
PAT-APPL-238 263	Ultrasonic Scanner for Radial and Flat Panels.
PAT-APPL-239 573	Technique for Extending the Frequency Range of Digital Dividers.
PAT-APPL-239 574	Redundant Speed Control for Brushless Hall Effect Motor.
PAT-APPL-239 575	Anti-Buckling Fatigue Test Assembly.
PAT-APPL-239 576	Inherent Redundancy Electric Heater.
PAT-APPL-241 061	Highly Fluorinated Polyurethanes.
PAT-APPL-241 614	Third Order Phase Locked Loops.
PAT-APPL-241 615	Infrared Tunable Laser.
PAT-APPL-242 027	Cardiotachometer.
PAT-APPL-242 028	Apparatus for Aiding a Pilot in Avoiding a Midair Collision Between Aircraft.
PAT-APPL-243 374	Multiple In-Line Docking Capability for Rotating Space Stations.
PAT-APPL-244 519	Omnidirectional Wheel.
PAT-APPL-244 523	A Thermal Control System for a Spacecraft Modular Housing.
PAT-APPL-245 063	Regulated DC to DC Converter for Voltage Step-Up or Step-Down with Input-Output Isolation.
PAT-APPL-246 056	Method and Apparatus for Nondestructive Testing.
PAT-APPL-247 055	Apparatus for Welding Blades to Rotors.
PAT-APPL-247 090	Diffusion Welding in Air.
PAT-APPL-247 434	Production of I-123.
PAT-APPL-247 481	Temperature Controller for a Fluid Cooled Garment.
PAT-APPL-247 482	Aluminized Nickel Coatings for Nickel-Base Super Alloys.
PAT-APPL-248 469	Rocket Borne Instrument to Measure Electric Fields Inside Electrified Clouds.
PAT-APPL-250 335	Accumulator.
PAT-APPL-250 766	Television Multiplexing System.
PAT-APPL-251 609	Tilting Table for Ergometer and for Other Biomedical Devices.
PAT-APPL-251 621	Power Supply for CO_2 Lasers.
PAT-APPL-251 752	Method of Repairing Discontinuity in Fiber Glass Structures.
PAT-APPL-253 405	Parasitic Suppressing Circuit.
PAT-APPL-253 249	Means for Adjusting Input Signal Bias.
PAT-APPL-254 173	Hall Effect Magnetometer.
PAT-APPL-254 177	Derivation of a Tangent Function Using an Integrated Circuit Four Quadrant Multiplier.
PAT-APPL-254 279	Production of Pure Metals.
PAT-APPL-256 317	Korotkov Sound Processor.
PAT-APPL-258 171	Conducting Flow Electrophoresis in the Substantial Absence of Gravity.
PAT-APPL-258 331	Powerplexer.
PAT-APPL-260 093	Electrophoretic Sample Insertion.

Patent Application Number	Title
PAT-APPL-260 241	Method and Apparatus for Optically Monitoring the Angular Position of a Rotating Mirror.
PAT-APPL-261 183	Apparatus for Applying Simulated G-Forces to an Arm of an Aircraft Simulator Pilot.
PAT-APPL-262 430	Cryogenic Gyroscope Housing.
PAT-APPL-263 498	Heat Flow Calorimeter.
PAT-APPL-263 815	Wind Tunnel Model and Method.
PAT-APPL-266 772	Apparatus and Method for Applying Protective Coatings.
PAT-APPL-266 820	Variably Positioned Guide Vanes for Aerodynamic Choking.
PAT-APPL-266 899	Data Storage, Image Tube Type.
PAT-APPL-266 940	Method and Apparatus for Decoding Compatible Convolutional Codes.
PAT-APPL-267 768	High Speed Shutter.
PAT-APPL-267 862	Bio-Isolated DC Operational Amplifier.

[FR Doc.72-19355 Filed 11-9-72;8:50 am]

Office of Import Programs

STATE UNIVERSITY COLLEGE AT CORTLAND

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, DC.

Docket No. 72-00634-99-43780. Applicant: State University College at Cortland, Graham Avenue, Miller Administration Building, Room 319, Cortland, NY 13045. Article: Kinesiology Equipment. Manufacturer: Holtain Ltd., United Kingdom. Intended use of article: The article is intended to be used for specifying length of body segments, measuring of subcutaneous tissue, and determining segment size and shape for classification of body types as part of two courses in Kinesiology (1) anatomical aspects of movement, and (2) biomechanics. The readings provided will be accurate to the nearest millimeter.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The devices comprising the article are equipped with a counterbalanced movement which facilitates measurement. In addition these devices give accurate and direct readings to the nearest millimeter. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated October 20, 1972, that the characteristics described above are pertinent to the intended use of the article. HEW further advises that it knows of no comparable domestic devices which provide the pertinent characteristics of the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-19339 Filed 11-9-72;8:46 am]

TEXAS SOUTHERN UNIVERSITY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73-00199-33-46040. Applicant: Texas Southern University, 3201 Wheeler Street, Houston, TX 77004. Article: Electron Microscope, Model Elmiskop IA. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used to examine the fine structure of cells of the endocrine organs, spleens, lymph nodes and bone marrow of certain vertebrate species; to study the mechanism of infection in insect tissues such as cell of the gut, fat bodies, caecum, salivary glands and epidermis; to study viral replication, biosynthesis and transformation in mammalian cell cultures; and to study the ultrastructure of normal and abnormal cells in general. The article will also be used in the course Electron Microscopic Anatomy which consists of teaching students the theories of fixation, dehydration, and embedding tissues for microscopy, as well as actual experience in the use of the electron microscope. Application received by Commissioner of Customs: October 19, 1972.

Docket No. 73-00200-33-46040. Applicant: DHEW, PHS, HSMHA, Center for Disease Control, 1600 Clifton Road N.E., Atlanta, GA 30333. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in the investigation of the etiology of neoplastic diseases including the examination of various specimens (human biopsy tissue, tissue culture cells, infected tissue, and leukemic blood) for viruses or virus-like forms in search for the causative agent of leukemia. Application received by commissioner of Customs: October 19, 1972.

Docket No. 73-00201-33-46500. Applicant: Veterans Administration Hospital, 500 Foothill Boulevard, Salt Lake City, UT 84113. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to prepare thin sections for electron micrography for ultrastructural studies of changes of the liver in hypercholesterol diets and changes of the liver in diabetic animals. The article will also be used to train an electron microscopy technician and to familiarize pathology residents with electron microscopy. Application received by Commissioner of Customs: October 19, 1972.

Docket No. 73-00202-00-37100. Applicant: The Wistar Institute, 36th Street at Spruce, Philadelphia, PA 19104. Article: Multiple Membrane Filter—consisting of stainless steel and perspex base, stainless steel filter disc carrier and perspex cover plate. Manufacturer: Yeda, Research and Development Co., Ltd., Israel. Intended use of article: The articles are accessories to a Yeda Press to be used for the rapid filtration of large numbers of small samples through filter discs. It will be used for amino acid transport and incorporation studies involving, for example, nucleic acids and proteins, radiological and radioimmunological assays. Application received by Commissioner of Customs: October 19, 1972.

Docket No. 73-00203-33-37100. Applicant: The Wistar Institute, 36th Street at Spruce, Philadelphia, PA 19104. Article: Yeda Press. Manufacturer: Yeda, Research and Development Co., Ltd., Israel. Intended use of article: The article is intended to be used for homogenization of a number of biological tissues which include tumor cells and spleen cells. These tissues have to be homogenized for the purpose of isolating subcellular particulates with high biological activity.

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-19340 Filed 11-9-72;8:46 am]

UNIVERSITY OF ALABAMA ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73-00191-33-46500. Applicant: University of Alabama in Birmingham, University Station, Birmingham, Ala. 35294. Article: Ultramicrotome, Model LKB 4800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is to be used in dental research for investigations involving samples of purified collagen, other proteins, mitochondria, lysosomes, cell membranes, and basement membranes in normal and pathologic tissues utilizing a variety of techniques including combined histochemical-cytochemical-microchemical-biochemical-electron microscope methods. The article will also be used in the preparation of a book including practical histochemical techniques which will require laboratory testing and training students in an understanding of cellular pathology. Application received by Commissioner of Customs: October 6, 1972.

Docket No. 73-00193-33-46500. Applicant: University of Illinois, Eye and Ear Infirmary, 1855 West Taylor Street, Chicago, IL 60612. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in the investigation of ocular and ocular adnexal tissues obtained from enucleated human eye and experimental animals. Specific projects include: (1) A study of argon laser photocoagulation on the cornea, iris, anterior chamber angle, retina and choroid of the human eye; (2) a study of the vascular changes of Coats' disease, a pediatric ocular disease; (3) a study of the optic nerve changes associated with hereditary-primary tapetal-retinal degeneration of canines; and (4) studies related to retinal degeneration following experimental retinal detachment in monkeys. Application received by Commissioner of Customs: October 16, 1972.

Docket No. 73-00194-33-46500. Applicant: University of Pittsburgh, School of Medicine, The Montefiore Hospital, 3459 Fifth Avenue, Pittsburgh, PA 15213. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of normal and altered mammalian tissues, mostly derived from animal experiments. The phenomena under investigation include the finding of enzymatic activity of certain renal cells as related to their phagocytic and/or pinocytotic function. These experiments may help to understand the handling of antigenic materials and the findings are relevant for the understanding of a variety of interstitial human renal diseases. Application received by Commissioner of Customs: October 16, 1972.

Docket No. 73-00195-33-46500. Applicant: University of Miami, Post Office Box 8184, Coral Gables, FL 33124. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to prepare ultrathin sections of plastic-embedded tissues, principally muscle and nerve, from a wide variety of animal types from lower invertebrates to mammals. The experiments to be conducted include the embryogenesis of muscle and nerve, and the development of the characteristic subcellular components of these cells. A variety of experiments will involve the association of the myofibrils with the membranes concerned in synaptic excitation and the control of contraction and relaxation. Application received by Commissioner of Customs: October 16, 1972.

Docket No. 73-00196-33-46500. Applicant: Ball State University, Muncie, Ind. 47306. Article: Ultramicrotome, Model LKB 4800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for examination of embryonic, larval, pupal and adult tissues in insects to examine the interactions of somatic and germ tissues in development of functional adult gonads. The study will involve looking at sections of heterogenous tissues, for example, ovaries containing eggs undergoing shell formation and larval material. Other projects will involve examination of various plant materials including woody and germinating material. These materials present special problems in embedding and ultramicrotomy. The article will also be used to instruct selected undergraduate and graduate students in the preparation of specimens for electron microscopy. Application received by Commissioner of Customs: October 16, 1972.

Docket No. 73-00197-33-46500. Applicant: Children's Hospital Medical Center, 300 Longwood Avenue, Boston, MA 02115. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in studies on biological materials which will include mammalian tissues obtained from experimental animals. The specific research purposes are to investigate the chemical and structural nature of the initial mineral deposits in enamel, bone, dentin, and cartilage; to characterize the phases and those changes occurring during maturation of the deposits; and to relate to phases to cellular organelles and to structural elements in the organic matrices. Application received by Commissioner of Customs: October 16, 1972.

Docket No. 73-00198-65-46070. Applicant: IIT Research Institute, 10 West 35th Street, Chicago, IL 60616. Article: Scanning electron microscope, Model JSM-50A. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in many programs requiring extensive application of scanning electron microscopy some of which include the following:

(a) Investigation of Failures by Examination of Fracture Surfaces—Documentation of fracture surface, microstructure, surface features, etc., of over 200 laboratory failed samples in commonly used industrial alloys (steels, cast irons, aluminum, nickel, and titanium alloys) in the most commonly encountered facture modes.

(b) Industrial Application of the SEM Diffraction Capability—Obtaining crystallographic and defect information from areas down to 5 microns and below.

(c) Microstructural studies in the SEM.

Application received by Commissioner of Customs: October 17, 1972.

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-19338 Filed 11-9-72;8:46 am]

UNIVERSITY OF PITTSBURGH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00193-01-77095. Applicant: University of Pittsburgh, Department of Chemistry, 4200 Fifth Avenue, Pittsburgh, PA 15213. Article: Photoelectron spectrometer, Model PS-16 and accessories. Manufacturer: Perkin-Elmer, Ltd., United Kingdom. Intended use of article: The article is intended to be used for measurements of the photoelectron spectra of free (gas phase) molecules which permits ionization potentials to be measured down to the energy of the exciting radiation providing information on

molecular bonding properties, bond types, bond orders, electronic populations, charge densities and the vibrational modes and configurations of the resulting molecular ion. The article will also be used by graduate students in basic research as partial fulfillment of the requirements for a dissertation for the degree of doctor of philosophy and for demonstration and student use in applied spectroscopy courses.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides an He^{++} lamp allowing the capability for measurement of low energy photoelectron spectra with high resolution down to 40 electron volts. We are advised by the National Bureau of Standards (NBS) in its memorandum dated October 19, 1972, that the capability described above is pertinent to the purposes for which the article is intended to be used. NBS also advises that it knows of no domestic instrument which is scientifically equivalent to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-19341 Filed 11-9-72;8:46 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CARDIOVASCULAR AND RENAL ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Executive Order 11671, the Food and Drug Administration announces the following public advisory committee meeting and other required information in accordance with provisions set forth in section 13(a) (1) and (2) of that order:

Committee name, date, time, place, and type of meeting and contact person

Cardiovascular and Renal Advisory Committee, November 29, 9 a.m., Conference Room K, Parklawn Building, 5600 Fishers Lane, Rockville, MD, open—9 a.m. to 12 m., closed—1 p.m. to 4:30 p.m., John B. MacGregor, M.D., Room 10B-23, 5600 Fishers Lane, Rockville, MD 20852.

Purpose. Advises the Commissioner of Food and Drugs on safety and efficacy of drugs employed in the treatment of cardiovascular and renal disorders.

Agenda. Review of guidelines on antihypertensive and diuretic agents, immunologic phenomena, coronary arteriography, and discussion of NDA on metalozone.

The afternoon portion of this meeting shall be closed to the public in accordance with section 13(d) of Executive Order 11671 and the Secretary's notice of determination of September 27, 1972, published in the FEDERAL REGISTER of October 5, 1972 (37 F.R. 20995).

A list of committee members and summary minutes of the meeting may be obtained from the contact person for the committee.

Dated: November 3, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-19337 Filed 11-9-72;8:46 am]

Health Services and Mental Health Administration

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Airborne Dust Contaminants and Chemical Agents

Section 20(a)(3) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(3)) provides that the Secretary of Health, Education, and Welfare, on the basis of information available to him, shall develop criteria dealing with toxic materials and harmful physical agents and substances which will describe exposure levels that are safe for various periods of employment. Section 22(c) of the Act authorizes the National Institute for Occupational Safety and Health to develop recommended occupational safety and health standards and to perform all functions of the Secretary of Health, Education, and Welfare, under sections 20 and 21 of the Act. The Institute is currently collecting information and data on a number of chemical substances including:

1. Acetone.
2. Aniline.
3. Copper and copper compounds.
4. Cyanides.
5. Methyl chloride.
6. Methyl ethyl ketone.
7. Methyl isobutyl ketone.
8. Nitrous oxide.
9. Styrene.
10. Zinc and zinc compounds.

The information and data collected for each substance will be analyzed and evaluated relative to the nine areas listed below:

1. Establishment of safe occupational environment levels for such agents, including levels for acute and chronic exposure to airborne concentrations of the chemical substances, as well as safe practices concerning direct contact with such substances.

2. Establishment of biologic standards; i.e., the levels of such substances, metabolites, or other effects of exposure which may be present within man without his suffering ill effects, taking into consideration (a) the correlation of airborne concentrations of, and extent of exposure to such substances with effects on specific biologic systems of man, such as the circulatory, respiratory, urinary, and nervous system, and (b) the analytical methods for determining the amount of the substance which may be present within man.

3. Engineering controls, including ventilation, environmental temperature, humidity, and housekeeping and sanitation procedures, with attention to the technological feasibility of such controls.

4. Specifications for the conditions under which personal protective devices should be required.

5. Methodology, including instrumentation, for air sampling and sample analysis of chemical substances.

6. The need for medical examinations for workers exposed to such substances, the frequency of such examinations, and the specific diagnostic tests which should be used, and the rationale for their selection.

7. Work practices or procedures which may be instituted for control of the workplace environment in normal operations, and those which may be instituted when environmental levels are temporarily exceeded, or where peak concentrations of chemical substances in man are reached.

8. The types of records concerning occupational exposure to such substances that employers should be required to maintain.

9. Warning devices and labels which should be required for the prevention of occupational diseases and hazards caused by such substances.

Any person having information or data which is not readily available in "open scientific literature" in any of the nine areas listed, or in other areas which the person considers relevant to the establishment of a safe and healthful occupational environment involving the substances set forth above, is invited to submit such information, with accompanying documentation, to the Assistant Director for Research and Standards Development, National Institute for Occupational Safety and Health, Room 10-28, 5600 Fishers Lane, Rockville, MD 20852, within 60 days after publication of this notice.

All information received concerning any substance will be available for public inspection after the development of the respective research analysis report or criteria document.

Dated: November 3, 1972.

MARCUS M. KEY,
Director, National Institute for Occupational Safety and Health.

[FR Doc.72-19354 Filed 11-9-72;8:49 am]

Office of the Secretary

OFFICE OF CHILD DEVELOPMENT

Statement of Organization, Functions, and Delegations of Authority

The Statement of Organization, Functions, and Delegations of Authority for the Office of Child Development, section IT03.20, (B.2) is amended to read as follows:

B. *Bureau of Child Development Services*—2. *Project Head Start.* Plans and

directs the development, coordination, dissemination, and monitoring of overall program planning and support policies. Directs the development and implementation of strategic and operational planning, including managerial policies, standards, and guidelines governing overall program operation. Provides guidance to the Office of the Associate Director and the Regional Offices in the effective utilization of Project Head Start resources.

(a) *Program Management Division.* Provides a focal point for overall Project Head Start management, and develops a plan for operational guidance, program analysis, and policy coordination for individual Head Start programs. Develops annual nationwide Head Start improvement plan, including managerial policies, standards, and guides for regional staffs and Head Start grantees. Assists program specialists in assessing the impact of policies and procedures and developing new or revised guidelines.

(b) *Parent and Child Center Division.* Administers, develops, recommends, and disseminates policies and guidelines for pilot programs designed to provide comprehensive parent and child center services to parents and children aged 0–3 years from economically disadvantaged families. Develops and recommends policies, and provides staff support for the purpose of monitoring these programs. Offers technical assistance in carrying out the goals and objectives of Parent and Child Centers, and reviews and recommends approval of grant applications at Headquarters.

(c) *Indian and Migrant Division.* Reviews and recommends approval of grant applications for Head Start programs for Indians living on reservations and for migrants. Develops and recommends policies for and provides staff support to programs for Indians and migrants. Provides or arranges for technical assistance for Indian and migrant grantees and serves as a focal point within the Office of Child Development for mobilizing resources in addition to Head Start for Indian and migrant programs. Provides assistance to the National Center for Child Advocacy in promoting the establishment of programs for Indians and migrants as appropriate.

(d) *Career Development and Technical Assistance Division.* Develops, in conjunction with the Regional Offices and the Head Start grantees, a strategy for serving the technical assistance and training needs of local Head Start programs. Provides guidance for the career development efforts of local grantees. Plans and conducts in-service training for Office of Child Development staff and provides leadership in developing a Department-wide child care training strategy.

Dated: November 2, 1972.

STEVEN D. KOHLERT,
Deputy Assistant Secretary for Management.

[FR Doc.72-19330 Filed 11-9-72;8:47 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-334]

DUQUESNE LIGHT CO. ET AL.

Notice of Receipt of Application for Facility Operating License; Notice of Hearing; Notice of Consideration of Issuance of Facility Operating License and Opportunity for Hearing

In the matter of Duquesne Light Co., Ohio Edison Co., and Pennsylvania Power Co. (Beaver Valley Power Station Unit No. 1).

Duquesne Light Co., Ohio Edison Co., and Pennsylvania Power Co. (the applicants), pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, have filed an application, which was docketed on October 18, 1972, together with a final safety analysis report, for a license to operate the Beaver Valley Power Station, Unit No. 1, a pressurized water nuclear reactor (the facility), located at the Beaver Valley Power Station, an approximately 449-acre site on the south bank of the Ohio River in Shippingport Borough, Beaver County, Pa.

The Atomic Energy Commission (the Commission) will consider the issuance of a facility operating license to the applicant which would authorize the applicants to possess, use, and operate Beaver Valley Power Station Unit No. 1 at reactor core power levels not to exceed 2,660 megawatts thermal in accordance with the provisions of the license and the technical specifications appended thereto. The license would be issued upon the completion of a favorable safety evaluation of the application by the Commission's Directorate of Licensing, the completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, the receipt of a report on the applicant's application for a facility operating license by the Advisory Committee on Reactor Safeguards, and a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Construction Permit No. CPPR-75 issued by the Commission on June 26, 1970.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of Construction Permit No. CPPR-75. In addition, the license will not be issued until the Commission has made the findings, reflecting its review of the application under the Act which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the license, the applicants will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

In addition to the above, the facility is subject to the provisions of section B of Appendix D to 10 CFR Part 50, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities for which construction permits or operating licenses were issued in the period January 1, 1970–September 9, 1971. These provisions require that a hearing be held to consider whether the construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values. With respect to this consideration, notice is hereby given, pursuant to the Act and the regulations in 10 CFR Part 2, rules of practice, and Appendix D to 10 CFR Part 50, "Implementation of the National Environmental Policy Act of 1969," that a hearing will be held in the captioned proceeding by an Atomic Safety and Licensing Board (Board) at a time and place to be fixed by subsequent order of the Board to consider and make determinations on the matters set forth below.

1. In the event that this proceeding is not a contested proceeding as defined by 10 CFR 2.4(n) of the Commission's rules of practice, the Board will without conducting a de novo evaluation of the application determine whether the environmental review conducted by the Commission's regulatory staff pursuant to Appendix D of 10 CFR Part 50 has been adequate.

2. In the event that this proceeding is a contested proceeding, the Board will decide any matters in controversy among the parties within the scope of Appendix D to 10 CFR Part 50, with regard to whether, in accordance with the requirements of Appendix D to 10 CFR Part 50, the construction permit should be continued, modified, terminated or appropriately conditioned to protect environmental values.

3. Regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with section A.11 of Appendix D of 10 CFR Part 50, (a) determine whether the requirements of section 102(2) (C) and (D) of NEPA and Appendix D to 10 CFR Part 50 of the Commission's regulations have been complied with in this proceeding; (b) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view toward determining the appropriate action to be taken; and (c) determine, after weighing the environmental, economic, technical, and other benefits against environmental costs and considering available alternatives, whether the construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values.

The Board will be designated by the Atomic Energy Commission. Notice as

to its membership will be published in the FEDERAL REGISTER. Within thirty (30) days from the date of publication of this present notice in the FEDERAL REGISTER, the applicant may file a request for a hearing with respect to issuance of the facility operating license and any person whose interest may be affected by this proceeding may file a petition for leave to intervene (1) with respect to the issuance of the facility operating license; or (2) with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR 2.714. As required by 10 CFR 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, DC 20545, Attention: Chief, Public Proceedings Staff, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC, not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER. A petition for leave to intervene which is not timely will not be granted unless the Commission determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Commission has considered those factors specified in 10 CFR 2.714 (a).

If a request for a hearing or petition for leave to intervene with respect to the issuance of a facility operating license is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

Any person who does not wish to, or is not qualified to become a party to this proceeding, concerning continuation, modification, termination, or conditioning the construction permit, may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715. A person making a limited appearance may only make an oral or written statement on the record, and may not participate in the proceeding in any other way. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, DC 20545, not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER.

A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered, to the extent that the questions are within the scope of the hearing as specified in the issues set out above.

In the event that this proceeding concerning continuation, modification, termination, or conditioning the construction permit is not contested, the Board will convene a prehearing conference of the parties within sixty (60) days after this notice of hearing or such other time as may be appropriate, at a time and place to be set by the Board. It will also set the schedule for the evidentiary hearing. Notice of the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

In the event that this proceeding concerning continuation, modification, termination, or conditioning the construction permit, becomes a contested proceeding, the Board will convene a special prehearing conference of the parties to the proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held within sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any special prehearing conference and within sixty (60) days after discovery has been completed, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.752.

Notices of the dates and places of the special prehearing conference, the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

For further details pertinent to the matters under consideration, see the application for the facility operating license docketed October 18, 1972, as amended, and the applicants' Environmental Report dated September 24, 1971, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Beaver, Area Memorial Library, 100 College Avenue, Beaver, PA 15009. As they become available, the following documents also will be available at the above locations: (1) The safety evaluation prepared by the Directorate of Licensing; (2) the Commission's draft detailed statement on environmental considerations pursuant to 10 CFR 50, Appendix D; (3) the Commission's final detailed statement on environmental considerations; (4) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating license; (5) the proposed facility operating license; and (6) the proposed technical specifications, which will be attached to the proposed facility operating license. Copies of items (1), (3), (4), and (5) may be obtained by request to Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

With respect to this proceeding concerning continuation, modification, termination, or conditioning the construction permit, the Commission will delegate to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission will establish the Appeal Board pursuant to 10 CFR 2.785 and will make the delegation pursuant to paragraph (a) (1) of that section. The Appeal Board will be composed of a Chairman, and two other members to be designated by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER.

Dated at Germantown, Md., this 7th day of November, 1972.

UNITED STATES ATOMIC ENERGY COMMISSION
PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.72-19415 Filed 11-9-72;8:52 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24884; Order 72-11-5]

AIR TRAFFIC CONFERENCE OF AMERICA

Order Deferring Action and Requesting Comments Regarding Bonding of Travel Agents

Issued under delegated authority November 2, 1972.

The Air Traffic Conference of America (ATC), on behalf of its air carrier members, has filed with the Board under section 412 of the Federal Aviation Act of 1958, as amended (the Act), two agreements which, in part, propose to alter

the ATC bonding requirements applicable to sales agents.[1]

The first agreement (CAB 5044–A154) amends the ATC Agency Resolution to require that agents' sales of air transportation between the Continental United States, Alaska, and Hawaii be included in determining agents' sales of air transportation for the sake of determining bond coverage.[2] At present, agents are required to include only those sales of air transportation wholly within each of these geographical areas.

Upon consideration of the matter, we have decided to defer action temporarily to allow an opportunity for air carriers, agents, and other interested persons to file written comments in support of or in opposition to approval of the proposed change. Accordingly, in connection with this aspect of Agreement CAB 5044–A154 the following information is desired:

1. What circumstances prompted adoption of the above-mentioned change in bonding coverage?

2. Is the proposed expansion of bond coverage related to or affected by the ATC proposal, set forth in Agreement CAB 16874–A29, to expand the use of Standard Agent's Tickets under the Standard Agent's Ticket and Area Settlement Plan? If so, explain the relationship.

The second agreement (CAB 16874–A29) increases the minimum amount of the bond to be maintained by agents from $10,000 to $15,000 and the maximum amount from $50,000 to $75,000. Thus, it is apparent that the air carrier members of ATC are proposing significant increases in the amount of bond coverage to be maintained by their agents. In this connection, the Board, in Order 72–4–114, April 20, 1972, expressed the view that any proposal, advanced by carriers or agents, for either an upward or downward adjustment in the bonding requirement be fully documented. The air carriers have not submitted any specific factual data, reasons for adoption, or justification with respect to the proposal now before the Board. Accordingly, the Board is left without any basis for proceeding on such proposal. In this light, it has also been decided to defer action on this particular aspect of Agreement CAB 16874–A29 in order to allow the air carrier members of ATC a further opportunity to submit factual data in support of their proposal, and to allow other interested persons to file written comments in support of or in opposition to approval of such proposal. It would be helpful if the air carrier members of ATC set out in their comments the basic philosophy behind the proposed increases in the agents' bonds, i.e., what objectives are the increases intended to achieve, and what portion of the costs associated with the desired objectives are to be borne by the agents?[3]

In addition to the foregoing, any response of the air carrier members of ATC to this order should include, inter alia, for each calendar year 1962 through 1972 (January through September 1972):

(a) The number of ATC-approved agents as of December 31.

(b) The dollar amount of domestic air transportation sales attributable to ATC-approved travel agents.

(c) The number of travel agency defaults.

(d) Total gross losses from defaults to carriers participating in the ATC agency program both prior to and after adoption of the Settlement Plan.

(e) The portion of gross losses from defaults recovered from bonding companies.

(f) The portion of gross losses from defaults recovered from agents.

(g) The net carrier losses from defaults.

(h) Information with respect to bond premium costs for ATC-approved agents including (1) average premium cost per $1,000 for ASTA agents and non-ASTA agents (2) total number of ASTA agents and non-ASTA agents, and (3) average premium cost per $1,000 for ATC-approved agents.

(i) The average (1) dollar amount per default, (2) amount of the bond maintained by defaulting agents at the time of default and (3) amount collected from the surety.

(j) The number of defaults by agents carrying (1) minimum bonds and (2) maximum bonds.

(k) The average amount of defaults by agents carrying (1) minimum bonds and (2) maximum bonds.

(l) The number of agents bonded at the minimum- and maximum-bond amounts.

(m) The average amount of bond carried by ATC-approved agents.

(n) A table setting forth default experience information relative to the Settlement Plan, including for each year (a) the loss exposure periods and (b) the number of defaults within such loss exposure periods.

The air carrier members of ATC should also include in their response the technical basis for the selection of the new minimum- and maximum-bond amounts of $15,000 and $75,000, respectively.

Acting pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.3, it is concluded that it is in the public interest to defer action on those provisions of Agreements CAB 5044–A154 and CAB 16874–A29 discussed herein in order to permit interested persons to file comments as provided for herein.

Accordingly, it is ordered, That:

1. Action on those specific provisions of Agreements CAB 5044–A154 and CAB 16874–A29 as discussed herein be and it hereby is deferred;

2. The air carrier members of the ATC may file comments on those specific provisions of Agreements CAB 5044–A154 and CAB 16874–A29 as discussed herein within 21 days from the date of this order;

3. All other interested persons are afforded a period not exceeding 35 days from the date of this order to file comments in support of or in opposition to approval of those provisions of Agreements CAB 5044–A154 and 16874–A29 discussed herein;[4]

4. Rebuttal comments may be filed by those persons filing initial comments pursuant to paragraph 2 hereof within 42 days of the date of this order;

5. This order shall be served upon the Air Traffic Conference of America, and each air carrier member thereof, Pan American World Airways, Inc., the American Society of Travel Agents, the Association of Retail Travel Agents, and the Department of Justice;

6. Comments filed pursuant to ordering paragraphs 2, 3, and 4 shall be served on all persons named in ordering paragraph 5;[5]

7. Rebuttal comments filed pursuant to ordering paragraph 4 shall be served upon all persons filing initial comments pursuant to ordering paragraph 3; and

8. This proceeding shall be assigned Docket 24884.

This order shall be published in the FEDERAL REGISTER.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.72–19370 Filed 11–9–72;8:51 am]

[1] The proposed changes in the ATC bonding requirements are intended to be effective 60 days after their approval by the Civil Aeronautics Board.

[2] At the present time agents must procure and maintain a bond for the benefit of ATC members in the basic minimum amount of $10,000, such amount to be increased (to a basic maximum amount of $50,000) whenever necessary to cover the average of the three highest months (of the last 12) gross sales of air transportation for the accounts of ATC members.

[3] It is hoped that any comments as to the philosophy behind the proposed increases will explain the relationship thereof to the purposes of the bonding program which, as the Board noted in Order 72–4–114, reflected a strong desire on the part of the Board for the carriers to turn away from broad and indefinite standards in judging agents' qualifications in favor of more objective requirements. (The same order also pointed out that bonding expedites ATC's review of agent's qualifications.)

[4] We note that the Association of Retail Travel Agents has already filed comments concerning the agreements. These comments, as well as such additional comments as may be filed pursuant to this ordering paragraph, will be considered in reaching a final decision in this proceeding.

[5] An original and 2 copies of all comments filed pursuant to ordering paragraphs 2, 3, and 4 hereof shall be filed with the Board's Docket Section.

NATIONAL CUSTOMS BROKERS & FORWARDERS ASSOCIATION OF AMERICA, INC.

Notice of Meeting

Notice is hereby given that a meeting with the above Association will be held on November 16, 1972, at 9 a.m., local time, in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, at which time the National Customs Brokers & Forwarders Association will make an informal presentation regarding the Association's views of the present status of U.S. international air freight forwarders and air freight agents, and their future role in the development of air transportation.

Dated at Washington, D.C., November 7, 1972.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.72-19368 Filed 11-9-72;8:50 am]

[Docket No. 24640; Order 72-11-4]

TWIN FAIR, INC. ET AL.

Order Granting Exemptions and Tentative Approval for Exemption or Approval of Control Relationships

Issued under delegated authority November 1, 1972.

By joint application, as amended, Twin Fair, Inc. (Twin Fair), Aero Spacelines, Inc. (ASI), ASI Aircraft Corp. (New ASI), TIFS, Inc. (TIFS) and LTH, Inc. (LTH) request approval without hearing under, or exemption from, section 408 of the Federal Aviation Act of 1958, as amended (the Act), of certain control relationships arising from a corporate reorganization involving ASI and New ASI, and the acquisition of all the outstanding stock of TIFS by Twin Fair.

The applicants further request, pursuant to Part 287 of the Board's economic regulations, exemption from section 409 of the Act with respect to certain interlocking relationships resulting from the above-mentioned transactions[1] and approval of the transfer of exemption authority now held by ASI[2] to New ASI or, alternatively, to reissue such exemption to New ASI.

Twin Fair, a New York corporation, owns and operates discount department stores and manufactures iron castings for use in the electrical, automotive and construction industries through subsidiary corporations.

ASI, a California-based corporation wholly owned by Twin Fair,[3] manufactures (by modifying other aircraft) and operates aircraft (known as Guppy aircraft) for the carriage of outsize cargo pursuant to exemption authority granted by the Board.[4]

New ASI is presently an inactive corporation wholly owned by ASI and created solely for the purpose of the proposed corporate reorganization discussed below.

TIFS, wholly owned by Twin Fair, is a corporation organized to manufacture total in-flight simulation aircraft for training purposes. TIFS has had no sales and is presently inactive.

LTH, wholly owned by Twin Fair,[5] is a corporation which formerly performed aircraft maintenance and overhaul services but has since sold substantially all its assets, properties and business interests to Modern Air Transport, Inc.[6] and is presently inactive.

The applicants state that the purpose of the proposed corporate reorganization is to eliminate certain California State sales and use taxes now imposed on the Guppy aircraft that are manufactured and operated in California by ASI.[7]

The applicants' plan of reorganization contemplates the activation of New ASI upon Board approval and the assumption by New ASI of the exemption authority now held by ASI to operate as a specialized air cargo carrier as well as the lease by ASI of all of its operational aircraft to New ASI.[8] ASI will, according to the applicants, thenceforth cease to be an air carrier and engage only in the business of manufacturing, modifying and repairing aircraft.[9] After the reorganization is effected, ASI will continue to own all of the stock of New ASI and the officers and directors of both companies will be identical. In addition, the applicants state that upon completion of the reorganization New ASI will do business as "Aero Spacelines."[10]

In support of their request, the applicants state that except for the formality of ASI's separation into two corporations, one for manufacturing and one for operations, there will be no substantive changes in ASI's operations; ASI and New ASI will continue to be engaged in the same business, in the same manner, and with the same facilities as ASI heretofore has been,[11] but without the burden of the existing California State sales/use taxes.

With respect to the acquisition of TIFS by Twin Fair, the applicants state that TIFS is not an air carrier and may not be considered as presently engaged in any phase of aeronautics within the meaning of section 408 of the Act since it has had no sales and is presently inactive.[12]

No comments or requests for a hearing have been received.

It is found that upon completion of the reorganization and transfer of exemption authority, New ASI will, for all practical purposes, be the same corporation as ASI and will operate with the same persons who also serve as officers and directors with ASI. It appears that the reorganization will not interrupt, increase or diminish the air carrier activities of ASI but will simply permit ASI to take advantage of tax benefits it would otherwise be ineligible for while continuing control of its air carrier activities through New ASI. While the Board has indicated its concern with the potential deleterious consequences of air carrier reorganizations and is currently investigating such schemes when undertaken by certificated carriers,[13] neither ASI nor New ASI are certificated carriers, and therefore do not have the obligations and responsibilities which warrant a closer look at corporate reorganization and diversification. In any event, we shall retain jurisdiction over the transaction.

Upon consideration of the foregoing, it is concluded that Twin Fair is a person controlling both an air carrier and persons engaged in phases of aeronautics and that ASI and New ASI are air carriers and TIFS and LTH are persons engaged in phases of aeronautics, all within the meaning of section 408 of the Act,

---

[1] Applicants have requested a waiver from § 287.3(e) of the Board's economic regulations which contains a proviso that no interlocking relationship shall be exempted involving transactions between an air carrier and a person engaged in a phase of aeronautics which exceed $100,000 per year.

[2] By Order E-26532, March 18, 1968, ASI was granted an exemption from the provisions of section 401 of the Act for a temporary period of 5 years to engage in worldwide transportation of outsize cargo in planeload charter service, subject to certain conditions.

[3] Ownership and control of ASI by Twin Fair (formerly Unexcelled, Inc.) was approved by Board Order E-26533, Mar. 18, 1968.

[4] See footnote 2, supra.

[5] Control of LTH (formerly American Airmotive Corp.) by Twin Fair and resultant interlocking relationships with ASI were approved by Order E-26533, Mar. 18, 1968.

[6] See Order 70-5-36, May 8, 1970.

[7] According to the applicants, ASI can be exempted from such sales/use taxes under California law if it sells or leases the aircraft to a common carrier of persons or property. In this connection, the lease of Guppy aircraft by ASI to New ASI (as the common carrier) would be exempt from tax as would components and materials purchased by ASI for the manufacture of Guppy aircraft sold or leased to New ASI. The applicants estimate a tax benefit of $1125,000 per aircraft as a result of such exemption.

[8] Applicants note that a condition attendant to ASI's exemption authority prohibits it from selling or leasing aircraft to any air carrier without prior Board approval. However, applicants state that since the reorganization will not affect ASI's manufacturing and marketing decisions and is a matter solely of corporate formality, the lease between the parent (ASI) and the wholly owned subsidiary (New ASI) is of no economic consequence and should be approved.

[9] The applicants request that the Board disclaim jurisdiction over ASI, if the application for reorganization and attendant transactions is approved or exempted since according to the applicants ASI would then cease to be an air carrier upon the transfer of its exemption authority to New ASI and, thus, would no longer be subject to the Act or to Board Order E-26533.

[10] Applicants submit that since ASI will no longer be an air carrier after the reorganization, the use of this name presents no problems under Part 215 of the Board's economic regulations. In any event, the applicants state that ASI consents to the use of the name "Aero Spacelines" by New ASI.

[11] The applicants state that after the reorganization New ASI will hold the same noncertificated air carrier status as ASI.

[12] The joint applicants submit that Twin Fair's ownership of TIFS does not result in creating a monopoly, nor tend to restrain competition, and is in the public interest.

[13] Air Carrier Reorganization Investigation, Order 72-3-27, Mar. 10, 1972.

and that the above-described corporate reorganization and acquisition of control involving ASI and New ASI and Twin Fair and TIFS,[14] respectively, are subject to that section. However, it is further concluded that the reorganization described herein will not result in creating a monopoly and thereby restrain competition or jeopardize another air carrier; nor does it appear that the transaction will be inconsistent with the public interest or that the conditions of section 408 will be unfulfilled. No person disclosing a substantial interest is requesting a hearing and it is concluded that the public interest does not require a hearing. Therefore, exemption of the control relationship from the provisions of section 408 pursuant to the proviso contained in subsection (a)(5) is in the public interest, and the reorganization shall be so exempted pursuant to 14 CFR 385.13.

With respect to the reissuance of ASI's exemption authority to New ASI, it appears that New ASI will be substantially the same company as ASI with the same officers and directors. In this light the bases for the exemption granted to new ASI's predecessor in Order E-26532 remain, and for the reasons therein stated we find that enforcement of section 401 of the Act or of any applicable rule, regulation, term, condition, or limitation would be an undue burden on New ASI by reason of the limited extent of, or the unusual circumstances affecting, its operations and that enforcement of such provisions is not in the public interest. Accordingly, pursuant to section 416(b) of the Act, the exemption authority held by ASI is terminated and such exemption authority is reissued to New ASI.[15]

With respect to the applicants' request that the Board disclaim jurisdiction over ASI after the reorganization, we conclude that ASI will essentially remain the same corporate entity performing the same business activities as prior to the reorganization and will, therefore, continue to be subject to the same conditions, including continuing Board jurisdiction, as described in Order E-26533. Accordingly, we will deny the applicants' request and continue to apply the terms and conditions of Order E-26533 to ASI as well as to New ASI upon its assumption of ASI's existing exemption authority.

Turning to the interlocking relationships described herein, it has been concluded that such come within the scope of the exemption from the provisions of section 409 afforded by § 287.2 of the Board's economic regulations and, therefore, to the extent that the application requests exemption of such relationships, it is dismissed.[16]

Regarding the acquisition of control of TIFS by Twin Fair, it is determined that such relationship is within the meaning of section 408(a)(6) of the Act. However, it is tentatively concluded that such acquisition of control may be approved without hearing under the third proviso of section 408(b) of the Act. It appears that the acquisition of TIFS by Twin Fair does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly, and does not tend to restrain competition. Moreover, no person disclosing a substantial interest is currently requesting a hearing and it is concluded that the public interest does not require a hearing. In its final order the Board will reserve jurisdiction generally over the control relationships which it will approve. Accordingly, under section 408 of the Act and pursuant to the Board's regulations, 14 CFR 385.13, this order constitutes, among other things, notice of the Board's tentative findings, and will be published in the FEDERAL REGISTER. Interested persons will be afforded an opportunity to file comments or request a hearing on the Board's tentative decision.

Accordingly, it is ordered, That:

1. The reorganization involving Aero Spacelines, Inc. and ASI Aircraft Corp. be and it hereby is exempted from the provisions of section 408(a)(5) of the Act pursuant to the proviso thereof;

2. The exemption authority described in Order E-26532 held by Aero Spacelines, Inc. be and it hereby is terminated;

3. The use of the trade name "Aero Spacelines" by ASI Aircraft Corp. be and it hereby is authorized;

4. The lease of aircraft by Aero Spacelines, Inc. to ASI Aircraft Corp. be and it hereby is approved;

5. ASI Aircraft Corp., doing business as "Aero Spacelines" be and it hereby is exempted from the provisions of section 401 of the Act insofar as they would otherwise prevent it from engaging in world-wide transportation of outsize cargo, as defined in the margin below[17] in planeload charter service subject to the following conditions:

(a) The holder shall comply with the records retention requirements of the Board's economic regulations, § 208.34 and Part 249 thereof, to the same extent required of supplemental air carriers within the meaning of the Act.

(b) In addition to the requirements of paragraph (a) above, the holder shall make and retain a record of each shipment of outsize cargo, indicating the name of the charterer, the nature of the unit or units carried, the origin and destination of the shipment, the charter price, and the basis, in terms of dimensions and/or shape, upon which the holder decided that each unit was "outsize cargo."

(c) The holder shall comply with the liability insurance requirements §§ 208.10 and 208.11(b) of the economic regulations;

(d) ASI Aircraft Corp. and Aero Spacelines, Inc. be and they hereby are prohibited from selling or leasing its aircraft to air carriers or foreign air carriers without prior approval of the Board.

6. The exemption granted in ordering paragraph 3, supra, shall be effective on the effective date of this order and shall continue in effect until March 18, 1973;

7. Jurisdiction on this proceeding is retained for the purpose of taking such further action as may be required by the public interest;

8. The acquisition of control of TIFS, Inc. by Twin Fair, Inc. be and it hereby is tentatively approved;

9. Interested persons are hereby afforded a period of ten (10) days from the date of issuance of this order within which to file comments or request a hearing with respect to the Board's proposed action described in ordering paragraph 8;[18] and

10. The Attorney General of the United States be furnished a copy of this order within 1 day of publication.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a peti-

---

[14] Although the acquisition of control of TIFS by Twin Fair has already been accomplished, it has been determined that exceptional circumstances exist within the meaning of Sherman Control and Interlocking Relationships, 14 CAB 876 (1952) and that there is no impediment to processing this application on its merits.

[15] For similar reasons we also approve the lease of aircraft between ASI and New ASI and the use by New ASI of the name "Aero Spacelines."

[16] We have decided to waive the $100,000 yearly limitation pertaining to transactions between ASI and New ASI under § 287.3(c) of the Board's economic regulations since the lease of aircraft and other transactions between ASI and New ASI, while involving more than $100,000 per calendar year, will not materially alter the present arrangement whereby ASI manufactures and then operates its own aircraft through its subsidiary New ASI.

[17] (a) Outsize cargo is a unit which by virtue of its dimensions and/or shape when enclosed in any packaging or protective covering necessary for its transportation cannot be accommodated on any other aircraft used in commercial cargo operations by any other air carrier including, but not limited to, the following aircraft: DC-6A, DC-7C, L-1049H, CL-44, DC-8F, "stretch" DC-8, C-130E, B-727, B-737 (when available), and B-747 (when available).

(b) Outsize cargo includes a reasonable number of integral accessorial component parts, appurtenances, spare parts, and tools, and a reasonable amount of fuel, which are necessary to the functioning and/or utilization of the unit, described in paragraph (a) above, during its transportation and/or at its destination even though such component parts, appurtenances, spare parts, tools, and fuel would not, alone or in the aggregate, satisfy the definition in paragraph (a).

(c) Outsize cargo does not include a unit which consists of a containerized aggregate of separate items no one of which would alone satisfy the definition in paragraph (a).

[18] Comments shall conform to the requirements of the Board's rules of practice (14 CFR Part 302). Further, since an opportunity to file comments is being provided, petitions for reconsideration of this order will not be entertained.

tion for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order shall be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.72-19369 Filed 11-9-72;8:50 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 621]

COMMON CARRIERS SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

NOVEMBER 6, 1972.

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 1 business day preceding the day of 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 below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

[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).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

2850-C2-P-73—Communications Engineering, Inc. (New), for a new one-way station to be located at Third and "E" Streets, Anchorage, Alaska, to operate on 152.24 MHz.

2851-C2-P-73—Radio Telephone Service, Inc. (New), for a new two-way station to be located at the WKYW-FM tower at the intersection of Highway No. 421 and St. John Road, 1.5 miles northwest of Frankfort, Ky., to operate on 152.06 MHz.

2852-C2-P-73—Same as above except to be located at Pine Mountain, 3.5 miles north of Harlan, Ky., to operate on 152.12 MHz.

2853-C2-P/ML-73—Communications Equipment & Service Co. (KWA632), to reinstate expired C.P. to replace transmitter operating on 152.03 MHz at location No. 1: Ester Dome, Alaska and replace transmitter operating on 152.09 MHz at location No. 2: 1010 College Road, Fairbanks, AK.

2855-C2-P-73—Radio Telephone Service (KJU819), for additional facilities to operate on 152.06 MHz and change the antenna system at 0.2 miles west of Catlettsburg, Ky.

2856-C2-P-73—Same as above except, to operate on 152.12 MHz near the WPAY-FM radio tower, 0.2 mile south of South Portsmouth, Ky.

2857-C2-AL-73—Pocket Paging Service, Inc., consent to assignment of license from Pocket Paging Service, Inc., Assignor, to Ralph C. Parker, doing business as Ratel Communications Co., Assignee. Station KLB716, Abilene, Tex.

2936-C2-MP-(2)-73—General Telephone Company of the Northwest, Inc. (KON912), change frequencies to 454.425 and 454.525 MHz, at 426 Casino Road, Everett, WA.

2937-C2-P-(4)-73—Bell Telephone Company of Pennsylvania (KGA585), for additional standby facilities to operate on 454.425, 454.475, 454.575, and 454.650 MHz at location No. 2: 12 South 12th Street, Philadelphia, PA.

3053-C2-P-73—J. B. James (New), for a new one-way station to be located on U.S. Highway No. 98, east of Cove Street, Panama City, Fla., to operate on 152.24 MHz.

3054-C2-P-(2)-73—United Telephone Company of Ohio (KUA305), for additional facilities to operate on 152.60 MHz and change the antenna system for 152.78 MHz located off Highway No. 42, approximately 1 mile southwest of Mansfield, Ohio.

3055-C2-P-73—Answerphone, Inc. (KTS255), replace transmitter operating on 152.24 MHz and retain old transmitter for standby at Lookout Mountain, near Golden, Colo.

3059-C2-P-73—Deer River Telephone Exchange, Inc. (New), for a new two-way station to be located at second and fourth Avenues, Deer River, Minn., to operate on 152.63 MHz.

3060-C2-P-(2)-73—The Pacific Telephone & Telegraph Co. (KME432), replace transmitters operating on 152.54 and 152.60 MHz, located on Helen Drive, south of Park View Drive, Fullerton, Calif.

3061-C2-P-73—First Colony Telephone Co. (KIJ361), change the antenna system and relocate facilities operating on 152.51 MHz to Second Street, Amherst, Va.

3166-C2-P-(3)-73—Ute Communications (New), for a new two-way station to be located at Crow Mesa, 3 miles north of Lybrook, N. Mex., to operate on 152.06 MHz base and 459.300 MHz repeater and at 2 miles east of Mancos, Colo., to operate on 454.300 MHz control.

3167-C2-P-73—Same (New), for a new one-way station to be located at 23 Pinion Drive, Cortez, CO, to operate on 152.24 MHz.

Major Amendment

372-C2-P-73—Message-Mate (New), Pine Street, Rehoboth, Mass. Add second channel on 454.125 MHz. All other particulars same as Report No. 607, dated July 31, 1972.

RURAL RADIO SERVICE

3052-C1-P-73—The Ohio Bell Telephone Co. (New), for a new rural subscriber station to be located at Water Intake Crib No. 3, Ohio, to operate on 459.400 MHz.

3056-C1-P-73—Central Telephone Co. (KPT35), for additional facilities to operate on 152.78 MHz and change the class of station from relay-fixed to central office fixed. Existing facilities: 454.400 MHz communicating with KPT36, Youth Camp, Nev. Station location: Mount Potosi, Nev.

3057-C1-P-73—Central Telephone Co. (New), for a new rural subscriber station to be located at 2.5 miles northwest of Sandy, Nev., to operate on 158.04 MHz.

3058-C1-P-73—Nevada Telephone-Telegraph Co. (New), for a new rural subscriber station to be located at Twin Springs Ranch, approximately 10.8 miles east of Warm Springs, Nev., to operate on 157.09 MHz.

3062-C1-P-73—RCA Alaska Communications, Inc. (New), for a new central office station to operate on 152.57, 152.66, and 152.72 MHz at Bonasila Dome, Alaska.

3063-C1-P-73—Same as above except, for a rural subscriber station to operate on 157.63, 157.92, and 157.98 MHz at Anvik Village, located 140 miles north-northeast of Bethel, Alaska.

3064-C1-P-73—Same except, to be located at Grayling Village, 158 miles north-northeast of Bethel.

3065-C1-P-73—Same except, to be located at Holy Cross Village, 115 miles northeast of Bethel.

3066-C1-P-73—Same except, to be located at Shageluk, 146 miles northeast of Bethel, Alaska.

3067-C1-P-73—Same except, for a new central office station to operate on 152.54, 152.63, 152.69, and 152.81 MHz to be located at Hill 1142, Alaska.

3068-C1-P-73—Same except, for a new rural subscriber station to operate on 157.80, 157.89, 157.95, and 158.07 MHz to be located at Alakanuk Village, 165 miles northwest of Bethel.

3069-C1-P-73—Same except, to be located at Emmonak Village, 165 miles northwest of Bethel.

3070-C1-P-73—Same except, to be located at Kotlik Village, 162 miles north-northwest of Bethel.

3071-C1-P-73—Same except, to be located at Mountain Village, 110 miles northwest of Bethel.

RURAL RADIO SERVICE—continued

3072-C1-P-73—Same except, for a new central office station to operate on 152.54, 152.63, 152.69, and 152.81 MHz to be located at Pilcher Mountain, Alaska.

3073-C1-P-73—Same except, for a new rural subscriber station to operate on 157.80, 157.89, 157.95, and 158.07 MHz to be located at Marshall, 78 miles north-northwest of Bethel, Alaska.

3074-C1-P-73—Same except, to be located at Pilot Station Village 90 miles northwest of Bethel.

3075-C1-P-73—Same except, to be located at Pitkas Point Village 102 miles northwest of Bethel.

3076-C1-P-73—RCA Alaska Communications, Inc. (continued). Same except, to be located at Russian Mission Village, 70 miles north of Bethel, Alaska.

3077-C1-P-73—Same except, to be located at Andreafsky (St. Mary's) Village, 100 miles north-northwest of Bethel, Alaska.

3078-C1-P-73—Same except, for a new central office station to operate on 152.51 and 152.60 MHz to be located at Kasaan Mountain, Alaska.

3079-C1-P-73—Same except, for a new rural subscriber station to operate on 157.77 and 157.86 MHz to be located at Myers Chuck Village, 35 miles north-northwest of Ketchikan, Alaska.

3080-C1-P-73—Same except, to be located at Thorne Bay Village, 40 miles northwest of Ketchikan.

3081-C1-P-73—Same except, for a new central office station to operate on 152.57 and 152.66 MHz to be located at Dent Point, Remote Mountain, Alaska.

3082-C1-P-73—Same except, for a new rural subscriber station to operate on 157.83 and 157.92 MHz to be located at Ivanof Village 300 miles southwest of Kodiak, Alaska.

3083-C1-P-73—Same except, to be located at Perryville Village, 292 miles southwest of Kodiak.

3084-C1-P-73—Same except, to be located at Squaw Harbor, 360 miles southwest of Kodiak.

3085-C1-P-73—Same except, for a new central office station to operate on 152.57, 152.66, and 152.72 MHz to be located southeast of Aghaluk Mountain, Alaska.

3086-C1-P-73—Same except, for a new rural subscriber station to operate on 157.83, 157.92, and 157.98 MHz.

3087-C1-P-73—Same except, to be located at Red Devil Village, 162 miles east-northeast of Bethel.

3088-C1-P-73—Same except, to be located at Sleetmute Village, 170 miles east-northeast of Bethel.

3089-C1-P-73—Same except, to be located at Stony River Village, 188 miles east-northeast of Bethel.

400-C1-MP/L-73—RCA Alaska Communications, Inc. (WJL44) Chathbalak, Aniak, Alaska.

401-C1-MP/L-73—Same (WJL48), Kalskag, Alaska.

402-C1-MP/L-73—Same, change class of station to interoffice, rural radio and (WJL49), Lower Kalskag, Alaska.

425-C1-MP/L-73—Same as above, change class of station and service to interoffice, rural radio. All other particulars to remain as reported on PN No. 560 (September 7, 1971).

Major amendment

3567-C1-P-(2)-72—Same as above (New), change nature of service to rural radio and change class of station to central office. See PN No. 576, dated December 27, 1971.

Correction

RCA Alaska Communications, Inc. (New), corrected to show the official file No. 1603-C1-P-73, which was inadvertently omitted. See PN No. 614, dated September 18, 1972.

POINT-TO-POINT MICROWAVE RADIO SERVICE

1027-C1-R-73—Bell Telephone Company of Nevada (KPF80). Application for renewal of radio station license expiring Dec. 1, 1972. Term: Dec. 1, 1973, to Dec. 1, 1974.

2846-C1-MP-73—Nebraska Consolidated Communications Corp. (WOH35). 0.6 mile northeast of War Eagle Park, Sioux City, Iowa. Latitude 42°29'51" N., longitude 96°20'53" W. MP to delete 5960H toward Wakefield, Nebr., azimuth 239°46', and add 5945.2V toward Decatur, Nebr., azimuth 172°49'.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

2847-C1-P-73—Same (New), C.P. for a new station 4 miles west of Decatur, Nebr., latitude 42°00'30" N., longitude 96°21'56" W. Frequencies 6226.9V MHz toward Sioux City, Iowa, azimuth 128°24'.

2848-C1-P-73—Same (New), C.P. for a new station 1.5 miles north-northwest of Magnolia, Iowa. Latitude 41°43'09" N., longitude 95°52'50" W. Frequencies 5945.2V MHz toward Decatur, Nebr., azimuth 308°44', and 6004.5H MHz toward Omaha, Nebr., azimuth 185°33'.

2849-C1-MP-73—Same (WOH43), 18th and Farnam, Omaha, Nebr., latitude 41°15'28" N., longitude 95°56'24" W. M.P. to add frequency 6226.9H MHz toward Magnolia, Iowa, azimuth 5°30'.

3013-C1-P-73—American Telephone & Telegraph Co. (KTG40), 1 mile southwest of Arkabutla, Miss. Latitude 34°41'08" N., longitude 90°08'18" W. C.P. to add frequency 4030V MHz toward Cockrum, Miss.

3014-C1-P-73—Same (KYN32), 1 mile west-northwest of Cockrum (Desota), Miss. Latitude 34°47'35" N., longitude 89°48'23" W. C.P. to add frequency 4070V MHz toward Arkabutla, Miss.; frequency 4070H MHz toward Slayden, Miss.

3015-C1-P-73—Same (KYN31), 4.3 miles west of Slayden (Marshall), Miss. Latitude 34°57'20" N., longitude 89°28'05" W. C.P. to add frequency 4030H MHz toward Cockrum, Miss.; frequency 4030H MHz toward Saulsbury, Tenn.

3016-C1-P-73—Same (KYN30), 1.7 miles west-northwest of Saulsbury (Hardeman), Tenn. Latitude 35°03'00" N., longitude 89°07'03" W. C.P. to add frequency 4070H MHz toward Slayden, Miss.; frequency 4070H MHz toward Slayden, Miss.; frequency 4070H MHz toward Pocahontas, Tenn.

3017-C1-P-73—Same (KYN29), 1.7 miles east-northeast of Pocahontas (McNairy), Tenn. Latitude 35°03'49" N., longitude 88°47'02" W. C.P. to add frequency 4030H MHz toward Saulsbury, Tenn.; frequency 4030H MHz toward Michie, Tenn.

3018-C1-P-73—Same (KYN28), 1 mile east-northeast of Michie (McNairy), Tenn. Latitude 35°03'40" N., longitude 88°25'19" W. C.P. to add frequency 4070H MHz toward Pocahontas, Tenn.; frequency 4070H MHz toward Olivehill, Tenn.

3019-C1-P-73—Same (KYN27), 4.9 miles south-southwest of Olivehill (Hardin), Tenn. Latitude 35°12'26" N., longitude 88°03'39" W. C.P. to add frequency 4030H MHz toward Michie, Tenn.; frequency 4030H MHz toward Waynesboro, Tenn.

3020-C1-P-73—American Telephone & Telegraph Co. (KYN26), 3.7 miles east of Waynesboro, Tenn. Latitude 35°19'11" N., longitude 87°41'50" W. C.P. to add frequency 4070H MHz toward Olivehill, Tenn.; frequency 4070H MHz toward Brace, Tenn.

3021-C1-P-73—Same (KYN25), 2.5 miles west-southwest of Brace, Tenn. Latitude 35°21'41" N., longitude 87°20'51" W. C.P. to add frequency 4030H MHz toward Waynesboro, Tenn.; frequency 4030H MHz toward Cullcoka, Tenn.

3022-C1-P-73—Same (KYN24), 2.4 miles west-northwest of Cullcoka, Tenn. Latitude 39°29'15" N., longitude 87°01'30" W. C.P. to add frequency 4070H MHz toward Brace, Tenn.; frequency 4070H MHz toward Farmington, Tenn.

3023-C1-P-73—Same (KIA60), 0.7 mile northeast of Farmington, Tenn. Latitude 35°30'26" N., longitude 86°41'58" W. C.P. to add frequency 4030H MHz toward Cullcoka, Tenn.; frequency 3850V MHz toward Wartrace, Tenn.

3024-C1-P-73—Same (KYN23), 4.5 miles east of Wartrace, Ala. Latitude 35°31'47" N., longitude 86°15'18" W. C.P. to add frequency 3810V MHz toward Farmington, Tenn.; frequency 3810H MHz toward Centertown, Tenn.

3025-C1-P-73—Same (KYN22), 0.9 mile northwest of Centertown, Tenn. Latitude 35°44'05" N., longitude 85°55'45" W. C.P. to add frequency 3850H MHz toward Wartrace, Tenn.; frequency 3850H MHz toward Cassville, Tenn.

3026-C1-P-73—Same (KYN21), 1.8 miles west-northwest of Cassville, Tenn. Latitude 35°-58'04" N., longitude 85°37'41" W. C.P. to add frequency 3810H MHz toward Centertown, Tenn.; frequency 3810H MHz toward Algood, Tenn.

3027-C1-P-73—Same (KYN20), 1.4 miles east of Algood, Tenn. Latitude 36°11'32" N., longitude 85°25'22" W. C.P. to add frequency 3850H MHz toward Cassville, Tenn.; frequency 3850H MHz toward Allons, Tenn.

3028-C1-P-73—Same (KYM99), 1.8 miles north-northwest of Allons, Tenn. Latitude 36°-28'08" N., longitude 85°21'13" W. C.P. to add frequency 3810H MHz toward Algood, Tenn.; frequency 3810H MHz toward Ida, Ky.

3029–C1–P–73—Same (KYM98), 1.4 miles north-northwest of Ida, Ky. Latitude 36°47'12" N., longitude 85°10'31" W. C.P. to add frequency 3850H MHz toward Allons, Tenn.; frequency 3850H MHz toward Monticello, Ky.

3030–C1–P–73—Same (KYC99), 5 miles east-northeast of Monticello, Ky. Latitude 36°-51'11" N., longitude 84°45'51" W. C.P. to add frequency 3810H MHz toward Ida, Ky.; frequency 3850H MHz toward Mount Victory, Ky.

3031–C1–P–73—Same (KYJ99), 2.7 miles north-northeast of Mount Victory, Ky. Latitude 37°04'03" N., longitude 84°22'37" W. C.P. to add frequency 3810H MHz toward Monticello, Ky.; frequency 3810H MHz toward Annville, Ky.

3032–C1–P–73—American Telephone & Telegraph Co. (KYJ98), 3.4 miles northwest of Annville, Ky. Latitude 37°20'45" N., longitude 84°01'10" W. C.P. to add frequency 3850H MHz toward Mount Victory, Ky.; frequency 3850H MHz toward Cowcreek, Ky.

3033–C1–P–73—Same (KYJ97), 4.5 miles east-southeast of Cowcreek, Ky. Latitude 37°-24'49" N., longitude 83°32'06" W. C.P. to add frequency 3810H MHz toward Annville, Ky.; frequency 3810H MHz toward Seitz, Ky.

3034–C1–P–73—Same (KYJ96), 4.7 miles west-southwest of Seitz, Ky. Latitude 37°40'10" N., longitude 83°14'56" W. C.P. to add frequency 3850H MHz toward Cowcreek, Ky.; frequency 3850H MHz toward Paintsville, Ky.

3035–C1–P–73—Same (KYJ95), 2 miles south-southeast of Paintsville, Ky. Latitude 37°-47'15" N., longitude 82°49'09" W. C.P. to add frequency 3810H MHz toward Seitz, Ky.; frequency 3810H MHz toward Missouri Branch, W. Va.

3036–C1–P–73—Same (KYJ94), 5.1 miles east-northeast of Webb, W. Va. C.P. to add frequency 3850H MHz toward Paintsville, Ky.

3037–C1–P–73—The Mountain States Telephone & Telegraph Co. (KPZ73), latitude 41°-47'43" N., longitude 111°30'45" W. C.P. to add frequencies 11,565H and 11,645V MHz toward Garden City, Utah, via passive reflector.

3038–C1–P–73—Same (New), 60 East First South, Garden City, Utah. Latitude 41°56'38" N., longitude 111°23'30" W. C.P. for a new station on frequencies 11,035V and 11,115H MHz toward Mud Flat, Utah, via passive reflector.

3039–C1–P–73—American Telephone & Telegraph Co. (KLW21), 1.7 miles northeast of Noble, Okla. Latitude 35°09'39" N., longitude 97°22'07" W. C.P. to add frequency 3930H MHz toward Oklahoma City, Okla.

3041–C1–P–73—Continental Telephone Company of California (KNB40), Pratt Mountain, near Garberville, Calif. C.P. to change antenna system, points of communications and transmitters on frequency 6315.9H MHz toward Laytonville, Calif., via passive reflector.

3042–C1–P–73—Same (KNB44), Laytonville, Calif. Latitude 39°41'13" N., longitude 123°-29'00" W. C.P. to change antenna system, points of communication, and transmitter on frequency 6063.8H MHz toward Pratt Mountain, Calif., via passive reflector.

3046–C1–P–73—The Mountain States Telephone & Telegraph Co. (New), 67 North Vernal Avenue, Vernal, Utah. Latitude 40°27'24" N., longitude 109°31'42" W. C.P. for a new station on frequencies 10,915H and 11,155V MHz toward Grizzly Ridge, Utah.

3047–C1–P–73—General Telephone Company of Florida (KIO65), corner of Pine Place and Bamboo Lane, Sarasota, Fla. Latitude 27°20'06" N., longitude 82°32'10" W. C.P. to add frequency 6256.5V MHz toward Verna, Fla.

3048–C1–P–73—General Telephone Company of Florida (WIV85), 10.9 miles from Parrish, Verna, Fla. Latitude 27°27'59" N., longitude 82°18'02" W. C.P. to add frequency 6004.5V MHz toward Sarasota, Fla.; frequency 6123.1V MHz toward Myakka City, Fla.

3049–C1–P–73—Same (New), corner of Old Street, Road 70, and Lebanon Street, Myakka City, Fla. Latitude 27°21'01" N., longitude 82°09'44" W. C.P. for a new station on frequency 6375.2V MHz toward Verna, Fla.

3050–C1–P–73—RCA Alaska Communications, Inc. (WGF46), 2 Lincoln Street, Sitka, Alaska. Latitude 57°02'56" N., longitude 135°20'18" W. C.P. to change name of radio service to point-to-point microwave and class to fixed on frequency 2175.4V MHz toward Biorka Island, Alaska.

3051–C1–P–73—Same (WGF81), Biorka Island FAA, Biorka Island, Alaska. Latitude 56°-51'11" N., longitude 135°31'38" W. C.P. to change name of radio service to point-to-point microwave and class to fixed on frequency 2125.4V MHz toward Sitka, Alaska.

2792–C1–P–73—American Telephone & Telegraph Co. (KGA26), Wyndmoor, Pa., latitude 40°05'02" N., longitude 75°11'19" W. C.P. to add frequency 3870.0V MHz toward Topton Mountain, Pa., on azimuth 316°26'.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

2793–C1–P–73—Same (KGG35), Topton Mountain, 0.30 mile north of Henningsville, Pa., latitude 40°28'22" N., longitude 75°40'27" W. C.P. to add frequency 4170.0V MHz toward Big Boulder, Pa., on azimuth 05°12'.

2794–C1–P–73—Same (KGG36), Big Boulder, 3.50 miles southwest of Blakeslee, Pa., latitude 41°02'38" N., longitude 75°36'20" W. C.P. to add frequency 3910.0V MHz toward Wyoming Mountain, Pa., latitude 41°11'52" N., longitude 75°49'22" W., on azimuth 313°12'. (Informative: A.T. & T. proposes to provide one channel of non-broadcast video service, originating in New York City, to its customer, Service Electric Cable TV, Inc., at Wyoming Mountain, Pa. A waiver of section 21.701(i) of the FCC rules is requested by A.T. & T. Special temporary authority is also requested.)

3094–C1–P–73—CPI Microwave, Inc. (New), C.P. for a new station 2.3 miles east-southeast of Bastrop, Tex. Latitude 30°06'23" N., longitude 97°17'19" W., for frequencies 6212.0V, 6271.4V, and 6330.7V MHz on azimuth 82°3' toward Giddings, Tex. (Informative: This application replaces those facilities deleted from application File No. 5891–C1–P–70 which will permit separation of the initial filed microwave systems.)

2957–C1–P–73—United Video, Inc. (New), 0.4 mile west of Ardmore, Okla., latitude 34°09'55" N., longitude 97°09'30" W. C.P. for a new station—frequencies 10735H MHz and 10895H MHz toward Scullin, Okla., on azimuth 33°33'.

2958–C1–P–73—Same (New), 1 mile north of Scullin, Okla., latitude 34°31'09" N., longitude 96°51'40" W. C.P. for a new station—(a) Frequencies 6286.2V and 6345.5V MHz toward Pauls Valley, latitude 34°41'02" N., longitude 97°12'16" W., and Ada, latitude 34°54'08" N., longitude 96°40'37" W., Oklahoma, on azimuths 297°38' and 22°29', respectively, and (b) Frequency 6286.2H MHz toward Sulphur, Okla., latitude 34°30'22" N., longitude 97°03'20" W., on azimuth 259°35'. (Informative: These applications, File Nos. 2957 and 2958–C1–P–73, in conjunction with other United applications, File Nos. 1854 through 1858–C1–P–70, will form a microwave system that extends from Ardmore to Pryor, Okla. United proposes, along this route, to provide the signal of KTVT, Dallas/Fort Worth, Tex., to CATV system in Sulphur, Tex., and the signals of KDTV and KTVT (Dallas/Fort Worth) to CATV systems in Pauls Valley, McAlester, and Pryor, Okla. A waiver of section 21.701(i) of the FCC rules is requested by United. See File Nos. 1854 through 1858–C1–P–70, this public notice.)

3043–C1–P–73—United Video, Inc. (New), McKiddyville, 16 miles southeast of Norman, Okla., latitude 35°06'07" N., longitude 97°11'54" W. C.P. for a new station—frequencies 11,425V and 11,585V MHz toward Woods, Okla., on azimuth 353°17'.

3044–C1–P–73—Same (New), Oklahoma City, Okla., latitude 35°28'06" N., longitude 97°30'54" W. C.P. for a new station—frequencies 11,425V and 11,585V MHz toward El Reno, Okla., latitude 35°30'50" N., longitude 97°57'45" W., on azimuth 277°14'.

3045–C1–P–73—Same (New), 5 miles southeast of Garber, Okla., latitude 36°23'56" N., longitude 97°29'30" W. C.P. for a new station—frequencies 10,775V and 10,935V MHz toward Enid, Okla., latitude 36°29'55" N., longitude 97°55'01" W., on azimuth 286°19'. (Informative: These applications, File Nos. 3043 through 3045–C1–P–73, in conjunction with other United applications, File Nos. 1843 through 1850–C1–P–70, will form a microwave system that extends from Ardmore, Okla., to Arkansas City, Kans. United proposes, along this route, to provide the signals of KTVT and KDTV, Dallas/Fort Worth, Tex., to CATV systems in El Reno and Enid, Okla., and Arkansas City, Kans. A waiver of section 21.701(i) of the FCC rules is requested by United. See File Nos. 1843 through 1850–C1–P–70, this public notice.)

INFORMATIVE: MCI Indiana-Ohio, Inc., has filed four new applications for stations at Medina, Vienna, Waynesville, and Mason, Ohio. Frequencies and points of communication contained in these new applications have been deleted from applications, Files Nos. 4124 and 4129–C1–P–72, and 8876 and 8871–C1–P–70, for these same four stations. This action separates into five parts MCI Indiana-Ohio's specialized common carrier proposal contained in applications 8357 through 8387–C1–P–70, 4124 through 4130–C1–P–72 and 7154 through 7164–C1–P–72. Since these new applications make no change to the existing proposal (other than separation into five parts), the 30-day period specified by section 309(b) of the Communications Act does not apply.

Applications 8371 and 8876–C1–P–70 were filed June 26, 1970, and appeared on public notice July 6, 1970. Subsequent amendments appeared on public notice January 17, 1972, and April 17, 1972. 4124 and 4129–C1–P–72 were filed December 22, 1971, and appeared on public notice April 17, 1972.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

3090-C1-P-73—MCI Indiana-Ohio, Inc. (New), 3 miles south-southeast of Medina, Ohio. Latitude 41°04'48'' N., longitude 81°50'32'' W. Frequency 6226.9V toward Massilon, Ohio, azimuth 145°54'.

3091-C1-P-73—Same (New), 0.7 mile north-northeast of Vienna, Ohio. Latitude 39°56'13'' N., longitude 83°36'26'' W. Frequency 6256.5V toward Springfield, Ohio, azimuth 265°13'.

3092-C1-P-73—Same (New), 2.7 miles north-northwest of Waynesville, Ohio. Latitude 39°34'14'' N., longitude 84°06'53'' W. Frequency 6226.9H toward Pyrmont, Ohio, azimuth 309°09'.

3093-C1-P-73—Same (New), 2.8 miles south of Hason, Ohio. Latitude 39°18'59'' N., longitude 84°19'10'' W. Frequency 5974.8H toward Hamilton, Ohio, azimuth 293°53' and 5945.2H toward Middletown, Ohio, azimuth 342°01'.

3096-C1-P-73—The Western Union Telephone Co. (New), Buckley AFB, Colo. Latitude 39°42'55'' N., longitude 104°46'30'' W. C.P. for a new station on frequency 6315.9H MHz toward Hilltop, Colo.

3097-C1-P-73—Same (KAK25), 5.5 miles northeast of Franktown, Hilltop, Colo. Latitude 39°25'16'' N., longitude 104°39'16'' W. C.P. to add frequency 6152.8H MHz toward Buckley AFB, Colo.; freqeuncy 6034.2H MHz toward Lowry AFB, Colo.

3098-C1-P-73—Same (New), Lowry AFB, Colo. Latitude 39°43'28'' N., longitude 104°53'20'' W. C.P. for a new station on frequency 6197.2H MHz toward Hilltop, Colo.

3099-C1-P/ML-73—American Telephone & Telegraph Co. (KEF72), any temporary fixed location in the continental United States. C.P. and modification of license to add 65 additional units to be used primarily in connection with making orientation and cross polarization adjustments of antennas and wave guides.

3100-C1-P-73—Southern Bell Telephone & Telegraph Company (KJA97), 213 South Coit, Florence, S.C. Latitude 34°11'39'' N., longitude 79°46'17'' W. C.P. to add frequencies 5974.8V and 6093.5V MHz toward Marion, S.C.

3101-C1-P-73—Same (KJA98), Pine at Harlee Street, Marion, S.C. Latitude 34°10'47'' N., longitude 79°23'53'' W. C.P. to add frequencies 6197.2H, 6256.5H, 6315.9H, and 6375.2H MHz toward Dillon, S.C.; frequency 6256.5V MHz toward Gurley, S.C.

3102-C1-P-73—Same (KJA99), Harrison at Fourth Avenue, Dillon, S.C. Latitude 34°25'02'' N., longitude 79°22'07'' W. C.P. to change frequencies from 5937.8H and 6056.4H MHz to 5945.2V and 6063.8V MHz toward Marion, S.C.

3103-C1-MP-73—Northwestern Bell Telephone Co. (WHT51), U.S. Highway 20 West, Webster City, Iowa. Latitude 42°28'36'' N., longitude 93°50'54'' W. Modification of C.P. to delete frequency 6390.9H and add frequency 6390.0H MHz toward Fort Dodge, Iowa.

3104-C1-P-73—Southern Bell Telephone & Telegraph Co. (KJA71), 1203 Broad Street, Camden, S.C. Latitude 34°14'57'' N., longitude 80°36'26'' W. C.P. to add frequency 5974.8H MHz toward Pleasant Hill, S.C.

3105-C1-P-73—Same (KIY61), 208 Broad Street, Clinton, S.C. Latitude 34°28'13'' N., longitude 81°52'55'' W. C.P. to add frequency 5974.8V MHz toward Greenwood, S.C.

3106-C1-P-73—Same (KJH41), 7 miles west of Hartsville, S.C. Latitude 34°21'25'' N., longitude 80°12'03'' W. C.P. to add frequency 6404.9H MHz toward Society Hill, S.C.

3107-C1-P-73—Same (KJH42), 2.2 miles southwest of Society Hill, S.C. Latitude 34°28'51'' N., longitude 79°51'37'' W. C.P. to add frequencies 5974.8H and 6152.8H MHz toward Bennettsville, S.C.

3108-C1-P-73—American Telephone & Telegraph Co. (KYJ94), 5.1 miles east-northeast of Webb, W. Va. Latitude 38°00'33'' N., longitude 82°23'58'' W. C.P. to add frequency 3850H MHz toward Holden, W. Va.

3109-C1-P-73—Same (KYJ93), 3.7 miles southwest of Holden, W. Va. Latitude 37°46'48'' N., longitude 82°06'32'' W. C.P. to add frequency 3810H MHz toward Missouri Branch, W. Va.; frequency 3810H MHz toward Kopperston, W. Va.

3110-C1-P-73—Same (KYJ92), 5.2 miles west-southwest of Arnett, W. Va. Latitude 37°47'27'' N., longitude 81°30'58'' W. C.P. to add frequency 3850H MHz toward Holden, W. Va.; frequency 3850H MHz toward Flat Top, W. Va.

3111-C1-P-73—Same (KYJ91), 0.1 mile north of Flat Top, W. Va. Latitude 37°35'42'' N., longitude 81°06'19'' W. C.P. to add frequency 3810H MHz toward Kopperston, W. Va.; frequency 3810H MHz toward Springdale, W. Va.

3112-C1-P-73—American Telephone & Telegraph Co. (KYJ90), 1.7 miles northeast of Springdale, W. Va. Latitude 37°53'54'' N., longitude 80°46'48'' W. C.P. to add frequency 3850H MHz toward Flat Top, W. Va.; frequency 3850H MHz toward Anthony, W. Va.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

3113-C1-P-73—Same (KYJ89), 4.3 miles east-northeast of Woodman, W. Va. Latitude 37°56'49'' N., longitude 80°14'56'' W. C.P. to add frequency 3810V MHz toward Springdale, W. Va.; frequency 3810V MHz toward Warm Springs, W. Va.

3114-C1-P-73—Same (KYJ88), 1 mile south-southeast of Warm Springs, Va. Latitude longitude 79°20'09'' W. C.P. to add frequency 3810H MHz toward Warm Springs, Va.; 38°02'02'' N., longitude 79°46'45'' W. C.P. to add frequency 3850V MHz toward Anthony, W. Va.; frequency 3850H MHz toward McKinley, Va.

3115-C1-P-73—Same (KYJ87), 3.5 miles southeast of Craigsville, Va. Latitude 38°02'26'' N., frequency 3810H MHz toward Afton, Va.

3116-C1-P-73—Same (KYJ86), 2.8 miles west-southwest of Afton, Va. Latitude 38°00'38'' N., longitude 78°53'14'' W. C.P. to add frequency 3850H MHz toward McKinley, Va.; frequency 3850V MHz toward Advance Mills, Va.

3117-C1-P-73—Same (KYJ85), 4.8 miles southwest of Ruckersville, Va. Latitude 38°10'43'' N., longitude 78°25'12'' W. C.P. to add frequency 3810V MHz toward Afton, Va.; frequency 3810H MHz toward Rhoadsville, Va.

3118-C1-P-73—Same (KYJ84), 1.2 miles east-southeast of Rhoadsville, Va. Latitude 38°-16'02'' N., longitude 77°54'57'' W. C.P. to add frequency 3850H MHz toward Advance Mills, Va.; frequency 3850H MHz toward Stafford, Va.

3119-C1-P-73—Same (KYJ83), 4 miles west of Stafford, Va. Latitude 38°25'19'' N., longitude 77°29'02'' W. C.P. to add frequency 3810H MHz toward Rhoadsville, Va.; frequency 3810H MHz toward Faulkner, Md.

3120-C1-P-73—Same (KGN87), 0.5 mile southwest of Faulkner, Md. Latitude 38°26'02'' N., longitude 76°58'58'' W. C.P. to add frequency 3850H MHz toward Stafford, Va.; frequencies 3750V and 3830V MHz toward Westwood, Md.

3121-C1-P-73—Same (KGN78), 1.4 miles southeast of Westwood, Md. Latitude 38°38'47'' N., longitude 76°43'04'' W. C.P. to add frequencies 3710V and 3790V MHz toward Faulkner, Md.; frequencies 3710H and 3790H MHz toward Prince Frederick, Md.

3122-C1-P-73—Same (KGN95), 4 miles south of Prince Frederick, Md. Latitude 38°28'46'' N., longitude 76°32'58'' W. C.P. to add frequencies 3750H and 3830H MHz toward Westwood, Md.; frequencies 3750V and 3830V MHz toward Trappe, Md.

3123-C1-P-73—Same (KCO60), 0.7 mile south of Trappe, Md. Latitude 38°38'29'' N., longitude 76°03'30'' W. C.P. to add frequencies 3710V and 3790V MHz toward Prince Frederick, Md.; frequencies 3710H and 3790H MHz toward Denton, Md.

3124-C1-P-73—American Telephone & Telegraph Co. (KGP39), 2 miles northeast of Denton, Md. Latitude 38°54'19'' N., longitude 75°47'23'' W. C.P. to add frequencies 3750H and 3830H MHz toward Trappe, Md.; frequencies 3750V and 3830V MHz toward Blackiston, Del.

3125-C1-P-73—Same (KGP42), 1.85 miles southeast of Blackiston, Del. Latitude 39°15'20'' N., longitude 75°40'20'' W. C.P. to add frequencies 3710V and 3790V MHz toward Denton, Md.; frequencies 3710V and 3790V MHz toward Quinton, N.J.

3126-C1-P-73—Same (KEM73), 2 miles southeast of Quinton, N.J. Latitude 39°31'49'' N., longitude 75°22'53'' W. C.P. to add frequencies 3750V and 3830V MHz toward Blackiston, Del.

3127-C1-MP-73—The Bell Telephone Company of Pennsylvania (WJM40), Peters Mountain, 2.8 miles northwest of Dauphin, Pa. Latitude 40°24'28'' N., longitude 76°56'39'' W., Modification of C.P. to change frequency from 6034.2V to 6123.1H MHz toward Thick Mountain, Pa.

3128-C1-MP-73—Same (WJM44), Thick Mountain, 5.2 miles east-northeast of Naginey, Pa. Latitude 40°44'30'' N., longitude 77°28'02'' W. Modification of C.P. to change frequency from 6286.2H to 6375.2V MHz toward Peters Mountain, Pa.

3129-C1-P-73—Southern Bell Telephone & Telegraph Co. (KIY59), 1645 Hampton Street, Columbia, SC. Latitude 34°00'29'' N., longitude 81°01'42'' W. C.P. to add frequency 6093.5V MHz toward Swansea, S.C.

3130-C1-P-73—Same (KJC87), 1.7 miles east of Swansea, S.C. Latitude 33°44'42'' N., longitude 81°04'25'' W. C.P. to add frequency 6345.5V MHz toward Blackville, S.C.; frequencies 6345.5V and 6226.9V MHz toward Orangeburg, S.C.

3131-C1-P-73—Same (KJC88), approximately 4 miles north-northwest of Blackville, S.C. Latitude 33°24'55'' N., longitude 81°17'02'' W. C.P. to add frequencies 6093.5H and 5974.8H MHz toward Montmorenci, S.C.; frequency 6093.5V MHz toward Allendale, S.C.

3132-C1-P-73—Same (KJC89), 3 miles northwest of Allendale, S.C. Latitude 33°01'56'' N., longitude 81°20'53'' W. C.P. to add frequency 3890V MHz toward Walterboro, S.C.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

3133–C1–P–73—Same (KJC90), 8.5 miles west of Walterboro, S.C. Latitude 32°53'16" N., longitude 80°48'34" W. C.P. to add frequency 3930V MHz toward Summerville, S.C.; frequencies 5974.8H and 6093.5H MHz toward Lobeco, S.C.

3134–C1–P–73—Same (KJC91), 10 miles southwest of Summerville, S.C. Latitude 32°52'20" N., longitude 80°16'22" W. C.P. to add frequency 3890V MHz toward Charleston, S.C.

3135–C1–P–73—Same (KJH35), 1.5 miles west of Montmorenci, S.C. Latitude 33°31'26" N., longitude 81°39'40" W. C.P. to add frequencies 10,795H and 11,035H MHz toward Aiken, S.C.

3136–C1–P–73—Western Tele-Communications, Inc. (New), 1880 Century Park East, latitude 34°03'36" N., longitude 118°24'46" W. C.P. for new station—frequencies 5989.7V, 6049.0V, and 6108.3V MHz toward Mount Wilson.

3137–C1–P–73—Same (New), 31.5 miles northeast of Altadena, Calif., latitude 34°13'36" N., longitude 118°03'59" W. C.P. for new station—frequencies 3910H, 4070H, and 4150H MHz toward Santiago Peak.

3138–C1–P–73—Same (New), 11 miles south-southeast of Corona, Calif., latitude 33°42'42" N., longitude 117°31'46" W. C.P. for a new station—frequencies 10,935H, 11,095H, and 10,855H MHz toward Toro Peak, Calif.

3139–C1–P–73—Same (WOI56), 14.1 miles south-southwest of Palm Desert, Calif., latitude 33°31'22" N., longitude 116°25'30" W. C.P. to add transmitters—frequencies 4010H, 3990H, and 4070H MHz toward El Centro, Calif.

3140–C1–P–73—Same (WOI52), 449 Broadway, El Centro, CA, latitude 32°47'36" N., longitude 115°33'13" W. C.P. to add transmitters—frequencies 3890V, 3970V, and 4050V MHz toward Midway Well, Calif.

3141–C1–P–73—Same (WOI53), 19 miles southeast of Holtville, Calif., latitude 32°42'35" N., longitude 115°03'53" W. C.P. to add transmitters—frequencies 4170V, 3990H, and 4070H MHz toward Telegraph Pass, Ariz.

3142–C1–P–73—Same (WOI54), 16.5 miles east-southeast of Yuma, Ariz., latitude 32°40'22" N., 114°20'14" W. C.P. to add transmitters—frequencies 3730H, 3890H, and 3970H MHz toward Oatman Mountain, Ariz.

3143–C1–P–73—Same (WOI81), 25.25 miles northeast of Gila Bend, Ariz., latitude 33°03'06" N., longitude 113°08'06" W. C.P. to add transmitters—frequencies 3910V, 3990V, and 4070V MHz toward White Tank Mountain, Ariz.

3144–C1–P–73—Same (WOI80), 10.5 miles north-northwest of Perryville, Ariz., latitude 33°34'10" N., longitude 112°33'33" W. C.P. to add transmitters—frequencies 4030H, 3950H, and 3710H MHz toward Phoenix, Ariz.

3145–C1–P–73—Same (WOI83), 2980 Grand Avenue, Phoenix, Ariz., latitude 33°29'08.2" N., longitude 112°07'19.8" W. C.P. to add transmitters-frequencies 4010V MHz, 3910H MHz, and 4070H MHz toward Pinal Peak, Ariz.

3146–C1–P–73—Same (WOI84), 8.5 miles south-southwest of Globe, Ariz., latitude 33°16'56" N., longitude 110°49'13.5" W. C.P. to add transmitters-frequencies 3730H MHz, 3890H MHz, and 4050H MHz toward Heliograph Peak, Ariz., and frequencies 3730V MHz, 3790V MHz, and 4050V MHz toward Mount Bigelow, Ariz.

3147–C1–P–73—Same (New), 18 miles northeast of Tucson, Ariz., latitude 32°24'56" N., longitude 110°42'48.5" W. C.P. for new station-frequencies 3910V MHz, 4070V MHz, and 4150V MHz toward Tucson, Ariz.

3148–C1–P–73—Same (WOI87), 13.8 miles southwest of Safford, Ariz., latitude 32°38'59" N., longitude 109°50'53" W. C.P. to add transmitters-frequencies 3910V MHz, 3990V MHz, and 4070V MHz toward Burrow Peak, N. Mex.

3149–C1–P–73—Same (WOI88), 16 miles south-southwest of Silver City, N. Mex., latitude 32°34'56" N., longitude 108°25'37" W. C.P. to add transmitters-frequencies 3890V MHz, 3970V MHz, and 4050V MHz toward Aden Hills, N. Mex.

3150–C1–P–73—Same (WOI89), 19.3 miles southwest of Las Cruces, N. Mex., latitude 32°11'15" N., longitude 107°05'33" W. C.P. to add transmitters-frequencies 5989.7V MHz, 6049.0V MHz, and 6108.3V MHz are power splits toward El Paso, Tex.; Las Cruces, N. Mex.; and Lake Valley, N. Mex.

3151–C1–P–73—Same (New), 1.75 miles northwest of Lake Valley, N. Mex., latitude 32°44'16" N., longitude 107°35'02" W. C.P. for new station-frequencies 6241.7H MHz, 6271.4V MHz, and 6360.3H MHz toward Engle, N. Mex.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

3152–C1–P–73—Same (New), 9 miles north-northeast of Engle, N. Mex., latitude 33°17'47" N., longitude 107°04'28" W. C.P. for new station-frequencies 5960.0V MHz, 6019.3V MHz, and 6078.6V MHz toward Black Mesa, N. Mex.

3153–C1–P–73—Same (New), 2.8 miles south-southeast of San Marcial, N. Mex., latitude 33°39'47" N., longitude 106°58'29" W. C.P. for new station-frequencies 6212.0H MHz, 6271.4H MHz, and 6330.7H MHz toward Socorro, N. Mex.

3154–C1–P–73—Same (New), 85 miles east-northeast of Lemitar, N. Mex., latitude 34°11'49" N., longitude 106°45'54" W. C.P. for new station-frequencies 5960.0H MHz, 6019.3H MHz, and 6078.6H MHz toward Rio Puerco, N. Mex.

3155–C1–P–73—Same (New), 5 miles east-northeast of Rio Puerco, N. Mex., latitude 34°48'28" N., longitude 106°54'32" W. C.P. for new station-frequencies 6212.0H MHz, 6271.4H MHz, and 6330.7H MHz toward Sandia Crest, N. Mex.

3156–C1–P–73—Same (New), 10 miles northeast of Albuquerque, N. Mex., latitude 35°12'44" N., longitude 106°26'59" W. C.P. for new station-frequencies 10,915H MHz, 11,075H MHz, and 10.955V MHz are power splits toward Albuquerque, N. Mex.; Santa Fe, N. Mex.; and Barillas Peak, N. Mex.

3157–C1–P–73—Same (New), 14 miles west of Las Vegas, N. Mex., latitude 35°34'08" N., longitude 105°28'22" W. C.P. for new station-frequencies 3910V MHz, 3990V MHz, and 4150V MHz toward Cornudo Hills, N. Mex.

3158–C1–P–73—Same (New), 5 miles east of Wagan Mound, N. Mex., latitude 35°59'12" N., longitude 104°37'36" W. C.P. for new station-frequenices 3730H MHz, 3810H MHz, and 3970H MHz toward Bartlett Mesa, N. Mex.

3159–C1–P–73—Same (New), 6 miles north of Raton, N. Mex., latitude 36°59'33" N., longitude 104°27'39" W. C.P. for new station-frequencies 3770H MHz, 3850H MHz, and 4010H MHz toward Mustang Hill, Colo.

3160–C1–P–73—Same (New), 19 miles north of Walsenburg, Colo., latitude 37°54'15" N., longitude 104°45'56" W. C.P. for new station-frequencies 5945.2V MHz, 6004.5V MHz, and 6063.8V MHz toward Pueblo CATV.

3161–C1–P–73—Same (New), 620 West Ninth Street, Pueblo, Colo., latitude 38°16'31" N., longitude 104°36'56" W. C.P. for new station-frequencies 6197.2V MHz, 6256.5V MHz, and 6315.9V MHz toward Ellicott, Colo.

3162–C1–P–73—Same (New), 9 miles west-southwest of Ellicott, Colo., latitude 38°48'53" N., longitude 104°33'26" W. C.P. for new station-frequencies 5974.8V MHz, 6034.2V MHz, and 6093.5V MHz are power splits toward Colorado Springs, Colo., and Peyton, Colo.

3163–C1–P–73—Same (New), 12.5 miles northeast of Peyton, Colo., latitude 39°06'48" N., longitude 104°24'04" W. C.P. for new station-frequencies 6197.2V MHz, 6256.5V MHz, and 6315.9V MHz toward Kiowa, Colo.

3164–C1–P–73—Same (New), 13.5 miles northeast of Kiowa, Colo., latitude 39°26'51" N., longitude 104°14'40" W. C.P. for new station-frequencies 5945.2V MHz, 6004.5V MHz, and 6063.8V MHz toward Parker, Colo.

3165–C1–P–73—Same (New), 5 miles east of Parker, Colo., latitude 39°31'22" N., longitude 104°40'04" W. C.P. for new station-frequencies 6197.2H MHz, 6256.5H MHz, and 6315.9H MHz toward Denver Technological Center, Denver, Colo. (Informative: Applicant proposes to provide a Home Theatre Network service from Los Angeles, Calif., to Phoenix and Tucson, Ariz.; El Paso, Tex.; Las Cruces, Albuquerque, and Santa Fe, N. Mex.; Pueblo, Colorado Springs, and Denver, Colo.

1843–C1–P–70—United Video, Inc. (New), 0.4 mile west of Ardmore, Okla., latitude 34°-09'55" N., longitude 97°09'30" W. Application amended: (a) To change the polarity of frequencies 10,735 and 10,895 MHz to horizontal and (b) to change azimuth toward Scullin, Okla., to 33°33'.

1844–C1–P–70—Same (New), Scullin, Okla., latitude 34°32'09" N., longitude 96°51'40" W. Application amended: (a) To change station location to foregoing coordinates; (b) to change frequencies to 6286.2H and 6345.5H MHz toward Byars, Okla., on azimuth 330°00'; and (c) to delete Ada, Okla., as point of communication.

1845–C1–P–70—Same (New), 3.2 miles west of Byars, Okla., latitude 34°52'54" N., longitude 97°06'13" W. Application amended: (a) To change station location to foregoing coordinates; (b) to add frequencies 10,775V and 10,935V MHz toward new point of communication at McKiddyville, Okla., on azimuth 341°49'; and (c) to delete Norman, Okla., as a point of communication.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

1846–C1–P–70—Same (New), 2.7 miles southeast of Woods, Okla., latitude 35°25'00" N., longitude 97°14'27" W. Application amended: (a) To change station location to foregoing coordinates; (b) to add frequencies 10,735H and 10,895H MHz toward new point of communication at Oklahoma City, Okla., on azimuth 283°03'; (c) to add frequencies 10,775V and 10,935V MHz toward new point of communication at Carney, Okla., on azimuth 24°27'; and (d) to delete Turner Turnpike, Okla., as point of communication.

1847–C1–P–70—Same (New), 1 mile southeast of Carney, Okla., latitude 35°47'54" N., longitude 97°01'40" W. Application amended: (a) To change station location to foregoing coordinates; (b) to add frequencies 11,385V and 11,545V MHz toward new point of communication at Stillwater, Okla., on azimuth 358°08'; and (c) to delete Mulhall, Okla., as point of communication.

1848–C1–P–70—Same (New), 1 mile east of Stillwater, Okla., latitude 36°06'39" N., longitude 97°02'25" W. Application amended: (a) To change station location to foregoing coordinates; (b) to add frequencies 11,015V and 11,175V MHz toward new point of communication at Watchorn, Okla., on azimuth 357°39'; and (c) to delete Perry, Okla., as point of communication.

1849–C1–P–70—Same (New), Watchorn, 7 miles east-southeast of Red Rock, Okla., latitude 36°26'20" N., longitude 97°03'25" W. Application amended: (a) To change station location to foregoing coordinates; (b) to add frequencies 11,665H and 11,345H MHz toward new point of communication at Garber, Okla., on azimuth 263°38'; (c) change frequencies to 11,385V and 11,545V MHz toward Ponca City, Okla., on azimuth 02°58'; and (d) to delete Enid, Okla., as point of communication.

1850–C1–P–70—Same (New), 1 mile north of Ponca City, Okla., latitude 36°44'30" N., longitude 97°02'15" W. Application amended to change frequencies to 10,975V and 11,135V MHz toward Arkansas City, Kans., latitude 37°01'33" N., longitude 97°00'38" W., on azimuth 04°21'. (NOTE: See File Nos. 3043 through 3045–C1–P–73, this public notice.)

1854–C1–P–70—United Video, Inc. (New), 7.5 miles north of Ada, Okla., latitude 34°54'08" N., longitude 96°40'37" W. Application amended to change frequencies to 5974.8H and 6034.2H MHz toward Holdenville, Okla., on azimuth 49°05'.

1855–C1–P–70—Same (New), 1 mile northeast of Holdenville, Okla., latitude 35°06'09" N., longitude 96°23'43" W. Application amended to change frequencies to 6226.9H and 6286.2H MHz toward Henryetta, Okla., on azimuth 41°36'.

1856–C1–P–70—Same (New), 2.3 miles west-southwest of Henryetta, Okla., latitude 35°25'50" N., longitude 96°02'20" W. Application amended: (a) To change frequencies to 5974.8V and 6034.2V MHz toward Bald Hill, Okla., on azimuth 26°51' and (b) to add frequencies 11,425H and 11,345H MHz toward new point of communication at McAlester, Okla., latitude 34°58'15" N., longitude 95°45'15" W., on azimuth 152°58'.

1857–C1–P–70—Same (New), Bald Hill, 8.25 miles east-northeast of Preston, Okla., latitude 35°44'45" N., longitude 95°50'35" W. Application amended to delete frequency 11,665H MHz toward Oneta, Okla., on azimuth 22°27'.

1858–C1–P–70—Same (New), Oneta, 5 miles southeast of Broken Arrow, Okla., latitude 36°-01'17" N., longitude 95°42'08" W. Application amended to delete frequency 10,975V MHz toward Pryor, Okla., on azimuth 48°35'. (NOTE: See File Nos. 2957 and 2958–C1–P–73, this public notice.)

4646–C1–P–72—American Television & Communications Corp. (New), 2.5 miles east-northeast of Wilmer, La., latitude 30°49'34" N., longitude 90°19'37" W. Application amended to change frequency 6152.8 to 6197.2V MHz toward McComb, Miss., on azimuth 347°05'.

4647–C1–P–72—Same (New), McComb, Miss., latitude 31°14'59" N., longitude 90°26'24" W. Application amended to change frequency 6226.9 to 6167.6H MHz toward Brookhaven, Miss., on azimuth 358°44'.

4648–C1–P–72—Same (New), Brookhaven, Miss., latitude 31°33'42" N., longitude 90°-26'53" W. Application amended to change frequency 6152.8 to 6197.2H MHz toward Crystal Springs, Miss., on azimuth 01°18'. (Informative: ATC proposes, in addition to these technical changes, to provide the signal of WGNO–TV, New Orleans, La., to Brookhaven Cablevision in Brookhaven.)

5945–C1–P–72—Eastern Microwave, Inc. (KEM35), Ingraham Hill, N.Y., latitude 42°03'43" N., longitude 75°57'03" W. Application amended: (a) To add two new points of communication at Vestal and Endicott, N.Y., on frequency 11,055V MHz and azimuths of 259°28' and 320°38', respectively, and (b) to change type of transmitting equipment. (Informative: Eastern is amending its pending proposal for service to CATV system in Binghamton, N.Y., to include service to CATV systems in Vestal and Endicott, N.Y. Sterling Communications, Inc., of New York, N.Y., will provide the program material for transmission by Eastern.)

[FR Doc.72–19290 Filed 11–9–72;8:45 am]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 835]

CAPITOL SHIPPING CO.

Order of Revocation

On October 25, 1972, the Federal Maritime Commission received notification that Capitol Shipping Co., 1010 Vermont Avenue NW., Suite 902, Washington, DC 20005, wishes to voluntarily surrender its Independent Ocean Freight Forwarder License No. 835 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated May 1, 1972);

It is ordered, That Independent Ocean Freight Forwarder License No. 835 be returned to the Commission for cancellation.

It is further ordered, That the Independent Ocean Freight Forwarder License of Capitol Shipping Co. be and is hereby revoked effective October 25, 1972, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Capitol Shipping Co.

AARON W. REESE,
Managing Director.

[FR Doc.72–19325 Filed 11–9–72;8:49 am]

MATSON TERMINALS, INC., AND HONOLULU TERMINALS CO., LTD.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Peter P. Wilson, Counsel, Matson Navigation Co., 100 Mission Street, San Francisco, CA 94105.

Agreement No. T–2710, between Matson Terminals, Inc. (Matson), and Honolulu Terminals Co., Ltd. (HTC), is a labor loan agreement whereby HTC will provide Matson clerk labor to perform checking of containers at container yards located in Honolulu, Hawaii. As compensation, HTC is to receive rates as agreed to by the parties and filed with this Commission.

By order of the Federal Maritime Commission.

Dated: November 6, 1972.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72–19326 Filed 11–9–72;8:49 am]

PORT OF TACOMA AND CONTINENTAL GRAIN CORP.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to Section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Ray R. Heinke, Manager, Terminal Division, Port of Tacoma, Post Office Box 1837, Tacoma, WA 98401.

Agreement No. T-2706, between the Port of Tacoma (Port) and Continental Grain Corp. (Continental), is a lease-agreement whereby the Port will construct a grain storage terminal facility and lease it to Continental for a 30-year term with renewal options. The facility is to be operated by Continental as a public agricultural products facility for the receipt and storage of dry agricultural products. Continental's rental for the facility is to be computed in accordance with a formula set forth in detail in the agreement based on the amortization of final construction costs. Under the terms of the agreement, Continental will have the exclusive right to establish and assess tariff charges and promulgate rules and regulations governing the facility. With respect to dockage charges, however, Continental is to become a "Participating Terminal" under the Tacoma Terminals Tariff. All charges are to be generally competitive with charges assessed by similar facilities in the area.

By order of the Federal Maritime Commission.

Dated: November 7, 1972.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-19327 Filed 11-9-72;8:49 am]

[Docket No. 72-59]

TRANSAMERICAN TRAILER TRANSPORT INC.

Order of Investigation and Suspension

On October 6, 1972, Transamerican Trailer Transport, Inc. (TTT) filed various revised pages to its tariff FMC-F No. 1, proposing extension of service to include the Port of Baltimore, Md., effective November 5, 1972. Included in those revised pages, on sixth revised page 43, is Rule 621 covering "Wharfage charges at Baltimore, Maryland." The rule is similar to those of Sea-Land Service, Inc., and Seatrain Lines, Inc., currently under investigation in Docket No. 72-25, and provides for a "top wharfage" charge against cargo which moves to or from the pier in other than railroad car service.[1] There appears to be no parallel charge levied by TTT in New York on similar cargo.

Upon review of the above-rule, the Commission is of the opinion that the proposed charge may constitute an unreasonable preference to cargo moving in railroad car service and that it also may be unduly prejudicial to shippers in and the Port of Baltimore as opposed to their New York counterparts in contravention of section 16 First of the Shipping Act, 1916 (46 U.S.C. 815).

Good cause appearing, therefore:

It is ordered, That pursuant to the authority of section 22 of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, an investigation is hereby instituted into the lawfulness of said tariff rule for the purpose of making such findings and orders as the facts and circumstances warrant. In the event that the subject rule is further changed, or reissued, such matter is hereby ordered to be included in this investigation.

It is further ordered, That pursuant to section 3, Intercoastal Shipping Act, 1933, Rule 621 on sixth revised page 43 of Transamerican Trailer Transport Inc.'s tariff FMC-F No. 1 is hereby suspended and the use thereof deferred to and including March 4, 1973, unless otherwise ordered by this Commission.

It is further ordered, That there shall be filed immediately with this Commission by Transamerican Trailer Transport Inc. a consecutively numbered supplement to the aforesaid tariff which supplement shall bear no effective date, shall reproduce the portion of this order wherein the suspended matter is described and shall state that the aforesaid matter is suspended and may not be used until March 5, 1973, unless otherwise authorized by this Commission and that the suspended matter may not be changed until this proceeding has been disposed of or until the period of suspension has expired, whichever comes first, unless otherwise ordered by this Commission.

It is further ordered, That pursuant to section 16 First of the Shipping Act, 1916, a determination shall be made as to whether the subject rule gives any unreasonable preference or advantage to shippers who utilize railroad car service or who ship via New York, or whether it subjects the Port of Baltimore, or shippers who do not utilize railroad car service, to any undue or unreasonable prejudice or disadvantage.

It is further ordered, That copies of this order shall be filed with the said tariff schedule in the Bureau of Compliance of the Federal Maritime Commission.

It is further ordered, That Transamerican Trailer Transport Inc. be named as respondent in this proceeding.

It is further ordered, That this proceeding be assigned for public hearing before an administrative law judge of the Commission's Office of Administrative Law Judges and that the hearing be held at a date and place to be determined by that presiding officer.

It is further ordered, That: (i) A copy of this order be forthwith served upon the respondent herein and upon this Commission's Bureau of Hearing Counsel, and published in the FEDERAL REGISTER; and (ii) the respondent and Hearing Counsel be duly served with notice of time and place of the hearing.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) of the Commission's rules of practice and procedure (46 CFR 502.72) with a copy to all parties to this proceeding.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-19324 Filed 11-9-72;8:49 am]

[1] Railroad car service includes trailer-on-flat-car service under certain specified conditions.

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/Operator and Vessels*
01065	Rederei Richard Schroder: Leo Schroder.
01080	Fred Devine Diving & Salvage Co., Inc., Firstbank Leasing Corp.: Salvage Chief.
01104	Hyundai International, Inc.: Atlas Counsellor.
01178	Olaf Pedersen's Rederi A/S: Sunny Lady.
01185	Aksjeselskapet Kosmos: Jarita.

Certificate No.	Owner/Operator and vessels
01330	Shell Tankers (U.K.) Ltd.: Hemiglypta. Solen.
01331	Poling Transportation Corp.: Janet C.
01465	Scottish Ship Management Ltd.: Baron Wemyss.
01466	Common Bros. (management) Ltd.: Ida Lundrigan.
01710	Pluto S.P.A.-Palermo: Brasilia. Igara.
01712	Nereide S.P.A. Di Navigazione: Kudu.
01716	Achille Lauro-Napoli: Gioacchino Lauro.
01758	Chotin Transportation, Inc.: Chotin-1380X. Chotin-1381X. Chotin-1382X. Chotin-1383X.
01848	Ares Shipping Corp.: Emerald Seas.
01904	Waterman Steamship Corp.: Thomas Jefferson. John Tyler.
02021	Atlantska Plovidba: Astarea.
02039	"Gryf" Deep Sea Fishing Co.: Likowal.
02041	"Dalmor" Przedsiebiorstwo Polowow Dalekomorskich I Uslug Rybackich: Taurus.
02198	The Peninsular & Oriental Steam Navigation Co.: Spirit of London.
02332	Lykes Bros Steamship Co., Inc.: LY-102. LY-103. LY-104. LY-105. LY-106. LY-107. LY-108. LY-109. LY-110. LY-111.
02452	Dover Navigation Co., Ltd.: Ocean Queen.
02713	T. L. James & Co., Inc.: Atlas I.
02836	The Scindia Steam Navigation Co., Ltd.: Jalayamini. Jalamokambi.
02863	Naviera Aznar, S.A.: Monte Abril.
02956	Ashland Oil, Inc.: JN-101.
02961	Kobe Kisen Kabushiki Kaisha: Colombia Maru.
03018	Federal Barge Line, Inc.: ME-8. ME-9. FT-1. FT-2. FTC-4.
03148	Astromerito Compania Naviera S.A.: Leandros.
03397	Hilmar Rekstein: Fabian. Araluck.
03433	Hiroumi Kisen Kabushiki Kaisha: San Martin-Maru.
03441	Japan Line K.K.: Japan Adonis. World NKK. Neptune World. Japan Mimosa.
03457	Masumoto Kaiunsangyo K.K.: Daishin Maru.
03459	Meiji Kaiun K.K.: Marquis.
03482	Ryutsu Kaiun Kabushiki Kaisha: Ryuseimaru.
03519	Toko Shosen K.K.: Kikuko Maru.
04064	Northern Navigation Co. Inc.: Minoan Bull.
04136	Thomas Marine Co.: SC 35
04289	Dixie Carriers, Inc.: DXE 1111. DXE 1112. DXE 3007-B.
04357	Koninklijke Nedlloyd N.V.: Nedlloyd Carwell.
04398	Hapag-Lloyd Aktiengesellschaft: Hong Kong Express.
04448	San Francisco Port Commission: Piledriver No. 2. Piledriver No. 3.
04483	Kaiomaru Gyogyo Kabushiki Kaisha: Kaiomaru No. 31.
04640	McAllister Lighterage Line Inc.: McAllister 149.
04798	Vicksburg Towing Co. Inc.: Yazoo City.
05089	H. F. Eimskipafelag: Manafoss. Mulafoss. Irafoss.
05198	Esso Tankers Inc.: Esso Kumamoto. Esso Rotterdam.
05244	Hanseatische Hochseefischerei. Aktiengesellschaft: Karlsburg.
05537	Empresa Navegacion Mambisa: Frimar.
06095	Helmville Ltd.: David Marquess of Milford Haven.
06105	Booker Development Co. Inc.: Rig No. 1.
06248	Commercial Corporation "Sovrybflot": Lev Tolstoy.
06578	Van Nievelt, Goudriaan & Co. N.V.: Ilios. Alcor. Algol. Algorab. Alkes. Asmidiske. Asterope. Adara. Situla. Markab II. Rochab. Subra. Marian Maria. Asuncion. Villarrica. Astron. Nushaba. Nashira. Talita. Nusakan. Sheratan.
06662	Reederei Claus-Peter Offen KG: Holstendeich.
06761	Sinclair Memphis Marine Service, Inc.: Southern Cross.
06925	Bibby Bulk Carriers Ld.: Lancashire.
07011	Pergamos Shipping Co. Ltd.: Good Navigator.
07014	Compagnie Atlantique Maritime: Mont Louis.
07074	Hae Woi Industrial Co., Ltd.: Luna No. 22.
07160	Zenith Oho Shipping Corp.: Delaware.
07298	Sikinos Shipping Co. Ltd.: Dekatria.
07341	Christianson Construction Co., Inc.: Barnacle.
07344	Main Corp.: American Main.
07353	Elizalde & Co., Inc., Shipping Department: Orient Star.
07354	Fernavi-Societa' Di Navigazione: Marcus Lolli-Ghetti.
07357	The Shipping Partnership for MS Lindblad Explorer: Lindblad Explorer.
07358	Elmini Lizard Inc.: Mini Lizard.
07359	Empresa Insulana De Navegaco S.A.R.L.: Mauricio De Oliveira. Rodrigues Cabrilho.
07362	Primorsk Shipping Co.: Leninskoye Znamya.
07366	Compagnie Maritime Des Chargeurs Reunis: Medariana.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-19321 Filed 11-9-72;8:48 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	Owner/Operator and vessels
01105	Tschudi & Eitzen: Sibeau.
01326	Sabine Towing & Transportation Co., Inc.: STCO 220. STCO 221.
01334	American President Lines, Ltd.: President Fillmore.
01428	Ocean Steam Ship Co. Ltd.: Phemius. Phrontis. Perseus. Patroclus.
01516	Royal Caribbean Cruise Line A/S: Sun Viking.
01764	Reynolds Metals Co.: Pyramid Vega.
02001	Rederiaktiebolaget Transatlantic: Barranduna.
02024	A/S Hav and A/S Havtank: Permina I. Stavern.
02198	The Peninsular & Oriental Steam Navigation Co.: Kildare. Chitral. Cathay.
02332	Lykes Bros. Steamship Co., Inc.: LY 98. LY 99. LY 100. LY 101. LY 94. LY 95. LY 96. LY 97.

Certificate No.	Owner/Operator and vessels
02501	Standard Oil Co. of California: Nevada Standard.
02835	Hong Kong Shipowners & Managers Co., Ltd.: Yancey. Katharina.
03214	Salenrederierna Aktieboloäg: Sea Serpent. Snow Storm.
03400	Nicolas J. Vardinoyannis: Pavlos V.
03422	Daiwa Kaiun K. K.: Fiji Maru.
03466	Nanboku Sangyo K. K.: Santo Maru.
03467	Nissin Kisen K. K.: Nichigo Maru.
03485	Sanoyasu Shoji K. K.: M. V. Kinyo Maru.
03640	Pan Ocean Bulk Carriers, Ltd.: Bum Woo.
03725	Circle Line-Sightseeing Yachts, Inc.: Dayliner.
03836	Splosna Plovba: Kidric B.
04024	Erie Sand Steamship Co.: Jack Wirt.
04050	A/S Uglands Rederi: Akarita.
04074	Tankore Corp.: Sanovia.
04093	Renaissance Shipping Corp.: Renaissance.
04113	Mon River Towing, Inc.: MRT 17.
04196	Otto Candies, Inc.: OC-300.
04264	Outerocean Navigation Corp., Ltd.: Harriet.
04289	Dixie Carriers, Inc.: B-101.
04435	Gateway Barge Lines, Inc.: GW 65.
04502	Kotoshiro Gyogyo Kabushiki Kaisha: Kotoshiromaru No. 10.
04504	Sumiyoshi Gyogyo Kabushiki Kaisha: Sumiyoshimaru No. 35. Sumiyoshimaru No. 5.
04625	American Commercial Lines, Inc.: Sponson No. 1. Sponson No. 2.
04629	Smit International (Antilles) N.V.: Smit Pioneer.
04844	Dampfschifffahrts - Gesellschaft "Neptun": Gammagas.
05151	Ocean Protein, Inc.: Zapata Atachafalaya Bay. Zapata Timbalier Bay.
05577	Far-Eastern Shipping Co.: Kapitan Kondratjev. Kansk. Taiga. Primorles. Djurma. Zagorsk. Kungur. Bukhara. Mekhanik Ryabachuk. Shadrinsk. Kraskino.
05708	Petersen & Alpers: Hansa.
05746	Campanella Corp.: Jamestown.
05770	C.A. Venezolana De Navigacion: La Guaira. Maracaibo.
05834	Kooyoo Suisan Kabushiki Kaisha: Seiko Maru No. 8.
05867	Ocean Carriers Corp.: U-723.
05874	Sonoda Kisen K. K.: Yukizono Maru.
06248	Commercial Corporation "Sovrybflot": Khrustal. Senyavina.
06321	Shimat Marine (Panama) S.A.: Royal Star. Eastern Star.
06511	Associated Shipping Corp. Ltd.: Eastern Ocean.
06549	Compagnie Marocaine De Navigation: Toubkal.
06563	Ragnar Johansen & Co. A/S: Stolterjo. Murjo.
06903	Sun Shipbuilding and Dry Dock Co.: Fortaleza.
06988	North Star Compania Naviera S.A.: North Star.
07017	Coquet Shipping Co., Ltd.: Hongkong Truth.
07199	Compania Bandera S.A.: Spyro.
07237	Southern Barge, Inc.: ST-1501. ST-1502. REB-2501. REB-2502.
07261	Chancery Shipping Corporation Inc.: Alba.
07279	Vincent Shipping Corp., Liberia: Maritime Harmony.
07287	Charles Barge Corp.: CM-202. UMI-1204. UMI-1206. NDT-103. ST-107.
07289	Amilla Compania Naviera, S.A.: Amilla.
07297	Armadora Hidalga S.A.: Angelmar.
07299	Safety Company (Liberia) Ltd.: Mercy.
07304	Yhtyneet Paperitehtaat Osakeyhtio: Kaipola. Valkeakoski.
07305	Triumph Shipping S.A.: Triumph.
07307	Nagashiki K.K.: Kiyoshio-Maru.
07309	Varnibros Corp. S.A.: Nicos V.
07311	T. & S. Towing Co., Inc.: Barbara Ann.
07320	Skips A/S Blue Nor: M/S Blue Lady.
07321	Grand Trunk Milwaukee Car Ferry Co.: City of Milwaukee. Madison.
07322	Apollonian Light Co. S.A.: Apollonian Light.
07328	New England Fish Co.: Americana. Theresa Lee.
07331	K. K. Kaleisha: Katsura-Maru. Freesia. Iris.
07334	Yokoyama Kaiun K.K.: Eihaku Maru.
07337	BJ. Ruud-Pedersen: Essi Silje.
07338	C & J Towing, Inc.: Bryan B.
07342	United Maritime Management Co. (PTE) Ltd.: Lien Ming. Lien Fung. Min Fong. Choy Fung. Wah Fung.
07346	Grand Carriers Inc.: Grand Carrier.
07347	Navegantes Transatlantica S.A.: Rio Casca.
07348	K/S-A/S Sea-Team & Co.: Norvegia Team.
07349	Doric Bulk Carriers Corp. of Liberia: Doric Flame.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-19323 Filed 11-9-72;8:49 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to certificates of financial responsibility (oil pollution) which had been issued by the Federal Maritime Commission, covering the below-indicated vessels, pursuant to Part 542 of Title 46 CFR and section 11(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/operator and vessels
01033	Britain Steamship Co. Ltd.: Lancashire.
01074	Sigval Bergeson & Associated Companies: Sydfonn.
01080	Fred Devine Diving & Salvage Co., Inc., Salvage Chief Corp.: Salvage Chief.
01118	Hvalfangerselskapet "Polaris" A/S: Polarsol.
01155	Ernst Jacob Reeder und Schiffsmakler: Helene Roth. Mailand. Anton Roth.
01421	Bibby Line Ltd.: Schropshire.
01448	Burnside Shipping Co., Ltd.: Afghanistan.
01467	Lowland Tanker Co., Ltd.: Border Terrier.
01605	D'Amico Societa Di Navigazione S.P.A.: Mirella D'Amico.
01837	N.V. Tanker Handel Maatschappij "Tahama": Tahama. Tamara.
01861	B. P. Tanker Co., Ltd.: British Vision.
01882	State Shipping Co., Inc.: Vanmint.
01893	Silver Line Ltd.: Silverbeach. Silversea.
01905	The Ben Line Steamers Ltd.: Benledi. Benalligin.
01935	SS Co. Svendborg Ltd. & SS Co. of 1912 Ltd.: Eleo Maersk.
01982	Ab Svenska Ostasiatiska Kompaniet: Nicobar. Nara.
02021	Atlantska Plovidba: Hercegovina.
02043	Suomen Tankkilaiva Oy; Finska Tankfartygs AB: WIIMA.

Certificate No.	Owner/Operator and vessels
02402	Sinesis Com. Nav. S.A.: Djatisari.
02417	Norfolk, Baltimore & Carolina Line, Inc.: Carolina Clipper.
02492	Interstate Oil Transport Co.: I.B.C. 16. I.B.C. 17. I.B.C. 18.
02501	Standard Oil Co. of California: J. H. MacGaregill.
02823	Walrus Shipping Co., S.A.: Contesa.
02836	The Scindia Steam Navigation Co., Ltd.: Jalavijaya.
02867	Kee Yuen Maritime (Panama) Corp., S.A.: Kee Yuen.
02935	Cable and Wireless Limited: Mercury.
02956	Ashland Oil Co.: GBL-10.
02961	Kobe Kisen Kabushiki Kaisha: Naoshima Maru.
03018	Federal Barge Lines, Inc.: JDC-1. JDC-2.
03089	Transpacific Lines, Inc.: Hong Kong Truth.
03149	Isla Grande Cia. Naviera: Kalliopi Pateras.
03165	Asimi Maritime Co. Ltd.: St. Demetrius.
03422	Daiwa Kaiun K.K.: Samoa Maru. Tokelau Maru.
03441	Japan Line K.K.: Nichigo Maru. San Martin Maru.
03459	Meiji Kaiun K.K.: Meiryo Maru.
03484	Sanko Kisen K.K.: Hiko Maru. Kikuko Maru.
03501	Osaka Shosen Mitsui Senpaku K.K.: Arizona Maru.
03900	Coralstone Shipping Corporation, Monrovia: Coralstone.
03926	Harumi Senpaku Kabushiki Kaisha: Kamo Maru.
03968	Zim Israel Navigation Company Ltd.: Negba.
04112	Greater Pacific Mariner Industries, Inc.: Oceana.
04134	Peruana de Navegacion S.A.: Chimu. Chavin.
04419	Bernhard Howaldt, Flensburg: Bernhard Howaldt.
04596	Pan-Alaska Fisheries, Inc.: Marconi.
04640	McAllister Lighterage Line Inc.: Daniel A. Cobb. Planet. Saturn. War Chief. Venus. Pictor. Sculptor. Stanwood B. McAllister Bros. No. 90.
05076	Gulf Petroleum S.A.: Gulf Rey.
05147	Arne Presthus Rederi A/S: Helene Presthus.
05403	Stratford Shipping Ltd.: Golden Falcon.
05438	Time Lines (Panama) Ltd. S.A.: Tien Cheung.
05537	Empresa Navegacion Mambica: 7 de Noviembre. 10 de Octubre. 9 de Abril. 5 de Septiembre.
05632	Christianson Construction Co., Inc.: Octopus.
05956	Procyon Shipping Corporation: Procyon.
05959	Cheyenne Shipping Corporation: Pegasus.
06435	Damp . . . . A/S Tonsberg, A/S Tankfart I, IV, V and VI: Tungsha. Tarim.
06561	Komanditselskapet Cruise Venture A/S & Co.: Island Venture.
06655	Friederick Glazt Ohg.: Drautal.
06680	The Great Fortune Navigation Corporation (Singapore) Private Ltd.: Great Power. Great Peace.
07160	Zenith Obo Shipping Corporation: Ranger.

By the Commission.

FRANCIS C. HURNEY, *Secretary.*

[FR Doc.72-19320 Filed 11-9-72;8:48 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below-indicated vessels, pursuant to Part 542 of Title 46 CFR and section 11(p) (1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/Operator and Vessels
01039	Den Norske Amerikalinje A/S: Foldenfjord.
01135	Frio Barge Co.: Frio.
01140	Nueces Barge Co.: Nueces.
01428	Ocean Steam Ship Co., Ltd.: Pyrrhus.
01430	Tankers, Ltd.: Athelmonarch.
01498	Vessel Operators, Inc.: B & M 1201.
01504	Yngvar Hvistendahl: Minoru.
01561	Lubeck Linie Aktiengesellschaft: Castorp.
01712	Nereide S.P.A. Di Navigazione: Felce.
01754	Blue Peter Steamships, Ltd.: Blue Cloud.
01755	Hugo Stinnes Zweigniederlassung Hamburg: Zephir.
01760	Kornelius Olsen: Gannsfjord. Lifjord.
01761	Union Steam Ship Company of New Zealand, Ltd.: Waimate.
01819	King Line, Ltd.: King Alexander.
01843	A. F. Harmstorf & Co.: Luhesand.
01893	Silver Line, Ltd.: Silvercape.
01905	The Ben Line Steamers, Ltd.: Benarmin. Benkitlan.
01913	Compagnie Fabre/Societe Generale De Transports Maritimes: Joliette.
02007	Rederiet for M/S Skeldervik: Skeldervik.
02024	A/S Hav and A/S Havtank: Stavik.
02194	Compagnie Generale Transatlantique: Fort Frontenac. Fort Niagara. La Coubre.
02198	The Peninsular & Oriental Steam Navigation Co.: Iberia.
02443	Panama Transoceanic Co. S.A.: Mary Ellen Conway.
02705	Partenreederei M/S Mangan: Barber Mangan.
02765	Rex Maritime S.A.: Ariston.
02889	Showa Kaiun Kaisha, Ltd.: Nichiran Maru.
02922	Remsen Corp. Compania Mundial De Transportes S.A.: Natal.
02956	Ashland Oil, Inc.: GBL-9. T 100 SL.
03160	Libra Navigation Corp.: Nimar.
03418	Daiichi Senpaku K. K.: Rokko Maru.
03438	Inui Kisen Kabushiki Kaisha: Shomei Maru.
03441	Japan Line K. K.: Kosoh Maru.
03590	Tank Barge 8, Inc.: Barge Birch. Barge 103.
03609	Pacific Barge 3, Inc.: Barge 101.
03690	The Harbor Tug and Barge Co.: Isla Verde. Barge Attu.
03923	Shinwa Kaiun Kaisha, Ltd.: Onomichi Maru.
03971	Korea Shipping Corp., Ltd.: Jin Duck.
03979	Moran Towing Corp.: Moran 112. Moran 110.
04064	Northern Navigation Co., Inc.: Minoan Bull.
04067	Merichem Co.: ETT 104. ETT 105.
04093	Republic Maritime Corp.: Vermont I.
04127	Sambad ISL. Samvinnufelaga: Disarfell.
04173	Foss Launch & Tug Co.: Foss 106.
04641	American Tug Boat Co.: ATB 96. ATB 97. ATB 99.
04701	Rederij H. Pepping: Johanna.
04996	Don Shipping Co., Ltd.: Trader.
05506	Aegean Shipping Co., Ltd.: Mandraki.
06002	Elmira Shipping, Inc.: Pisces.
06321	Shimat Marine, Inc.: Espirito Santo. Sun Europa.
06842	Regules Navigation Corp.: Triton.
06843	Ilion Navigation Co., Ltd.: Ilion.

Certificate No.	Owner/Operator and vessels
06844	Pioneer Navigation Co., Ltd.: Icon Sea.
06845	Marilion Navigation Co., Ltd.: Marilion.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-19322 Filed 11-9-72;8:49 am]

FEDERAL POWER COMMISSION

[Docket No. RP73-58]

ARKANSAS LOUISIANA GAS CO.

Notice of Proposed Changes in Rates and Charges

NOVEMBER 7, 1972.

Notice is hereby given that Arkansas Louisiana Gas Co. (Ark-La) on October 12, 1972, tendered for filing changes in rate and charges applicable to its FPC Gas Rate Schedule Nos. XFS-1 and XFS-3 covering sales to Mississippi River Fuel Corp. and Southwest Gas Producing Co., respectively. The proposed changes would increase the applicable rates by 0.6667 cents per Mcf and result in increased jurisdictional revenues of approximately $750 per annum. The company states that the filings are submitted in accordance with Commission Order No. 456-B to reflect the increase in the Louisiana Severance Tax effective September 1, 1972.

Copies of the tenders have been served upon the customers involved.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street, NW., Washington, DC 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, November 17, 1972. 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.72-19404 Filed 11-9-72;8:52 am]

[Docket No. G-2991, etc.]

SUN OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

NOVEMBER 2, 1972.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before December 1, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests 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. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions 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 sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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 Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-2991 C 10-18-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Texas Gas Transmission Corp., Carthage Field, Panola County, Tex.	25.0	14.65
G-6648 C 10-18-72	do	do	25.0	14.65
G-10354 C 10-24-72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Texas Eastern Transmission Corp., Various Field, Hardin et al. Counties, Tex.	[1] 24.0	14.65
G-12403 E 10-16-72	Suburban Propane Gas Corp., (successor to Frio-Tex Oil & Gas Co.), 2120 Alamo National Bldg., San Antonio. Tex. 78205.	Transcontinental Gas Pipe Line Corp., West Big Foot Field, Frio County, Tex.	[2] 15.05625	14.65
G-18243 C 10-19-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Texas Gas Transmission Corp., Carthage Field, Panola County, Tex.	25.0	14.65
CI66-301 E 10-19-72	Suburban Propane Gas Corp. (successor to Frio-Tex Oil & Gas Co. (Operator) et al.).	Northern Natural Gas Co., Ozona Field, Crockett County, Tex.	[3] 17.0637 [4] 16.5619 [5] 16.5618	14.65 14.65 14.65
CI67-248 10-25-72 [6]	Beacon Gasoline Co., Post Office Box 1126, Shreveport, LA 71163.	Walker Creek Field, Columbia County, Ark.		
CI67-248 10-25-72 [7]	do	Oakes Field, Claiborne Parish, La.		
CI68-926 E 10-24-72	Suburban Propane Gas Corp. (successor to Frio-Tex Oil & Gas Co.), 2210 Mercantile Bank Bldg., Dallas, Tex. 75201.	Northern Natural Gas Co., Ozona Field, Crockett County, Tex.	17.0637	14.65
CI70-594 E 10-10-72	Dale V. Steele, d.b.a. Steele Oil Field Service (successor to Howard W. Kaler), 1023 10th Ave., Sidney, NE 69162.	Kansas-Nebraska Natural Gas Co. Inc., Cheyenne County, Nebr.	15.0	10.4
CI71-560 C 10-19-72	Phillips Petroleum Co., Bartlesville, Okla. 74001.	El Paso Natural Gas Co., Sales Ranch Field, Permian Basin Area, Martin County, Tex.	[8] 35.0	14.65
CI73-248 (G-17574) F 10-6-72	Clinton Oil Co. (Operator) et al. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Texas Gas Transmission Corp., Jefferson Island Field, Iberia Parish, La.	[9] 22.375	15.025
CI73-249 (CI61-313) F 10-6-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Transcontinental Gas Pipe Line Corp., Cooke Field, La Salle County, Tex.	14.6938	14.65
CI73-284 A 10-19-72	Skelly Oil Co., Post Office Box 1650, Tulsa, OK 74102.	Northern Natural Gas Co., Acreage in Gray, Carson, and Hutchinson Counties, Tex.	[9] 30.0	14.65
CI73-286 B 10-18-72	Pennzoil Producing Co., 900 Southwest Tower, Houston, Tex. 77002.	United Gas Pipe Line Co., Pass Fourchon Field, Iberia and St. Mary Parishes, La.	Depleted	
CI73-287 B 10-24-72	R. Lacy, Inc., et al., 222 East Tyler St., Post Office Box 2146, Longview, TX 75601.	Texas Gas Transmission Corp., Carthage Field, Panola County, Tex.	([10])	
CI73-288 A 10-24-72	Mountain Petroleum, Ltd. (1972), 712 Denver Center Bldg., Denver, Colo. 80203.	Kansas-Nebraska Natural Gas Co., Inc., Fleming Area, Logan County, Colo. (T8N-R50W).	[9] 25.0	14.65
CI73-292 A 10-24-72	McCulloch Oil Corp. of Texas, a Texas corporation, 10880 Wilshire Blvd., Suite 1500, Los Angeles, CA 90024.	Northern Natural Gas Co., acreage in Pecos County, Tex.	[9] 25.0	14.65
CI73-300 A 10-26-72	Texaco, Inc., Post Office Box 60252, New Orleans, La. 70160.	Florida Gas Transmission Co., Lake Fausse Point Field, St. Martin and Iberia Parishes, La.	[11] 20.875	15.025
CI73-301 B 10-19-72	Frank J. Hall et al., 604 Johnson Bldg., Shreveport, La. 71101.	United Gas Pipe Line Co., Sligo Field, Bossier Parish, La.	Depleted	

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI73-302 B 10-19-72	Frank J. Hall (Operator) et al., 604 Johnson Bldg., Shreveport, La. 71101.	Arkansas Louisiana Gas Co., Greenwood-Waskom Field, Caddo Parish, La.	Depleted	
CI73-303 B 10-19-72	Frank J. Hall et al., 604 Johnson Bldg., Shreveport, La. 71101.	Arkansas Louisiana Gas Co., Caddo-Pine Island Field, Caddo Parish, La.	Depleted	

[1] Pursuant to Opinion No. 595.
[2] Includes tax reimbursement of 0.5625 cent.
[3] RI71-770 except supplements Nos. 2 and 5. (Effective subject to refund May 2, 1971.)
[4] RI70-676 add acreage under Supplement No. 2 only. (Effective subject to refund Oct. 2, 1970.)
[5] RI70-1779 add acreage under Supplement No. 5 only. (Effective subject to refund June 12, 1970.)
[6] To add contract with Atlantic Richfield Co.
[7] To add contract with Atlas Corp. et al.
[8] Plus 3.82 cents upward B.t.u. adjustment.
[9] Subject to upward and downward B.t.u. adjustment.
[10] Texas Gas Transmission Corp. is no longer taking delivery of gas from R. Lacy, Inc., et al.
[11] Applicant is willing to accept a certificate at an initial rate of 26.875 cents per Mcf plus upward B.t.u. adjustment of 0.346 cent per Mcf; however, the contract price is 31 cents per Mcf plus B.t.u. adjustment.

[FR Doc.72-19129 Filed 11-9-72;8:45 am]

[Docket No. CI73-323]

OHB CO., LTD.

Notice of Application

NOVEMBER 8, 1972.

Take notice that on November 3, 1972, the OHB Co., Ltd. (Applicant), Post Office Box 126, Refugio, TX 78377, filed in Docket No. CI73-323 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Trunkline Gas Co. from the O'Brien Ranch Field, Goliad County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell up to 10,000 Mcf at 14.65 p.s.i.a. of gas per day at 35.0 cents per Mcf for 1 year within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before November 20, 1972, file with the Federal Power Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-19446 Filed 11-9-72;8:52 am]

[Docket No. CP73-20]

TRANSCO ENERGY CO.

Notice of Application for Disclaimer of Jurisdiction or for Temporary Certificate

NOVEMBER 8, 1972.

Take notice that on November 2, 1972, Transco Energy Co. (Applicant), Post Office Box 1396, Houston, TX 77001, filed in Docket No. CP73-20 an application for an order of the Commission disclaiming jurisdiction over the SNG facility which is the subject of the application for a certificate of public convenience and necessity filed pursuant to section 7(c) of the Natural Gas Act in the instant docket, or, in the alternative, for a temporary certificate authorizing the construction and operation of said facility, all as more fully set forth in the instant application which is on file with the Commission and open to public inspection.

Applicant states that, as shown in the companion application for a certificate of public convenience and necessity of Transcontinental Gas Pipe Line Corp. (Transco) in Docket No. CP73-21, it is estimated that Transco's domestic gas supply will fall short of meeting its certificated firm requirements by 267,513,000 Mcf in the year 1975 unless the additional supply of 87,500,000 Mcf to be provided by Applicant's SNG plant is available. Applicant states that this shortfall, which reflects the assumption that Transco will be able to contract for new supplies each year during the interim period with about 100,000 Mcf per day of deliverability, represents a curtailment of approximately 25 percent of the firm certificated requirements on Transco's system and that, even with the SNG facility on stream, the gas supply deficiency in 1975 is estimated to be 180,013,000 Mcf which is approximately 16 percent of the firm certificate requirements on Transco's system. Applicant alleges that, unless there is a substantial and presently unforeseen upturn in domestic production in Transco's gas supply area between now and 1975, there is no possibility of relief from the gas supply shortage by that time other than by the SNG facility proposed in the instant proceeding. Applicant states that, in order for the SNG facility to be ready for operation by the 1974-75 winter, site preparation must commence by February 1, 1973, and actual construction of the plant must commence by April 1, 1973.

Applicant submits that, although the Commission has not yet ruled on the question of its jurisdiction over naphtha-based SNG plants, the administrative law judge in Algonquin SNG, Inc., et al., Docket No. CP72-35, et al., has held that the Commission does not have jurisdiction over such a facility and no party to that case contended that the Commission does have jurisdiction; and, therefore, the Commission should issue an order disclaiming jurisdiction over Applicant's proposed SNG plant in order that Applicant may commence construction on schedule. In the alternative, Applicant requests a temporary certificate in order to assure maintenance of adequate service to Transco's customers.

Any person desiring to be heard or to make any protest with reference to said application for disclaimer or temporary certificate should on or before November 27, 1972, 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. Any person who has heretofore filed a petition to intervene or a protest in the instant proceeding need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-19447 Filed 11-9-72;8:52 am]

FEDERAL RESERVE SYSTEM

COMMERCE BANCSHARES, INC.

Order Approving Acquisition of Bank

Commerce Bancshares, Inc., Kansas City, Mo., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Commerce Bank of St. Louis, National Association, St. Louis, Mo. (Bank), a proposed new bank.

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant, the third largest bank holding company and banking organization in Missouri, has 21 subsidiary banks which control $985.9 million in deposits, representing 7.8 percent of total deposits in commercial banks in the State. (All banking data are for December 31, 1971, unless otherwise noted.)

Bank, which Applicant states would not be opened for business were the application to be denied, would be located in downtown St. Louis. Commerce Bancshares has four subsidiary banks within the relevant market which is considered to include St. Louis City, St. Louis County, and portions of Jefferson and St. Charles Counties. These present subsidiary banks are all located in the suburban areas of St. Louis and are not significant factors in the market. Together they control less than 2 percent of market deposits. As bank is a proposed new bank consummation of the proposal would eliminate no existing competition, but rather would increase competition for corporate accounts in Bank's proposed service area, downtown St. Louis. While population in the proposed service area has been declining, there is still a higher ratio of population to banking offices than in the suburban areas, and it appears that the area can support an additional banking alternative. Since 1967 the downtown banks have shown good deposit growth, and net income per share and net operating income per share for the four largest banks in St. Louis have increased an average of 22.8 percent and 16 percent respectively. The Board concludes that consummation of the proposal would not eliminate existing or potential competition, nor would it have adverse effects on any competing bank.

Considerations relating to the financial and managerial resources and future prospects of Applicant and Bank are satisfactory and consistent with approval of the application. While Applicant proposes to orient Bank toward the provision of wholesale banking services, there is no evidence on the record that any significant banking needs are going unserved in the proposed service area. Applicant will, however, provide an alternative source of banking services. Considerations relating to the convenience and needs of the communities to be served are consistent with approval of the application.

A contention has been raised that the acquisition of Bank by Applicant would be in violation of the branch banking restrictions of the State of Missouri. As the Board stated in connection with its approval of the recent application of Boatmen's Bancshares, Inc., to acquire a proposed new bank in St. Louis County, "a State's restrictive branch banking laws do not, in light of the legislative history of the Bank Holding Company Act of 1956, prohibit the formation or expansion of a bank holding company in that State" (1972 Bulletin 923).

In addition, a protesting bank has petitioned that the system conduct a survey to determine whether there is a need for an additional wholesale bank in St. Louis. The bank further petitioned the Board to conduct either a formal or informal hearing on the application pursuant to the Board's rules of procedure, § 262(3)(f)(2, 3). In view of the fact that the Comptroller of the Currency recommended approval of the application, no hearing is required by the Act. (It might be noted that the Comptroller held a hearing prior to granting the charter for Bank and the protesting party appeared at that proceeding.) Further, it does not appear to the Board that there are any issues concerning the application on which a formal hearing or oral presentation would be useful. The petition is hereby denied with respect to the above requests. A request that the application be acted on by the Board rather than the Reserve Bank under delegated authority (12 CFR 265.2(f)(24)) was granted.

It is the Board's judgment that the proposed acquisition would be in the public interest and should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order; and (c) Commerce Bank of St. Louis, National Association, St. Louis, Mo., shall be opened for business not later than 6 months after the effective date of this order. Each of the periods described in (b) and (c) may be extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[1] effective November 3, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-19361 Filed 11-9-72;8:50 am]

BANK SHARES INC.

Application for Acquisition of O.C.B. Agency, Inc.

Bank Shares Inc., Minneapolis, Minn., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of O.C.B. Agency, Inc., Rochester, Minn. Notice of the application was published on September 23, 1972, in Rochester Post-Bulletin, a newspaper circulated in Rochester, Minn.

Applicant states that the proposed subsidiary would engage in the activities of an insurance agency for the following types of insurance: (i) Insurance for the holding company and the subsidiaries, (ii) (a) insurance directly related to extensions of credit by a bank or bank related firm of the kind described in Regulation Y of the Federal Reserve Board of Governors, or (b) to directly related to the provision of other financial services by a bank or a bank related firm, or (c) insurance which is otherwise sold as a matter of convenience to the purchaser, so long as the premium income from sales within subdivision (ii)(c) does not constitute a significant portion of the aggregate insurance premium income of the holding company sold pursuant to subdivision (ii). Among the types of insurance applicant is presently selling are: credit life; accident and health; auto; fire; casualty; workmen's compensation; surety license and fidelity bonds; and term and whole life insurance. Certain insurance agency activities have been specified by the Board in section 225.4(a)(9) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b). Applicant has stated that the activities of O.C.B. Agency not in compliance with section 225.4(a)(9) of Regulation Y will be eliminated.

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the

[1] Voting for this action: Chairman Burns and Governors Robertson, Brimmer, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Daane.

hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than November 30, 1972.

Board of Governors of the Federal Reserve System, November 3, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-19378 Filed 11-9-72;8:50 am]

NORTHWEST IOWA BANCORPORATION

Formation of Bank Holding Company

Northwest Iowa Bancorporation, Le Mars, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of The Lakes National Bank, Arnolds Park, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842 (c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 30, 1972.

Board of Governors of the Federal Reserve System, November 3, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-19377 Filed 11-9-72;8:50 am]

UNITED JERSEY BANKS

Acquisition of Bank

United Jersey Banks, Hackensack, N.J., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of United Jersey National Bank of Hudson County, Secaucus, N.J., a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than November 29, 1972.

Board of Governors of the Federal Reserve System, November 3, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-19379 Filed 11-9-72;8:51 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 950]

CALIFORNIA

Declaration of Disaster Loan Area

Whereas it has been reported that during the month of October 1972, because of the effects of heavy rainfall, flooding, and mudslides, damage resulted to property located in the State of California;

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act (15 U.S.C. 636 (b)), as amended, may be received and considered by the office below indicated from persons or firms whose property situated in San Mateo County, Calif., with the principal towns affected being South San Francisco and Pacifica, Calif., suffered damage or destruction resulting from heavy rainfall, flooding, and mudslides during the week of October 8, 1972.

OFFICE

Small Business Administration Regional Office, 450 Golden Gate Avenue, Box 36044, San Francisco, CA 94102.

2. Temporary offices will be established at such areas as are necessary, addresses to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to January 31, 1973.

Dated: October 24, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72-19318 Filed 11-9-72;8:48 am]

[Declaration of Disaster Loan Area 949]

VIRGINIA

Declaration of Disaster Loan Area

Whereas it has been reported that during the month of October 1972, because of the effects of torrential rainfall and flooding, damage resulted to property located in the State of Virginia;

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Application for disaster loans under the provisions of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) as amended, may be received and considered by the office below indicated from persons or firms whose property situated in or adjacent to the Counties of Brunswick, Sussex, Albermarle, Culpeper, and Page, and the cities of Emporia, Petersburg, Richmond, Waynesboro, and Front Royal, Va., suffered damage or destruction resulting from torrential rains and flooding on October 6, 7, and 8, 1972.

SBA Richmond Disaster Office, 400 North Eighth Street, Seventh Floor, Federal Building, Richmond, VA 23219.

2. Temporary offices will be established at such areas as are necessary, addresses to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to January 31, 1973.

Dated: October 11, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72-19319 Filed 11-9-72;8:48 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

ARKANSAS DEVELOPMENTAL PLAN

Extension of Time for Public Comment

Notice is hereby given that the time for public comment on the Occupational Safety and Health Plan for the State of Arkansas, for which notice of submission ways given at 37 F.R. 20899, October 4, 1972, has been extended. Interested persons are hereby given 30 days from the close of the original comment period on November 3, 1972, in which to submit data, views, and arguments concerning the plan. The submissions are to be addressed to the Director, Office of State Programs, OSHA, Railway Labor Building, Room 500, U.S. Department of Labor, Washington, D.C. 20210. The written comments will be available for public inspection and copying, at the expense of the person(s) requesting such copies, at the above address.

Signed at Washington, D.C., this 6th day of November, 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-19365 Filed 11-9-72;8:51 am]

VERMONT DEVELOPMENTAL PLAN

State Occupational Safety and Health Standards and Their Enforcement; Notice of Informal Hearing

1. *Submission and description of plan.* Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) and § 1902.11 of Title 29, Code of Federal Regulations, notice is hereby given that an Occupational Safety and Health Plan for the State of Vermont has been submitted to the Assistant Secretary of Labor for Occupational Safety and Health. The Assistant Secretary has preliminarily reviewed the plan, and hereby gives notice that the question of the approval of the plan is in issue before him.

The plan designates the Department of Labor and Industry as the agency responsible for administering the plan throughout the State. It proposes to define the occupational safety and health issues covered by it as defined by the Secretary of Labor in 29 CFR 1902.2(c)(1). All occupational safety and health standards promulgated by the U.S. Secretary of Labor will be adopted under the plan, except those found in 29 CFR Parts 1915, 1916, 1917, and 1918 (shiprepairing, shipbuilding, shipbreaking, longshoring), and after public hearings will become effective July 1, 1973. However, any standards promulgated by the U.S. Department of Labor after December 31, 1972, will not be immediately adopted as State standards but instead will be promulgated within 1 year from the date of the original promulgation by the U.S. Secretary of Labor.

Within the plan there is the Vermont Occupational Safety and Health Code which became law on July 1, 1972. The Act as enacted gives the Department of Labor and Industry the statutory authority to implement an Occupational Safety and Health Plan modeled after the Federal Act. It provides for the coverage of all employees within the States including employees of State agencies and municipalities. There are provisions within it granting the Commissioner of Labor and Industry the authority to inspect workplaces and to issue citations for the abatement of violations and there is also included a prohibition against advance notice of any such inspection. Further, there is a provision made for judicial review as well as for the creation of an Occupational Safety and Health Review Board. Imminent danger situations are to be promptly restrained and a system of penalties for violation of the Act is included within it. Thus, the Act sets forth the general authority and scope for implementing the Vermont plan, but at the same time, the plan is developmental within 29 CFR 1902.2(b) in that specific rules and regulations must be adopted to carry out the plan and to make it fully operative. There is set forth in the proposed plan a timetable providing for the future drafting of various administrative rules, regulations, and procedures. The timetable covers such general areas as the development and enforcement of occupational health and safety standards, administrative rules and regulations governing the operation of the Occupational Safety and Health Review Board, inspection rules and procedures including employer-employee representation during the inspection process, the rules governing imminent danger situations, rules and procedures controlling the granting of variances, the creation of a State informational program, the development of programs for employees exposed to toxic materials, the formulation of a voluntary compliance program, and the development of specific administrative procedures for implementing the plans within the State agencies. The plan also contains a comprehensive description of personnel employed under the State's merit system as well as its proposed budget and resources. Finally, attached to the plan is a copy of the Governor's support and approval of it.

2. *Location of plan for inspection and copying.* A copy of the plan may be inspected and copied during normal business hours at the following locations: Office of State Programs, Occupational Safety and Health Administration, Room 500, Railway Labor Building, 400 First Street NW., Washington, DC 20210; Regional Administrator, Occupational Safety and Health Administration, U.S. Department of Labor, 18 Oliver Street, Fourth Floor, Boston, MA 02110; Department of Labor and Industry, State Office Building, Montpelier, Vt. 05602.

3. *Public participation.* Interested persons are hereby given 30 days from the date of this publication in which to submit to the Assistant Secretary written data, views, and arguments concerning the plan. The submissions are to be addressed to the Director, Office of State Programs, Room 500, Railway Labor Building, 400 First Street NW., Washington, DC 20210. The written comments will be available for public inspection and copying at the above address.

Any interested person(s) may request an informal hearing concerning the proposed plan, or any part thereof, whenever particularized written objections thereto are filed within the 30 days specified above. If the Assistant Secretary finds that substantial objections are filed, he shall hold a formal or informal hearing on the subjects and issues involved.

The Assistant Secretary of Labor for Occupational Safety and Health shall thereafter consider all relevant comments and arguments presented and issue his decision as to approval or disapproval of the plan.

Signed at Washington, D.C., this 6th day of November 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-19364 Filed 11-9-72;8:51 am]

TEMPORARY LABOR CAMP ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given that the Temporary Labor Camp Subcommittee of the Standards Advisory Committee on Agriculture, established under section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656) will meet at 9 a.m. on Wednesday, November 15, 1972, and on Thursday, November 16, 1972, in Room 10026 of the Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102.

The Subcommittee will take up for consideration a new draft standard relating to temporary labor camps for agricultural workers.

The meeting shall be open to the public.

Signed at Washington, D.C., this 8th day of November 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-19474 Filed 11-9-72;9:54 am]

Office of the Secretary

GENERAL INSTRUMENT CORP.

Notice of Continuation of Certification of Eligibility of Workers to Apply for Adjustment Assistance

After an affirmative finding a certification of eligibility was issued on November 4, 1970, pursuant to section 302(c), of the Trade Expansion Act of 1962 (35 F.R. 17378) certifying that production and maintenance workers of the F. W. Sickles Division, General Instrument Corp., located at Chicopee, Mass., who became or will become unemployed or underemployed after October 18, 1968, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962. The certification has not been terminated under section 302(e), and it appearing, on the basis of additional information, that the conditions specified in section 301(c)(2) of the Act continue to exist and a threat of further unemployment or underemployment exists with respect to workers covered by the certification of November 4, 1970, it is hereby so determined and certification is made so that: production and maintenance workers at the F. W. Sickles Division, General Instrument Corp., located at Chicopee, Mass., who are threatened with unemployment or underemployment on and after November 3, 1972, continue to be eligible to apply for adjustment assistance.

Signed at Washington, D.C., this 3d day of November 1972.

JOEL SEGALL,
Deputy Under Secretary, International Affairs.

[FR Doc.72-19366 Filed 11-9-72;8:50 am]

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

Notice of Meeting Open to the Public

Notice is hereby given that the next meeting of the National Advisory Committee on Occupational Safety and Health will commence at 9 a.m., on November 16 and 17, 1972, in Conference Room B, Departmental Auditorium, 14th and Constitution Avenue NW., Washington, D.C. (adjacent to Department of Labor Building).

The National Advisory Committee on Occupational Safety and Health is established under section 7(a) of the Williams-Steiger Occupational Safety and Health Act (29 U.S.C. 656). The Committee is directed to advise, consult with, and make recommendations to the Secretary of Labor and the Secretary of Health, Education, and Welfare on matters relating to the administration of the Act.

The meeting of the Committee shall be open to the public. A verbatim transcript shall be kept. The transcript shall be available for public inspection and copying at the office of the Committee's Executive Secretary, which is located in Room 1120, 1726 M Street NW., Washington, DC. Copies may also be obtained by making arrangements at the meeting with the Executive Secretary. If copies are subsequently requested, the applicants shall be referred to the reporting service.

Signed at Washington, D.C., this 8th day of November 1972.

ROGER W. GRANT,
Executive Secretary.

[FR Doc.72-19467 Filed 11-9-72;8:52 am]

INTERSTATE COMMERCE COMMISSION

[Notice 114]

ASSIGNMENT OF HEARINGS

NOVEMBER 7, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 133633 Sub 8, Highway Express, Inc., now assigned November 13, 1972, at Jackson, Miss., hearing is canceled and application dismissed.

MC 114211 Sub 160, Warren Transport, Inc., now being assigned hearing February 5, 1973, MC 123048 Sub 221, Diamond Transportation System, Inc., now being assigned hearing February 6, 1973 (1 day), at Chicago, Ill., in a hearing room to be later designated.

MC-133095 Sub 30, Texas Continental Express, Inc., now assigned November 13, 1972, at Washington, D.C., is postponed indefinitely.

MC 30837 Sub 440, Kenosha Auto Transport Corp., Extension-Import Automobiles, MC 52657 Sub 685, Arco Auto Carriers, Inc., Extension-Import Automobiles, now assigned February 5, 1973, at Chicago, Ill., advanced to December 11, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-135509 Sub 2, William R. Wade Common Carrier Application, now assigned January 22, 1973, at Kansas City, Mo., is advanced to December 4, 1972, in Room 303, Old Federal Building, 911 Walnut Street, Kansas City, MO.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-19360 Filed 11-9-72;8:50 am]

[Notice 158]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. 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-73920. By order of October 30, 1972, the Motor Carrier Board approved the transfer to Carleton W. Berry, Jr., 11 Broad Street, Billerica, MA, of Certificate No. MC-93822 issued to Carleton W. Berry, 119 Russell Street, Waltham, MA, authorizing the transportation of: Household goods, as defined by the Commission, between Waltham, Mass., and 25 miles thereof, on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New York, and Rhode Island.

No. MC-FC-73962. By order of October 31, 1972, the Motor Carrier Board approved the transfer to M & D Tours, Inc., Elmer L. Stein, Charles F. Stein, and William Ausman, a limited partnership, doing business as Meyer & Dietel Tours, Ltd., New Berlin, Wis., of the license in No. MC-12791 issued May 21, 1964, to Meyer and Dietel Tours, Inc., Milwaukee, Wis., authorizing operations as a broker at Milwaukee, Wis., in connection with the transportation of passengers and their baggage, limited to students, their teachers, and chaperones, in charter operations, in round-trip all-expense tours, beginning and ending at points in Wisconsin and extending to rail terminals in Chicago, Ill. and beginning and ending at Washington, D.C., Silver Spring and Baltimore, Md., and extending to points in Connecticut, Delaware, Maryland, Massachusetts, New York, New Jersey, Pennsylvania, Rhode Island, Virginia, and West Virginia. Michael B. Laikin, 611 East Wisconsin Avenue, Milwaukee, WI 53202, attorney for applicants.

No. MC-FC-73928. By order of October 31, 1972, the Motor Carrier Board approved the transfer to Jackert Trucking Co., Inc., Poughkeepsie, N.Y., of Certificate No. MC-124125 issued to A. & P. Equipment Supply Corp., Kingston, N.Y., authorizing the transportation of: Stone and aggregates, in bulk, in dump vehicles, from Mount Marion and Ulster, N.Y., to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont, and specified portions of New Jersey. John J. Brady, Jr., Attorney, 75 State Street, Albany, NY 12207, Julius Braun, attorney, Room 21, Albany Port Administration Building, Albany, N.Y. 12202.

No. MC-FC-74010. By order entered October 30, 1972, the Motor Carrier Board approved the transfer to Pacific Storage Co., Stockton, Calif., of the operating rights set forth in Certificate No. MC-129685 (Sub-No. 1), issued October 10, 1969, to William R. Gould, doing business as Gould's Van & Storage, Modesto, Calif., authorizing the transportation of used household goods, between points in Merced, Mariposa, Stanislaus, and Tuolumne Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points involved, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization on such traffic. Robert W. Foy, 517 North Hunter Street, Post Office Box 334, Stockton, CA 95201, representative for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-19359 Filed 11-9-72;8:50 am]

[No. MC-126537 (Sub-No. 23)]

TURNER EXPEDITING SERVICE

Extension of Chicago Commercial Zone

Order. At a session of the Interstate Commerce Commission, Division 1, Acting as an Appellate Division, held at its office in Washington, D.C., on the 27th day of October 1972.

Upon consideration of the record in the above-entitled proceeding, and of:

(1) Joint petition of All-American Transport, Inc., C W Transport, Inc., Courier-Newsom Express, Inc., and Dohrn Transfer Co., protestants, filed May 22, 1972, for reconsideration or, alternatively, oral hearing or receipt of additional evidence;

(2) Petition of Clairmont Transfer, Co., protestant, filed May 25, 1972, for reconsideration or, alternatively, reopening for oral hearing or to receive additional evidence;

(3) Joint petition of McLean Trucking Co. and Smith's Transfer Corp., protestants, filed May 26, 1972, for reconsideration or, alternatively, rehearing;

(4) Reply by applicant, filed June 14, 1972; and

It further appearing, that by recommended order served February 24, 1972, the examiner recommended that applicant be granted authority to transport general commodities (with exception) between O'Hare Field, Chicago, Ill., on the one hand, and, on the other, points in the Chicago, Ill., commercial zone, restricted to the handling of traffic originating at or destined to the plantsite of American Greetings Corp. near Danville, Ky.;

It further appearing, that by stay decision and order, entered March 14, 1972, the Commission, Review Board Number 2, modified the examiner's findings by deleting the above-mentioned restriction, finding it to be difficult of enforcement and administratively undesirable, citing "Fox-Smythe Transp. Co., Ext.—Oklahoma" 106 M.C.C. 1, 56;

It further appearing, that the evidence of record, when considered in light of the pleadings, discloses that the grant made by the review board herein would authorize the institution of a new competitive service to an extent not warranted by the record; that the service description should be altered as indicated below to conform to the evidence of record; and that the findings of the board should be modified accordingly; and good cause appearing therefor:

It is ordered, That said stay decision and order of March 14, 1972, be, and it is hereby, modified, in the section entitled "Service Authorized" of the appendix thereto, by substituting for the phrase, "O'Hare Field, Chicago, Ill., on the one hand, and on the other, points in the Chicago, Ill., commercial zone," the phrase "the plantsite of American Greeting Corp. near Danville, Ky., on the one hand, and on the other, Chicago, Ill., restricted to the transportation of traffic originating at or destined to the said plantsite.";

It is further ordered, That, unless compliance is made by applicant with the requirements of sections 215, 217, and 221 (c) of the Interstate Commerce Act, within 90 days after the date of service of this order, or within such additional time as may be authorized by the Commission, the grant of authority in the decision and order of March 14, 1972, as modified herein, shall be considered as null and void, and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

It is further ordered, That notice of the grant of authority made herein be published in the FEDERAL REGISTER.

By the Commission, Division 1, Acting as an Appellate Division.

NOTE: This decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

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

[FR Doc.72-19173 Filed 11-9-72;8:47 am]

CUMULATIVE LIST OF PARTS AFFECTED—NOVEMBER

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during November.

1 CFR

Page

1 — 23603
2 — 23603
3 — 23604
5 — 23604
6 — 23605
7 — 23605
8 — 23605
9 — 23606
10 — 23607
15 — 23607
16 — 23608
17 — 23608
18 — 23609
19 — 23610
20 — 23611
21 — 23611
22 — 23614
51 — 23614

3 CFR

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:

Determination of Nov. 8, 1972 — 23901

5 CFR

213 — 23413, 23623
Ch. XI — 23533

6 CFR

201 — 23913
300 — 23533, 23914
301 — 23320
305 — 23533, 23914
411 — 23915
Rulings — 23320, 23321, 23533, 23534

7 CFR

41 — 23623
52 — 23807
210 — 23322
220 — 23322
245 — 23323
319 — 23624
401 — 23811–23817
402 — 23818
403 — 23818
404 — 23818
406 — 23818
408 — 23818
409 — 23818
410 — 23818
413 — 23818
722 — 23819
725 — 23241
726 — 23244
729 — 23413
811 — 23545, 23624
831 — 23903
906 — 23546, 23626
907 — 23323 23819
908 — 23324, 23546
909 — 23819
910 — 23546
912 — 23547
913 — 23547

7 CFR—Continued

Page

929 — 23248
984 — 23415
987 — 23248, 23324, 23548
989 — 23548, 23627
999 — 23819
1071 — 23683
1073 — 23685
1097 — 23687
1102 — 23689
1104 — 23690
1106 — 23692
1108 — 23694
1120 — 23696
1121 — 23903
1126 — 23698
1127 — 23700
1128 — 23701
1129 — 23703
1130 — 23705
1132 — 23707
1138 — 23709
1464 — 23627
1864 — 23628
1867 — 23628
1873 — 23628

PROPOSED RULES:

724 — 23843
752 — 23729
775 — 23455
911 — 23650
966 — 23552
971 — 23436
989 — 23437
1036 — 23342, 23782
1050 — 23553
1065 — 23438
1099 — 23650
1133 — 23452
1421 — 23455
1438 — 23652
1464 — 23456
1701 — 23844

8 CFR

PROPOSED RULES:

212 — 23274
299 — 23274

9 CFR

75 — 23534
76 — 23315; 23416, 23821
82 — 23417
318 — 23822

PROPOSED RULES:

75 — 23651
82 — 23275
101 — 23276
201 — 23729
327 — 23652

10 CFR

20 — 23319

12 CFR

Page

204 — 23249
210 — 23249
265 — 23329, 23534

PROPOSED RULES:

207 — 23652
220 — 23652
221 — 23652

13 CFR

115 — 23418

PROPOSED RULES:

120 — 23733
122 — 23733
123 — 23733

14 CFR

39 — 23418, 23535, 23536, 23630, 23710, 23711, 23903
71 — 23249, 23250, 23329, 23420, 23536, 23631, 23823, 23904, 23905
73 — 23250, 23330
75 — 23330, 23420, 23631, 23905
95 — 23823
97 — 23331, 23825
302 — 23332
372a — 23250, 23711
399 — 23333

PROPOSED RULES:

25 — 23574
39 — 23578
71 — 23278, 23279, 23348, 23458, 23578, 23648, 23731, 23924, 23925
91 — 23458
105 — 23458
239 — 23551
242 — 23732
252 — 23845
298 — 23339

15 CFR

30 — 23250

16 CFR

2 — 23825
13 — 23631

PROPOSED RULES:

434 — 23363

17 CFR

200 — 23826
201 — 23827
202 — 23829
230 — 23636, 23829
239 — 23637, 23829
240 — 23637

PROPOSED RULES:

1 — 23344
Ch. II — 23850

18 CFR

Page

PROPOSED RULES:

2 — 23360
3 — 23849
4 — 23360
101 — 23363, 23733
104 — 23363, 23733
141 — 23733, 23850
154 — 23363
201 — 23363, 23733
204 — 23363, 23733
260 — 23363, 23550, 23551, 23733, 23849, 23850

19 CFR

22 — 23712
153 — 23715

20 CFR

401 — 23252
615 — 23835

21 CFR

1 — 23253
3 — 23537, 23644, 23715
121 — 23538
135b — 23905
135c — 23420, 23905
135e — 23538, 23906
135g — 23906
141 — 23716, 23906
141a — 23254
146 — 23254
146a — 23254
148e — 23836
149e — 23254
149u — 23906
308 — 23420

PROPOSED RULES:

18 — 23363
27 — 23730
50 — 23344
121 — 23456
148m — 23845
148v — 23278
150d — 23730
174 — 23344
191 — 23924
301 — 23842
308 — 23436, 23551

22 CFR

605 — 23256

24 CFR

0 — 23260
540 — 23716
1914 — 23539, 23638, 23912
1915 — 23539, 23639, 23913

PROPOSED RULES:

1270 — 23553

25 CFR

5 — 23262
221 — 23319

PROPOSED RULES:

47 — 23274

26 CFR

Page

1 — 23423, 23916
3 — 23917
53 — 23918

PROPOSED RULES:

1 — 23921, 23922
13 — 23921
148 — 23922
240 — 23339
301 — 23922

29 CFR

20 — 23421
Ch. II — 23637
782 — 23637
1910 — 23718
1923 — 23263
1951 — 23263

PROPOSED RULES:

1910 — 23646

30 CFR

PROPOSED RULES:

71 — 23645

32 CFR

288 — 23719
516 — 23720
1001 — 23909
1009 — 23909
1281 — 23267
1622 — 23320
1631 — 23421
1632 — 23320

PROPOSED RULES:

1626 — 23926
1628 — 23926
1631 — 23926
1660 — 23926

33 CFR

92 — 23540
117 — 23421, 23541
121 — 23422
125 — 23422

PROPOSED RULES:

117 — 23731

36 CFR

7 — 23334

PROPOSED RULES:

311 — 23339
326 — 23339
327 — 23339

39 CFR

951 — 23422
952 — 23422
953 — 23422
954 — 23422
955 — 23422
957 — 23422
958 — 23422

40 CFR

11 — 23541

40 CFR—Continued

Page

52 — 23836, 23837
180 — 23334, 23335, 23837, 23838

PROPOSED RULES:

85 — 23778
180 — 23349, 23846

41 CFR

1-1 — 23337
1-3 — 23544
3-1 — 23272
3-3 — 23723
5A-60 — 23544
5A-73 — 23544
105-735 — 23338
114-26 — 23422
114-38 — 23422

42 CFR

85 — 23639

43 CFR

PUBLIC LAND ORDERS:

1161 (revoked in part by PLO 5297) — 23643
5265 — 23838
5269 — 23911
5295 — 23643
5296 — 23643
5297 — 23643
5298 — 23643

45 CFR

801 — 23644
1202 — 23919

46 CFR

110 — 23838

PROPOSED RULES:

10 — 23845
12 — 23457

47 CFR

0 — 23336
1 — 23723
73 — 23723
81 — 23838
97 — 23840

PROPOSED RULES:

73 — 23349
78 — 23846

49 CFR

571 — 23272, 23536, 23727
574 — 23727
1005 — 23908
1033 — 23273, 23336, 23728, 23840, 23841

PROPOSED RULES:

393 — 23550, 23925
571 — 23460, 23731
573 — 23649
575 — 23732

50 CFR

28 — 23423
32 — 23336, 23841
33 — 23841

FEDERAL REGISTER PAGES AND DATES—NOVEMBER

Pages	Date	Pages	Date
23235–23308	Nov. 1	23617–23676	Nov. 7
23309–23406	2	23677–23799	8
23407–23525	3	23801–23893	9
23527–23615	4	23895–24017	10

federal register

FRIDAY, NOVEMBER 10, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 218

PART II

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Area Wage Determination Decisions, Modifications, and Supersedeas Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Area Wage Determination Decisions, Modifications and Supersedeas Decisions

Area wage determination decisions. Area 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 F.R. 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 F.R. 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 F.R. 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 determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

Area 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.

There is set forth below Area Wage Determination Decision No. AP–31 of the Secretary of Labor for Du Page County, Ill.

Modifications and supersedeas decisions to area wage determination decisions. Modifications and Supersedeas Decisions to Area Wage Determination Decisions for specified localities in the States of California, Illinois, Iowa, Kentucky, Louisiana, Nevada, New York, Oklahoma, Oregon, Texas, and Wyoming.

Area Wage Determination Decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	*Date*
AM–1,735	Aug. 11, 1971
AM–2,447(AP–510)	Aug. 25, 1971
AM–2,477(AP–250)	Aug. 27, 1971
AM–6,130	Nov. 12, 1971
AM–11,418(AP–357)	May 5, 1972
AM–11,424(AP–359)	June 16, 1972
AM–8,625	June 23, 1972
AM–8,627(AP–30)	June 30, 1972
AP–300	July 7, 1972
AP–203(AP–511)	July 21, 1972
AP–212(AP–512); AP–214 (AP–513); AP–218(AP–249); AP–306	Aug. 11, 1972
AP–312(AP–358)	Aug. 18, 1972
AP–224; AP–316	Aug. 25, 1972
AP–236; AP–243	Sept. 22, 1972
AP–342; AP–351	Sept. 29, 1972
AP–132; AP–133; AP–134; AP–135; AP–245; AP–248	Oct. 13, 1972

are hereby modified and/or superseded as set forth below. Supersedeas decision numbers are in parentheses following the number of the decision being superseded.

These modifications and/or supersedeas decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since these determinations were issued.

The determinations of prevailing rates and fringe benefits made in these modifications and/or 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 F.R. 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 F.R. 21138), and of Secretary of Labor's Orders 13–71 and 15–71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area 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.

The modifications and/or supersedeas decisions are effective from their date of publication in the FEDERAL REGISTER 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 is set forth in the document being modified.

Signed at Washington, D.C., this 3d day of November 1972.

HORACE E. MENASCO,
Administrator,
Wage and Hour Division.

NEW DECISION

STATE: Illinois COUNTY: DuPage
DECISION NUMBER: AP-31 DATE: Date of Publication
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Asbestos workers	$8.25	.40	.275		.05
Boilermakers	8.35	.50	.75	2%	.01
Boilermakers' helpers	8.25	.50	.75	2%	.01
Bricklayers & Stonemasons	8.90	.40	.60		.03
Carpenters:					
Carpenters & Soft Floor Layers	8.30	.45	.625		.08
Millwrights & Piledrivermen	8.30	.45	.625		.08
Cement Masons	9.00	.40	.40		.03
Electricians	9.84	.20	1%+.30		½ of 1%
Elevator Constructors:					
Elevator Constructors	8.75	.195	.20	2%+a&b	.005
Helpers	6.125	.195	.20	2%+a&b	.005
Helpers (Probationary)	50%JR				
Glaziers	7.65	.16	.25		.01
Ironworkers	10.05	.25	.125		.02
Lathers	8.39	.41	.345		
Leadburners	6.90	.30		c	.01
Line Construction:					
Linemen, Digger Operator	7.65	.15	1%		¼%
Groundmen, Equipment & Tractor Opr.	5.20	.15	1%		¼%
Groundmen	5.00	.15	1%		¼%
Marble Setters	8.20	.30			
Marble Setters' helpers	7.30				
Painters:					
Brush	7.225	.40	.30		.04
Spray	7.625	.40	.30		.04
Plasterers	8.205	.40	.60		
Plumbers & Pipefitters:					
Wheaton & North DuPage County	8.05	.25	.25	.15	.03
Naperville & South DuPage County	8.80	.30	.35		.02
Roofers:					
Composition	9.10	.30	.15		.02
Slate & Tile	9.22	.18	.15		.02
Sprinkler fitters	8.70	.16	.40		.09
Sheet Metal Workers	8.10	.30	.30	.20	
Terrazzo Workers	7.50				
Terrazzo Workers' helpers & Floor Mach.	6.85				
Tile Setters	8.15	.30-5/8	.42		
Tile Setters' helpers	6.80	.30-5/8	.325		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular rate to vacation pay credit for employee who has worked in business less than 5 years.

b. Six paid holidays, A to F.

c. Eight paid holidays, A to F plus Washington's Birthday & Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

AP-31 P. 3

ILLINOIS-22-LABORERS-1-2-3 B

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Building Laborers, Grade Separation Laborers, Sewer & Water Laborers, Building Laborers, Pumps for Dewatering and other Unclassified Laborers	$6.50	.47	.65			
Cement Gun Laborers, Scaffold Laborers, Chimney Laborers (over 40')	6.60	.47	.65			
Cement Gun Laborers (Gunite), Windlass Men, Plasterers' Laborers	6.65	.47	.65			
Stone Derrickmen & Handlers	6.70	.47	.65			
Plumbers' Laborers, Jackhammer, Power Driven Concrete Saws, Tampers and Pneumatic Tools, Concrete Vibrators	6.75	.47	.65			
Firebrick and Boiler Setter Laborers	6.85	.47	.65			
Caisson Diggers, Well Point System Men, Chimney Laborers (on Firebrick)	6.85	.47	.65			
Boiler Setter Plastic Laborers	6.95	.47	.65			

AP-31 P. 4

ILLINOIS 12-PEO-1 H 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
POWER EQUIPMENT OPERATORS						
CLASS I						
Mechanic, Asphalt Plant, Asphalt Spreader, Autograde, Batch Plant, Benoto (Requires Two Engineers) Boiler & Throttle Valve, Caisson Rigs, Central Redi-Mix Plant, Combination Back Hoe Front Enloader Machine, Compressor & Throttle Valve, Concrete Breaker (Truck Mounted) Concrete Conveyor, Concrete Paver over 27E cu. ft. Concrete Paver 27E cu. ft. and under, Concrere Placer, Concrere Tower, Cranes, (all), Cranes Hammerhead, Derricks, (all), Derrocks. Traveling, Grader, Elevating Grouting Machines, Highlift Shovels or From Endloader 2½ yd. & over, Hoists, 1,2 and 3 Drum, Hoists, 2 Tugger one floor, Hydraulic Boom Trucks, Locomotives, (all) Motor Patrol, Piledrivers & Skid Rig, Post Hole Digger, Pre-Stress Machine, Pump Cretes: squeeze cretes-screw type pumps, Gypsum Bulker & pump, Rock Drill (Self-Propelled) Rock Drill (Truck Mounted) Scoops-Tractor Drawn-Slip Form Paver, Straddle Buggies, Tournapull, Tractor w/boom, & Side Boom, Trenching Machines.	$9.55	.40	.50	.20	.02	
CLASS II						
Boilers, Bulldozers, Broom, All power Propelled, Concrete Mixer (2 Bag & over) Conveyor, Portable, Forklift trucks, Greaser Engineer, Highlift Shovels or Fron Endloaders under 2½yd., Hoists, Automatic, Hoists, All Elevators, Hoists, Tugger Single Drum, Rollers, (all) Steam Generators Stone Crushers, Tractors (all) Winch Trucks with "A" Frame	8.30	.40	.50	.20	.02	
CLASS III						
Air Compressor - small 125 & under (1 to 5 not to exceed a total of 300 Ft.), Air Compressor - large over 125 Combination - small equipment operator Generators - small 50w & under						

AP-31 P. 5

ILLINOIS 12-PEO-1 2 of 2

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS III (CONT'D)						
Generators - large over 50kw, Heaters Mechanical, Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.) Pumps, Well points, Welding Machines (2 through 5) Winches, 4 small electric drill winches	7.30	.40	.50	.20	.02	
CLASS IV						
Oilers	6.15	.40	.50	.20	.02	

AP-31 P. 6

Illinois 7-TD 1-2-3 I 1 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS:						
Bulk tank trucks, buses, dry batch trucks, dump or conveyor trucks, fuel trucks, grease trucks, low boys, service trucks, scissor trucks, telescope trucks, water trucks:						
2 or 3 axle trucks	$6.20	a12.00	a16.00			
4 axle trucks	6.35	a12.00	a16.00			
5 axle trucks	6.55	a12.00	a16.00			
6 axle trucks	6.75	a12.00	a16.00			
A frame truck when used for transportation purposes, air compressors & welding machines including those pulled by cars, pick-up trucks & tractors, ambulances, batch gate lockers, batch hopperman, carryalls, fork lift & hoisters, helpers, mechanic helpers & greasers	6.20	a12.00	a16.00			
Car & truck washers	6.05	a12.00	a16.00			
Dispatcher	6.30	a12.00	a16.00			
Dump crets & asgetors under 7 yards, mixer trucks under 7 yards	6.35	a12.00	a16.00			
Dump crets and adgetors 7 yards or over, explosive and/or fission material trucks, mixer trucks 7 yards & over	6.55	a12.00	a16.00			
Master mechanic	6.75	a12.00	a16.00			
Dumpsters, truck trucks, euclids, hug bottom dump tournatrailers or tournapulls when pulling other than self-loading equipment of similar equipment:						
Under 16 cubic yards	6.35	a12.00	a16.00			
Over 16 cubic yards	6.55	a12.00	a16.00			
Mechanic	6.40	a12.00	a16.00			
Oil distributors - 2 man operation, pavement breakers, pole trailer, up to 40 feet, power mower tractors, self-propelled chip spreader, skipman, slurry trucks - 2 man operation, teamsters, unskilled dumpmen, warehousemen & dockmen, winch trucks 2 axles.	6.20	a12.00	a16.00			

AP-31 P. 7

Illinois 7-TD 1-2-3 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
TRUCK DRIVERS:						
Ready-mix plant hopper operator	$6.35	a12.00	a16.00			
Mobile crane while in transit, oil distributors 1-man operation, pole trailer, over 40 feet, slurry trucks 1-man operation, winch trucks, 3 axles or more	6.55	a12.00	a16.00			

FOOTNOTE:

a. Per week per employee

DECISION #AM-6,130 - Mod. #3
(36 FR 21723 - November 12, 1971)
San Diego County, California

MODIFICATIONS P. 1

Changes: TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
PICKUPS, (3/4 tons & under); Swampers & helpers; Traffic control pilot car (excl. moving heavy equip.)	$ 5.22	.60	.65	.90		
TRUCK REPAIRMAN; Welder helper	5.42	.60	.65	.90		
INDUSTRIAL LIFT	5.55	.60	.65	.90		
DUMP (Less than 8 yds.); Dump or flat-bed (2 axle); Concrete pumping; Fork-lift (under 15,000 lbs.)	5.58	.60	.65	.90		
DUMP (8 yds. & under 12 yds.); Dump or flatbed (3 axle); Bunkerman	5.63	.60	.65	.90		
FORK LIFT (15,000 lbs. & over); Ross carrier	5.70	.60	.65	.90		
DUMP (12 yds. & under 16 yds.); Dump or flatbed (3 axle with semi)	5.71	.60	.65	.90		
WATER TRUCK (2 axle); Erosion control nozzleman; Prell truck; Pipeline working truck drivers (incl. winch truck & all sizes of truck); Road oil spreader; Cement distributor or Slurry driver; Road oil or Slurry bootman	5.73	.60	.65	.90		
DUMPCRETE (less than 6 1/2 yds.)	5.79	.60	.65	.90		
EROSION CONTROL TRUCK DRIVER; Water trucks (3 axles)	5.85	.60	.65	.90		
FUEL OR DYNAMITE & EXPLOSIVES	5.88	.60	.65	.90		
DUMP (16 yds. & under 25 yds.); Dump or flatbed (4 axles or more); Lowbed and trailer; Transit mix (under 8 yds.); Grout mixer; Dumpcrete (6 1/2 yds. & over); Dumpster	5.93	.60	.65	.90		
DUMP (25 yds. & under 35 yds.)	5.98	.60	.65	.90		
DW 10's, DW 20's OR EUCLID TYPE EQUIP. or LeTourneau Pulls or Terra Cobras or similar types of equip. regardless of types of attachments when performing work in the teamsters' jurisdiction or PB or similar types of dump trucks with loading attachments	6.00	.60	.65	.90		

DECISION #AM-6,130 (cont'd)

MODIFICATIONS P. 2

TRUCK DRIVERS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK GREASER	6.01	.60	.65	.90		
7 AXLES OR DOUBLE GOOSENECK LOWBED or combination of vehicles when under permit load	6.055	.60	.65	.90		
TRANSIT MIX (8 yds. & over)	6.07	.60	.65	.90		
TIREMEN	6.11	.60	.65	.90		
DUMP (35 yds. & under 50 yds.)	6.13	.60	.65	.90		
A-FRAME or swedish crane; Water pull tankers; Welder	6.20	.60	.65	.90		
DUMP (50 yds. & under 65 yds.)	6.28	.60	.65	.90		
TRUCK REPAIRMAN	6.30	.60	.65	.90		
DUMP (65 yds. & over)	6.43	.60	.65	.90		
Carpenters:						
Carpenters	7.06	.56	.75	.50	.02	
Pileddrivermen	7.19	.56	.75	.50	.02	
Millwrights; Pneumatic nailer; Hardwood floor layers	7.31	.56	.75	.50	.02	
Cement masons:						
Cement masons	6.52	.50	.73	.61	.02	
Cement masons color work	6.645	.50	.73	.61	.02	
Composition/Mastic/Epoxy; Finishing machine; Curb machine	6.77	.50	.73	.61	.02	
Marble setters; Terrazzo workers; Tile setters	6.71	.30	.45	.60		

DECISION #AP-224 -Mod. #4
(37 FR 17321 - August 25, 1972)
San Diego County, California

MODIFICATIONS P. 3

Change:
TRUCK DRIVERS:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
PICKUPS, (3/4 tons & under); Swampers & helpers; Traffic control pilot car (excl. moving heavy equip.)	$ 5.22	.60	.65	.90		
TRUCK REPAIRMAN; Welder helper	5.42	.60	.65	.90		
INDUSTRIAL LIFT	5.55	.60	.65	.90		
DUMP (Less than 8 yds.); Dump or flatbed (2 axle); Concrete pumping; Fork-lift (under 15,000 lbs.)	5.58	.60	.65	.90		
DUMP (8 yds. & under 12 yds.); Dump or flatbed (3 axle); Bunkerman	5.63	.60	.65	.90		
FORK LIFT (15,000 lbs. & over); Ross carrier	5.70	.60	.65	.90		
DUMP (12 yds. & under 16 yds.); Dump or flatbed (3 axle with semi)	5.71	.60	.65	.90		
WATER TRUCK (2 axle); Erosion control nozzleman; Prell truck; Pipeline working truck drivers (incl. winch truck & all sizes of truck); Road oil spreader; Cement distributor or Slurry driver; Road oil or Slurry bootman	5.73	.60	.65	.90		
DUMPCRETE (less than 6 1/2 yds.)	5.79	.60	.65	.90		
EROSION CONTROL TRUCK DRIVER; Water trucks (3 axles)	5.85	.60	.65	.90		
FUEL OR DYNAMITE & EXPLOSIVES	5.88	.60	.65	.90		
DUMP (16 yds. & under 25 yds.); Dump or flatbed (4 axles or more); Lowbed and trailer; Transit mix (under 8 yds.); Grout mixer; Dumpcrete (6 1/2 yds. & over); Dumpster	5.93	.60	.65	.90		
DUMP (25 yds. & under 35 yds.)	5.98	.60	.65	.90		
DW 10's, DW 20's OR EUCLID TYPE EQUIP. or LeTourneau Pulls or Terra Cobras or similar types of equip. regardless of types of attachments when performing work in the teamsters' jurisdiction or PB or similar types of dump trucks with loading attachments	6.00	.60	.65	.90		

DECISION #AP-224 (cont'd)

MODIFICATIONS P. 4

TRUCK DRIVERS: (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK GREASER	6.01	.60	.65	.90		
7 AXLES OR DOUBLE GOOSENECK LOWBED or combination of vehicles when under permit load	6.055	.60	.65	.90		
TRANSIT MIX (8 yds. & over)	6.07	.60	.65	.90		
TIREMEN	6.11	.60	.65	.90		
DUMP (35 yds. & under 50 yds.)	6.13	.60	.65	.90		
A-FRAME or swedish crane; Water pull tankers; Welder	6.20	.60	.65	.90		
DUMP (50 yds. & under 65 yds.)	6.28	.60	.65	.90		
TRUCK REPAIRMAN	6.30	.60	.65	.90		
DUMP (65 yds. & over)	6.43	.60	.65	.90		
Carpenters:						
Carpenters	7.06	.56	.75	.50	.02	
Piledriverman	7.19	.56	.75	.50	.02	
Millwrights; Pneumatic nailer; Hardwood floor layers	7.31	.56	.75	.50	.02	
Cement masons:						
Cement masons	6.52	.50	.73	.61	.02	
Cement masons color work	6.645	.50	.73	.61	.02	
Composition/Mastic/Epoxy; Finishing machine; Curb machine	6.77	.50	.73	.61	.02	
Marble setters; Terrazzo workers; Tile setters	6.71	.30	.45	.60		

DECISION #AP-245 - Mod. #1 MODIFICATIONS P. 5
(37 FR 21721 - October 13, 1972)
Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara and Ventura Counties, California

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	/Others
Change:						
ELECTRICIANS:						
Riverside County	$8.62	.40	1%+.40		.02	
Santa Barbara County						
Vandenberg Air Force Base:						
Electricians	9.83	.42	1%+.85		.03	
Remainder of County:						
Electricians	8.58	.42	1%+.85		.03	
LATHERS:						
Kern County	6.88	.45	.85	.55		
Orange County	8.29	.55	.65	.50	.03	
SHEET METAL WORKERS:						
Kern County & Los Angeles County (North of line between Gorman & Big Pines)	8.47	.69	1.05			
SOFT FLOOR LAYERS:						
Kern County (Remaining portion)	8.05	.37	.15	.44		
TILE SETTERS:						
Kern County	7.30	.40		.30		
Riverside & San Bernardino Cos.	7.15	.40	.40		.025	
GLAZIERS:						
Imperial County	9.05	.35	.30			
LATHERS:						
Santa Barbara County	8.47	.24	.35			

DECISION #AP-248 - Mod. #1 MODIFICATIONS P. 6
(37 FR 21740 - October 13, 1972)
Imperial, Inyo, Kern, Los Angeles, Mono, 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.	/Other
Change:						
BRICK TENDERS:						
San Luis Obispo County	$5.90	.55	1.10	.30		
ELECTRICIANS:						
Riverside County	8.62	.40	1%+.40		.02	
San Luis Obispo County						
Electricians	8.48	.60	1%		.01	
Cable splicers	9.33	.60	1%		.01	
Santa Barbara County						
Vandenberg Air Force Base:						
Electricians	9.83	.42	1%+.85		.03	
Remainder of County:						
Electricians	8.58	.42	1%+.85		.03	
LATHERS:						
Inyo and Kern Counties	6.88	.45	.85	.55		
Orange County	8.29	.55	.65	.50	.03	
LINE CONSTRUCTION:						
Riverside County						
Linemen; Line equipment ops.	8.62	.40	1%+.40		.02	
SHEET METAL WORKERS:						
Inyo, Kern, Los Angeles (North of line between Gorman & Big Pines), and Mono Counties	8.47	.69	1.05			
SOFT FLOOR LAYERS:						
Kern County (Remaining portion)	8.05	.37	.15	.44		
TILE SETTERS:						
Inyo, Kern and Mono Counties	7.30	.40		.30		
Riverside & San Bernardino Cos.	7.15	.40	.40		.025	
Add:						
GLAZIERS:						
Imperial County	9.05	.35	.30			
LATHERS:						
San Luis Obispo & Santa Barbara Cos.	8.47	.24	.35			
MARBLE SETTERS:						
Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties	7.61	.60	.55			

MODIFICATIONS P. 7

DECISION #AM-8,625 - Mod. #4
(37 FR 12471 - June 23, 1972)
Boyd County, Kentucky

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Power Equipment Operators:					
Class A Operators:					
Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KeCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25		
Class B Operators:					
All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with					

MODIFICATIONS P. 8

DECISION #AM-8,625 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (cont'd)					
Class B Operators (cont'd):					
attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material), hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25		
Class C Operators:					
Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25		
Painters, Commercial:					
Brush	5.60				
Spray	6.10				
Painters, Industrial:					
Brush	6.50				
Spray	7.05				

MODIFICATIONS P. 9

DECISION ØAP-132 - Mod. Ø2
(37 FR 21763 - October 13, 1972)
Jefferson County, Kentucky

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Power Equipment Operators:					
Class A Operators:					
Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, buildozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KoCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25		
Class B Operators:					
All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, dirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with					

DECISION ØAP-132 (Cont'd) MODIFICATIONS P. 10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (cont'd):					
Class B Operators (cont'd):					
attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material), hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25		
Class C Operators:					
Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25		
Truck Drivers:					
3 tons and under	5.72	a	a	b	
Over 3 tons	5.83	a	a	b	
Semi-trailer, tandem axle or pole trailers and dumps	5.83	a	a	b	
Euclid and other heavy earth moving equipment and lowboy	6.00	a	a	b	
Winch truck and A-Frame and monorail truck when used to transport building materials	6.00	a	a	b	
Fork lift truck when used to transport building materials	6.00	a	a	b	
Mechanic	5.90	a	a	b	
Mechanic helpers, greasers and tire changers	5.72	a	a	b	
Helpers	5.60	a	a	b	
Concrete mixers (all types), hauling only on job site	5.90	a.	a	b	

Footnotes

a. Employer contributes $13.50 per week to Health and Welfare; and $14.00 per week to Pension for each employee whose name appears on the payroll that week who has been employed a minimum of 20 work days within any 90 consecutive day period.

b. Employees who have been regularly employed on a project by an employer for one year and who have worked a minimum of 1200 hours during the year receive a vacation and pay for 40 hours. Employees who have been regularly employed on a project by an employer for one year, and who have worked a minimum of 650 hours during the year receive a vacation and pay for 20 hours. Employees who have worked 1200 hours since their 2nd year of employment and have completed three years receive an additional week vacation (40 hours).

MODIFICATIONS P. 11

DECISION #AP-133 - Mod. #2
(37 FR 21766 - October 13, 1972)
Warren County, Kentucky

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Power Equipment Operators:					
Class A Operators:					
Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KeCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25		
Class B Operators:					
All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with					

DECISION #AP-133 (cont'd) MODIFICATIONS P. 12

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (cont'd)					
Class B Operators (cont'd):					
attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material), hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25		
Class C Operators:					
Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25		
Truck Drivers:					
3 tons and under	$5.72	a	a	b	
Over 3 tons	5.83	a	a	b	
Semi-trailer, tandem axle or pole trailers and dumps	5.83	a	a	b	
Euclid and other heavy earth moving equipment and lowboy	6.00	a	a	b	
Winch truck and A-Frame and monorail truck when used to transport building materials	6.00	a	a	b	
Fork lift truck when used to transport building materials	6.00	a	a	b	
Mechanic	5.90	a	a	b	
Mechanic helpers, greasers and tire changers	5.72	a	a	b	
Helpers	5.60	a	a	b	
Concrete mixers (all types), hauling only on job site	5.90	a	a	b	

Footnotes

a. Employer contributes $13.50 per week to Health and Welfare; and $14.00 per week to Pension for each employee whose name appears on the payroll that week who has been employed a minimum of 20 work days within any 90 consecutive day period.

b. Employees who have been regularly employed on a project by an employer for one year and who have worked a minimum of 1200 hours during the year receive a vacation and pay for 40 hours. Employees who have been regularly employed on a project by an employer for one year, and who have worked a minimum of 650 hours during the year receive a vacation and pay for 20 hours. Employees who have worked 1200 hours since their 2nd year of employment and have completed three years receive an additional week vacation (40 hours).

DECISION #AP-134 - Mod. #2
(37 FR 21769 - October 13, 1972)
McCracken County, Kentucky

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
Class A Operators:					
Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumperete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KaCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25		
Class B Operators:					
All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with					

DECISION #AP-134 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
Class B Operators (cont'd):					
attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material), hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25		
Class C Operators:					
Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25		
Truck Drivers:					
Up to but not including five (5) tons, such as pick-up trucks, dump, flat beds and stake bodies	$5.05		c		
Five (5) tons and over, including special equipment such as Euclids, winch, dempsters, dumpsters, crawler type trucks	5.40		c		
Tractor-trailer drivers and similar equipment such as lowboys, distributors, water tank and fork lifts	5.40		c		
Ready-mix and mechanics	5.40		c		
Material checkers, tire changers, greasers, mechanics' helpers	5.10		c		

Footnote:

c. Employer contributes $14.00 per week per employee.

MODIFICATIONS P. 15

DECISION #AP-135 - Mod. #1
(37 FR 21771 - October 13, 1972)
Fayette County, Kentucky

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Power Equipment Operators:					
Class A Operators:					
Auto patrol, batcher plant, bituminous paver, cableway, central compressor plant, Clamshell, concrete mixer (21 cu. ft. or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and all types of loaders, hoetype machine, hoisting engine (2 or more drums) locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, highlift, forklift (regardless of lift height), all types of boom cats, core drill, hopto, tow or push boat, A-Frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, ross carrier, side boom, tail boom, rotary drill, hydro hammer, mucking machine, rock spreader attached to equipment, scoopmobile, KeCal loader, tower cranes (French, German and other types), hydro crane, backfiller, gurries, sub-grader	$7.20	.25	.25		
Class B Operators:					
All air compressors, (600 cu. ft. per min. or greater capacity), bituminous mixer, joint sealing machine, concrete mixer (under 21 cu. ft.), form grader, roller (rock), tractor (50 H. P. and over) bull float, finish machine, outboard motor boat, flexoplane, fireman, boom type tamping machine, truck crane oiler, greaser-on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self propelled compactor, tractair and road widening trencher and farm tractor with					

MODIFICATIONS P. 16

DECISION #AP-135 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr
Power Equipment Operators (cont'd)					
Class B Operators (cont'd):					
attachments except backhoe, highlift and end loader, elevator (regardless of ownership when used for hoisting any building material); hoisting engine (one drum or buck hoist), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor	$5.86	.25	.25		
Class C Operators:					
Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50 HP), vibrator, oiler, concrete saw, burlap and curing machine, hydro-seeder, power form handling equipment, deckhand oiler, hydraulic post driver, and drill helper	5.42	.25	.25		

MODIFICATIONS P. 17

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-300 - Mod. #5 (37 FR 13455 - July 7, 1972) Rapides Parish, Louisiana						
Change:						
Elevator Constructors:						
Journeymen	$6.32	.195	.20	2% + a&b		
Helpers	70%-JR	.195	.20	2% + a&b		
Helpers-probationary	50%-JR					
DECISION #AP-351 - Mod. #1 (37 FR 20441 - September 29, 1972) Orleans, Jefferson, Plaquemines, & St. Bernard Parishes, Louisiana						
Change:						
Asbestos Workers	$6.65	.30	.70			
DECISION #AP-236 - Mod. #2 (37 FR 19919 - September 22, 1972) Statewide (excluding the Nevada Test Site and Tonopah Test Range), Nevada						
Change:						
Painters:						
Clark-Esmeralda-Lincoln-Nye (South of Manhattan)						
Brush	8.23	.32	.25		.02	
Spray; Steel Painters; Swing Stage Sand Blaster; Pot Tender; Sign Painting	8.48	.32	.25		.02	
Structural Steel and Buffing Steel	8.73					
Steeple Jack	9.48	.32	.25		.02	

MODIFICATIONS P. 18

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-243 - Mod. #2 (37 FR 19945 - September 22, 1972) Clark and Lincoln Counties and that portion of Nye County south of Highway #6 excluding the Nevada Test Site, Nevada						
Change:						
Painters:						
Brush and Roller	8.23	.32	.25		.02	
Spray; Steel Painter; Swing Stage Boson Chair; Paperhanger; Sand Blaster; Pot Tender; Tapers; Buffing; Acid Staining; Sign Painting	8.48	.32	.25		.02	
Paperhanging with machine; Sand Blasting; Structural Steel and Buffing Steel	8.73	.32	.25		.02	
Steeple Jack	9.48	.32	.25		.02	
DECISION #AM-1,735 - Mod. #4 (36 FR 14980 - August 11, 1971) Suffolk County, New York						
Change:						
Modification #2 - 37 FR 22706 - 10-20-72 to read: Modification #3						
DECISION #AP-316 - Mod. #4 (37 FR 17358 - August 25, 1972) Tulsa County, Oklahoma						
Change:						
Cement Masons:						
Cement masons	$6.07			.70	.06	
Power tool operator	6.32			.70	.06	

MODIFICATIONS P. 19

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	/Others
DECISION ØAP-306 - Mod. #6 (37 FR 16365 - August 11, 1972) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant & Wise Counties, Texas						
Change Modification Ø5 to Read Decision ØAP-306						
DECISION ØAP-342 - Mod. Ø4 (37 FR 20485 - September 29, 1972) Nueces County, Texas						
Change:						
Building Construction:						
Plumbers-Steamfitters	$6.15	.15	.25		.035	
Roofers:						
Roofers	4.825		.10			
Kettleman	4.70		.10			
Waterproofers	4.825		.10			
Deckmen	4.825		.10			

SUPERSEDEAS DECISION

STATE: Illinois COUNTY: DuPage
DECISION NUMBER: AP-30 DATE: Date of Publication
Supersedes Decision No. AM-8627, dated June 30, 1972, in 37 FR 13035
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	✓ Others
Asbestos workers	$8.25	.40	.275		.05	
Boilermakers	8.35	.50	.75	2%	.01	
Boilermakers' helpers	8.25	.50	.75	2%	.01	
Bricklayers & Stonemasons:						
North of Butterfield Road (Argonne Nat'l. Accl. Lab. & AEC Plant)	8.90	.40	.60		.03	
All territory within county south of Butterfield Road from east to west	8.90	.40	.60		.03	
Carpenters: (Building & Heavy)						
Carpenters & Soft Floor Layers	8.30	.45	.625		.08	
Millwrights & Piledrivermen	8.30	.45	.625		.08	
Cement Masons: (Building & Heavy)	9.00	.40	.40		.03	
Electricians	9.84	.20	1%+.30		½ of 1%	
Elevator Constructors:						
Elevator Constructors	8.75	.195	.20	2% + a&b	.005	
Helpers	6.125	.195	.20	2% + a&b	.005	
Helpers (Probationary)	50%JR					
Glaziers	7.65	.16	.25		.01	
Ironworkers:						
Argonne & vicinity	9.20	.25	.125		.02	
Nat'l. Accl. Lab. & Remainder of Co.	10.05	.25	.125		.045	
Lathers	8.39	.41	.345			
Leadburners	6.90	.30		c	.01	
Line Construction:						
Linemen, Digger Operator	7.65	.15	1%		½%	
Groundmen, Equipment & Tractor Opr.	5.20	.15	1%		½%	
Groundmen	5.00	.15	1%		½%	
Marble Setters	8.20	.30				
Marble Setters' helpers	7.30					
Painters:						
Brush	7.225	.40	.30		.04	
Spray	7.625	.40	.30		.04	
Plasterers	8.205	.40	.60			
Plumbers & Pipefitters:						
Argonne AEC Plant						
Plumbers	9.27	.40	.30		.05	
Pipefitters	9.00	.47	.50		.02	
Wheaton & North DuPage County	8.05	.25	.25	.15	.03	
Naperville & South DuPage County	8.80	.30	.35		.02	
Roofers:						
Composition	9.10	.30	.15		.02	
Slate & Tile	9.22	.18	.15		.02	
Sprinkler fitters	8.70	.16	.40		.09	
Sheet Metal Workers	8.10	.30	.30	.20		
Terrazzo Workers	7.50					
Terrazzo workers' helpers & Floor Mach.	6.85					
Tile Setters	8.15	.30-5/8	.42			
Tile Setters' helpers	6.80	.30-5/8	.325			

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

a. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular rate to vacation pay credit for employee who has worked in business less than 5 years.

b. Six paid holidays, A to F.

c. Eight payed holidays, A to F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AP-30 P. 3

ILLINOIS-22-LABORERS-1-2-3 B

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS: (BUILDING, HEAVY)						
Building Laborers, Grade Separation Laborers, Sewer & Water Laborers, Building Laborers, Pumps for Dewatering and other Unclassified Laborers	$6.50	.47	.65			
Cement Gun Laborers, Scaffold Laborers, Chimney Laborers (over 40')	6.60	.47	.65			
Cement Gun Laborers (Gunite), Windlass Men, Plasterers' Laborers	6.65	.47	.65			
Stone Derrickmen & Handlers	6.70	.47	.65			
Plumbers' Laborers, Jackhammer, Power Driven Concrete Saws, Tampers and Pneumatic Tools, Concrete Vibrators	6.75	.47	.65			
Firebrick and Boiler Setter Laborers	6.85	.47	.65			
Caisson Diggers, Well Point System Men, Chimney Laborers (on Firebrick)	6.85	.47	.65			
Boiler Setter Plastic Laborers	6.95	.47	.65			

AP-30 P. 4

ILLINOIS 12-PEO-1 H 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
BUILDING CONSTURCTION						
POWER EQUIPMENT OPERATORS						
CLASS I						
Mechanic, Asphalt Plant, Asphalt Spreader, Autograde, Batch Plant, Benoto (Requires Two Engineers) Boiler & Throttle Valve, Caisson Rigs, Central Redi-Mix Plant, Combination Back Hoe Front Enloader Machine, Compressor & Throttle Valve, Concrete Breaker (Truck Mounted) Concrete Conveyor, Concrete Paver over 27E cu. ft. Concrete Paver 27E cu. ft. and under, Concrete Placer, Concrete Tower, Cranes, (all), Cranes Hammerhead, Derricks, (all), Derrocks. Traveling, Grader, Elevating Grouting Machines, Highlift Shovels or Fron Endloader 2½ yd. & over, Hoists, 1,2 and 3 Drum, Hoists, 2 Tugger one floor, Hydraulic Boom Trucks, Locomotives, (all) Motor Patrol, Piledrivers & Skid Rig, Post Hole Digger, Pre-Stress Machine, Pump Cretes: squeeze cretes-screw type pumps, Gypsum Bulker & pump, Rock Drill (Self-Propelled) Rock Drill (Truck Mounted) Scoops-Tractor Drawn-Slip Form Paver, Straddle Buggies, Tournapull, Tractor w/boom, & Side Boom, Trenching Machines.	$9.55	.40	.50	.20	.02	
CLASS II						
Boilers, Bulldozers, Broom, All power Propelled, Concrete Mixer (2 Bag & over) Conveyor, Portable, Forklift trucks, Greaser Engineer, Highlift Shovels or Fron Endloaders under 2½yd., Hoists, Automatic, Hoists, All Elevators, Hoists, Tugger Single Drum, Rollers, (all) Steam Generators Stone Crushers, Tractors (all) Winch Trucks with "A" Frame	8.30	.40	.50	.20.	.02	
CLASS III						
Air Compressor - small 125 & under (1 to 5 not to exceed a total of 300 Ft.), Air Compressor - large over 125 Combination - small equipment operator Generators - small 50w & under						

AP-30 P. 5

ILLINOIS 12-PEO-1 2 of 2

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS III (CONT'D)						
Generators - large over 50kw, Heaters Mechanical, Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.) Pumps, Well points, Welding Machines (2 through 5) Winches, 4 small electric drill winches	7.30	.40	.50	.20	.02	
CLASS IV						
Oilers	6.15	.40	.50	.20	.02	

AP-30 P. 6

Ill.-10-PEO-2-3 J 1 of 2

HEAVY & SEWER CONST.	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
CLASS I:						
Asphalt plant, asphalt heater & planer combination, asphalt spreader, autograde, belt loader, caisson rigs, central redimix plant, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete placer, concrete tube float, cranes, all attachments, cranes, Linden, Peco & machines of a like nature, derricks, all, derrick boats, derricks, traveling, dredges, euclid loader, elevating type, gradall, & machines of a like nature, grader, elevating, hoists, one, two & three drum, locomotive, all, mucking machine, 1 cu. yd. & over, mucking machine, under 1 cu. yd., pile drivers & skid rig, pre-stress machine, pump crates dual ram (requiring frequent lubrication & water), rock drill - crane type, slip form paver, straddle buggies, tractor with boom, tractaire - with attachments, trenching machines, underground boring &/or mining machines 5 ft. in diameter & over tunnel, etc, underground boring &/or mining machine under 5 ft., wheel excavator, widener (Apsco)	$8.90	.40	.40	.10	.02	
CLASS II:						
Mechanic-welder, batch plant, bituminous mixer, bulldozer, combination backhoe front endloader machine, concrete breaker or hydro hammer, concrete grinding machine, concrete mixer or paver 7s series to & including 27 cu. ft., concrete spreader, concrete curing machine, burlap machine, belting machine & sealing machine, finishing machine - concrete, grader, motor grader, motor patrol, auto patrol, form grader, pull grader, subgrader, highlift shovels or front endloader, hydraulic boom trucks (all attachments), locomotives, dinky,						

POWER EQUIPMENT OPERATORS (CONT'D):	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
pump cretes: Squeeze cretes - screw type pumps Gypsum bulker & pump, rock drill (self-propelled), roto-tiller, seaman, etc., self-propelled scoops - tractor drawn, self-propelled compactor, spreader - chip - stone, etc., scraper, tank car heater, tractor, push, pulling sheeps foot, disc., compactor, etc, tug boats	8.40	.40	.40	.10	.02	
CLASS III:						
Boilers, boiler & throttle valve, brooms, all power propelled, cement supply tendor, compressor & throttle valve, concrete mixer (two bag & over) conveyor, portable, fireman on boilers, forklift trucks, greaser engineer, grouting machine, hoists, automatic, hoists, all elevators, hoists, tugger single drum, jeep diggers, pipe jacking machines, post-hole digger, power saw. concrete, power-driven, pug mills, rollers, all, steam generators, stone crushers, stump machine, winch trucks with "A" frame, work boats, tamper - form - motor driven	7.80	.40	.40	.10	.02	
CLASS IV:						
Air compressors, all, generators, heaters, mechanical, light plants, all (1 through 5), pumps, all, pumps well points, tractaire, welding machines (2 through 6),	6.85	.40	.40	.10	.02	
CLASS V:						
Oilers	5.85	.40	.40	.10	.02	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS: Building, Hvy.						
Bulk tank trucks, buses, dry batch trucks, dump or conveyor trucks, fuel trucks, grease trucks, low boys, service trucks, scissor trucks, telescope trucks, water trucks:						
2 or 3 axle trucks	$6.20	a12.00	a16.00			
4 axle trucks	6.35	a12.00	a16.00			
5 axle trucks	6.55	a12.00	a16.00			
6 axle trucks	6.75	a12.00	a16.00			
A frame truck when used for transportation purposes, air compressors & welding machines including those pulled by cars, pick-up trucks & tractors, ambulances, batch gate lockers, batch hopperman, carryalls, fork lift & hoisters, helpers, mechanic helpers & greasers	6.20	a12.00	a16.00			
Car & truck washers	6.05	a12.00	a16.00			
Dispatcher	6.30	a12.00	a16.00			
Dump crets & asgetors under 7 yards, mixer trucks under 7 yards	6.35	a12.00	a16.00			
Dump crets and adgetors 7 yards or over, explosive and/or fission material trucks, mixer trucks 7 yards & over	6.55	a12.00	a16.00			
Master mechanic	6.75	a12.00	a16.00			
Dumpsters, track trucks, euclids, hug bottom dump tournatrailers or tournapulls when pulling other than self-loading equipment of similar equipment:						
Under 16 cubic yards	6.35	a12.00	a16.00			
Over 16 cubic yards	6.55	a12.00	a16.00			
Mechanic	6.40	a12.00	a16.00			
Oil distributors - 2 man operation, pavement breakers, pole trailer, up to 40 feet, power mower tractors, self-propelled chip spreader, skipman, slurry trucks - 2 man operation, teamsters, unskilled dumpmen, warehousemen & dockmen, winch trucks 2 axles.	6.20	a12.00	a16.00			

AP-30 P. 9

Illinois 7-TD 1-2-3 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
TRUCK DRIVERS:						
Ready-mix plant hopper operator	$6.35	a12.00	a16.00			
Mobile crane while in transit, oil distributors 1-man operation, pole trailer, over 40 feet, slurry trucks 1-man operation, winch trucks, 3 axles or more	6.55	a12.00	a16.00			

FOOTNOTE:

a. Per week per employee

AP-30 P. 10

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
WELL DRILLERS:						
Drillers, Pump Installer, Welder and Mechanic	$7.70	.35	.35	a		
Tool Dresser, Helper	7.30	.35	.35	a		

FOOTNOTE:

a. Six (6) paid Holidays: New Year's Memorial Day; Independence Day; Labor Day; Thankgiving Day; Christmas Day.

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Black Hawk (City of Waterloo and abutting municipalities)

DECISION NUMBER: AP-510

DATE: Date of Publication

Supersedes Decision No. AM-2,447 dated August 25, 1971 in 36 FR 16793

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$7.70	.25	.25		.10	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons	6.58	.17				
CARPENTERS:						
Carpenters; Piledrivermen	6.25	.25	.35		.01	
Millwrights	6.60	.25	.35		.01	
CEMENT MASONS	6.04	.25	.35			
ELECTRICIANS:						
Electricians	7.05	.20	1%		1%	
Cable Splicers	7.50	.20	1%		1%	
ELEVATOR CONSTRUCTORS	6.54	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
IRONWORKERS:						
Ornamental; Reinforcing; Structural	7.80					
LABORERS:						
Common laborers; Carpenters' Helpers; Moving; Wrecking & Demolition	4.88	.21				
Mason tenders; Hod carriers; Machine &Air tool operators	4.98	.21				
Powderman	5.13	.21				
LATHERS	6.54	.25				
PAINTERS:						
Brush, roller	5.10					
Tapers	5.20					
Spray	5.60					
PLASTERERS	6.74	.25				
PLUMBERS; Steamfitters	5.50	.15			.03	
ROOFERS	6.22					
SHEET METAL WORKERS	7.10	.15				
SOFT FLOOR LAYERS	6.25	.25	.35		.01	
SPRINKLER FITTERS	8.00	.25	.40		.05	
TRUCK DRIVERS:						
Up to 6 tons	5.14	.25	.30			
Helpers	4.97	.25	.30			

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six PAid Holidays; A through F.

3-IOWA-PEO-1-f (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
POWER EQUIPMENT OPERATORS:						
GROUP I						
MASTER MECHANIC	7.225	.30	.30		.01	
GROUP II						
AIR & ELECTRIC TUGGERS; Boom & crane trucks; Bulldozers; Cableways; Clamshells; Cranes; Tower cranes; Derricks; Ditching machine; Draglines; Dredges; Railroad locomotive & Stiff-leg & revolving derricks; Elevating graders; Endloaders; Forklifts (on steel erection, machinery handling & hoisting building material above first complete story); Hoist, 1-2-3 drums; Mechanics & welders; Motor patrol; Paving mixers; Piledrivers; C.M.I. caisson excavators; Pushcats; Scrapers (all types including tournapuls); Shovels; Tractors (w/power takeoff); Trench hoes	6.725	.30	.30		.01	
GROUP III						
AIR COMPRESSORS (500' & over); Bituminous spreader machine (self propelled); Bituminous plant op.; Backfillers; Bull floats; Cement plant op.; Concrete mixers, (1 yd. & over & plant mixers); Concrete spreader; Concrete finish machines; Flexplanes 2nd man on railroad locomotive; Tower crane; Oiler; Apprentice engineers; Firemen on piledrivers, cranes, etc.; Forklifts (other than described above); Gunnite machine; Jaeger mixer (bitum); Pumps; Plant air compressors (consisting of 3 or more contractor units); Self propelled rollers (asphalt or brick); Stump chippers; Truck power winch; Tractor pulling Roller & self propelled tamper	6.425	.30	.30		.01	
GROUP IV						
AIR COMPRESSORS (less than 500'); Concrete pumps; Conveyors; Oilers; Portable concrete mixers (less than 1 yd. with skip); Power rollers (earth); Pumps (3" or over, vacuum single units); Truck crane drivers & oilers; Welding machine	6.125	.30	.30		.01	

AP-510 P. 3

5-IOWA-PEO-1-f (2-2)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
GROUP V						
FIREMAN ON MECHANICAL HEATERS	5.925	.30	.30		.01	

AP-510 P. 4

11a-IOWA-2-3 (1-4)

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CARPENTERS; Piledriverman	$ 5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air trucs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stressor or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills; Hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			

AP-510 P. 5 — 11a-IOWA-2-3 (2-4)

HEAVY AND HIGHWAY CONSTRUCTION (CONT.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work.	4.55	.15	.10			
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy. & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leyerman; Concrete Mixer, Paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull; DW 10 & all similar equipment, over 10 cy struck cap; All self-loading scrapers; Tractors, Bulldozers; Push cats or Pulling scraper or Rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic sub-grade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapul;						

AP-510 P. 6 — 11a-IOWA-2-3 (3-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
DW 10 & all similar equipment under 10 cy struck cap; Paving breaker (drop or pneumatic); Spreader box (self propelled) or tractor-pushed); Subgrade Stab. (P & H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt Paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank Car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pumps on well points & deep wells for dewatering; mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or Group greaser helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on; 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	4.65	.25				

AP-510 P. 7 11a-IOWA-2-3 (4-4)

POWER EQUIPMENT OPERATORS (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Des Moines (City of Burlington and abutting municipalities; and Burlington Ordnance Plant)

DECISION NUMBER: AP-511

DATE: Date of Publication

Supersedes Decision No. AP-203 dated July 21, 1972 in 37 FR 14677

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

29-IOWA-DMO -1-b (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
ASBESTOS WORKERS	$7.70	.25	.25		.10	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons	7.35		.20			
CARPENTERS:						
Carpenters & Soft Floor Layers	6.35	.35	.30		.01	
Millwrights	7.00	.35	.30		.01	
Piledrivermen	6.85	.35	.30		.01	
CEMENT MASONS	7.15					
ELECTRICIANS	7.58	.20	1%		1%	
GLAZIERS	6.63	.15	.30	.2748		
IRONWORKERS:						
Ornamental; Reinforcing; Structural	7.25	.30	.30			
LABORERS:						
Common laborers; Signal man; Wrecking, Deck Hand	5.25					
Plaster tender; Mortar mixer; Mason tender; Stone & marble setter tender; Drill op.; Jackhammer man; Air tamper; Air spade, (electric or pneumatic); Spraying equipment; & all mechanical operated tools; Excavation work over 6' deep below ground level or basement level	5.40					
Tile Layers (sewers)	5.50					
Gunniting & sandblasting	5.60					
Tunnel & sewer mucker & miner over 6' deep; Caisson worker & drill op. in tunnel & caisson; Powderman	5.70					
PAINTERS:						
Brush	5.50					
Rollers	5.60					
Sign	6.00					
Spray; Structural steel; Swing stage	6.50					
PLASTERERS	6.80					
PLUMBERS; Steamfitters	7.10	.27	.27		.05	
ROOFERS	5.40			.10		
SHEET METAL WORKERS	7.33	.17			.005	
SPRINKLER FITTERS	8.00	.25	.40		.05	

AP-511 P. 2

29-IOWA-TD-1-b (2-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK DRIVERS						
WAREHOUSEMAN; Helpers; Teamsters; Mechanic helpers; Greasers; Single axle flat beds & dump trucks; Pulling air compressors & welding machines; Batch trucks 2-34E batches or less; Chip spreaders	$5.35	8.50p/w				
CHEATER AXLE; Tandems; 6 wheel trucks; Semi-trailers; Carryall; Winch; Mixers; Batch over 2-34E batches; "A" Frame; Pole trailers	5.55	8.50p/w				
TRACK TRUCKS; Euclid type truck; Oil distributors; Front & rear; All types of dumpsters; Pavement breakers	5.65	8.50p/w				

AP-511 P.3 82-IOWA-PEO-1-2-3-d (1-2)

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
ALL HOIST OR STEEL ERECTING EQUIPMENT USED TO HOIST OR ERECT, IN CONJUNCTION WITH THE CREW OF A SPECIALTY TRADE	$8.00	.30	.40		.08	
CRANE; Shovel; Clamshell; Dragline; Backhoe; Derrick; Tower Crane; Cable way; Concrete spreader (servicing 2 pavers); Asphalt spreader; Asphalt mixer plant engineer; Dipper dredge; Dipper dredge craneman; Dual purpose truck (boom or winch); Leverman or engineman (hydraulic dredge); Mechanic; Paving mixer with tower attached (2 operators required); Piledriver; Boom tractor; Stationary, portable or floating mixing plant; Trenching machine (over 20 h.p.); Building hoist (2 drums); Hot paint wrapping machine; Cleaning & priming machine; End loader (½ cu. yd. or over, on basement excavation work); Backfiller (throw bucket); Locomotive engineer; Qualified welder; Tow or push boat; Concrete paver; Seaman Trav-L-Plant or similar machines; CMI autograder or similar machines; Slip form pavers; Caisson augering machine; Mucking machine; Asphalt heater planer unit; Hydarulic cranes	7.58	.30	.40		.08	
ATHEY; Barber-Green; Euclid or Haiss loader; Asphalt pug mill; Fireman & drier; Concrete pump; Concrete Spreader (servicing one paver); Bulldozer; End loader (other than mentioned above); Forklift; Elevating grader; Group equipment greaser; Letourneaupul & similar machines; DW-10; Straddle carrier; Hyster winch & similar machines; Motro patrol; Power blade; Push cat; Tractor pulling elevating grader or power blade; Tractor operating scoop or scraper; Tractor with power attachs; Roller on asphalt or blacktop; Single drum hoist; Jaeger mix & placer machine; Pipe bending machine; Welding machines (3 or4); Fuller Kenyon cement						

AP-511 P. 4 82-IOWA-PEO-1-2-3-d (2-2)

POWER EQUIPMENT OPERATORS Cont'd

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
pump or similar machines; Automatic cement & gravel batch-plants (one stop set-up); Seaman Pulvi-Mixer or similar machines; Blastholer self-propelled rotary drill or similar machines; Work boat; Combination concrete finishing machine and float; Self-propelled sheep foot roller or compactor (used in conjunction with a grading spread); Mud jack; Underground boring machine (over 8 inches); Apsco spreader or similar machine	$7.41	.30	.40		.08	
ASPHALT BOOSTER; Fireman & pump op. at asphalt plant; Compressor (500 cu. ft. & over); Concrete finishing machine; Form grader with roller on earth; Mixers (3 bag to 16E); Power operated bull float; Tractor w/o power attachs; Dope pot (agitating motor); Dope chop machine; Distributor (back end); Flexplane or similar machine; Portable machine fireman; Hydrohammer; Power winch or paving work; Self-propelled roller or compactor (other than provided for above); Pump (more than one well-point pump); Portable crusher; Trench machine (20 h.p. & under); Power subgrader (on forms) or similar machines; Asphalt spreader screed op.; Conveyor	6.52	.30	.40		.08	
AIR COMPRESSOR (under 50 cu. ft.); Driver on truck crane or similar machines; Light plant; Mixer (1 or 2 bags); Power batching machine (cement auger or conveyor); Boiler (engineer or fireman); Water pumps; Welding machine; Mechanical broom; Automatic cement & gravel batch plants (2 or 3 step set-up); Small rubber-tired tractors (not incl. backhoes or end loaders); Self-propelled curing machine	6.11	.30	.40		.08	
OILER; Mechanic's helper; Water pump (pumping water to paver); Mechanical heater (other than steam boiler); Belt machine; Small outboard motor boat	5.50	.30	.40		.08	

AP-511 P. 5 11a-IOWA-2-3 (1-4)

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth-
CARPENTERS; Piledrivermen	$ 5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air tracs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills; Hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			

AP-511 P. 6 11a-IOWA-2-3 (2-4)

HEAVY AND HIGHWAY CONSTRUCTION (CONT.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth-
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work	4.55	.15	.10			
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy. & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete Mixer, Paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull; DW 10 & all similar equipment, over 10 cy struck cap; All self-loading scrapers; Tractors, Bulldozers; Push cats or Pulling scraper or Rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic sub-grade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapul;						

AP-511 P. 7 11a-IOWA-2-3 (3-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
DW 10 & all similar equipment under 10 cy struck cap; Paving breaker (drop or pneumatic); Spreader box (self propelled) or tractor-pushed); Subgrade Stab. (P & H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt Paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank Car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pumps on well points & deep wells for dewatering; mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or Group greaser helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on; 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcrates & scoopmobiles	4.65	.25				

AP-511 P. 8 11a-IOWA-2-3 (4-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Linn (City of Cedar Rapids and abutting municipalities)

DECISION NUMBER: AP-512

DATE: Date of Publication

Supersedes Decision No. AP-212 dated August 11, 1972 in 37 FR 16330

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
ASBESTOS WORKERS	8.05	.25	.25		.10	
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons	7.65	.35				
CARPENTERS:						
Carpenters	6.84	.25			.02	
Millwrights; Piledrivermen	7.19	.25			.02	
CEMENT MASONS	6.88	.21				
ELECTRICIANS	7.55	.18	1%	6%	1%	
ELEVATOR CONSTRUCTORS	6.54	.185	.20	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.63	.15	.30	.2748		
IRONWORKERS:						
Ornamental; Reinforcing; Structural	7.80					
LABORERS:						
Common laborers	5.64	.15	.15			
All water service; Mortar mixers; Sewer tile layers	5.765	.15	.15			
Air, electric or gasoline powered jackhammers; Chipping hammers; Machine rock drills; Power driven buggies; Tampers; Vibrators; Well point work	5.84	.15	.15			
LATHERS	5.30					
PAINTERS:						
Brush	6.30					
Paperhangers; Structural steel; Swing stage to 55'	6.55					
Spray	6.95					
PLASTERERS	7.28					
PLUMBERS; Steamfitters	6.85	.20	.30		.01	
ROOFERS	5.95					
SHEET METAL WORKERS	5.15					
SOFT FLOOR LAYERS	6.84	.25			.02	
SPRINKLER FITTERS	8.00	.25	.40		.05	
TRUCK DRIVERS	5.64					

FOOTNOTE:

a. Employer contributes 4% basic hourly rate for over 5 years' service 2% basic hourly rate for 6 months to 5 years service as Vacation Pay Credit. Six 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

S-IOWA-PEO-1-f (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth.
POWER EQUIPMENT OPERATORS:						
GROUP I						
MASTER MECHANIC	7.225	.30	.30		.01	
GROUP II						
AIR & ELECTRIC TUGGERS; Boom & crane trucks; Bulldozers; Cableways; Clamshells; Cranes; Tower cranes; Derricks; Ditching machine; Draglines; Dredges; Railroad locomotive & Stiff-leg & revolving derricks; Elevating graders; Endloaders; Forklifts (on steel erection, machinery handling & hoisting building material above first complete story); Hoist, 1-2-3 drums; Mechanics & welders; Motor patrol; Paving mixers; Piledrivers; C.M.I. caisson excavators; Pushcats; Scrapers (all types including tournapuls); Shovels; Tractors (w/power takeoff); Trench hoes	6.725	.30	.30		.01	
GROUP III						
AIR COMPRESSORS (500' & over); Bituminous spreader machine (self propelled); Bituminous plant op.; Backfillers; Bull floats; Cement plant op.; Concrete mixers, (1 yd. & over & plant mixers); Concrete spreader; Concrete finish machines; Flexplanes 2nd man on railroad locomotive; Tower crane; Oiler; Apprentice engineers; Firemen on piledrivers, cranes, etc.; Forklifts (other than described above); Gunnite machine; Jaeger mixer (bitum); Pumps; Plant air compressors (consisting of 3 or more contractor units); Self propelled rollers (asphalt or brick); Stump chippers; Truck power winch; Tractor pulling Roller & self propelled tamper	6.425	.30	.30		.01	
GROUP IV						
AIR COMPRESSORS (less than 500'); Concrete pumps; Conveyors; Oilers; Portable concrete mixers (less than 1 yd. with skip); Power rollers (earth); Pumps (3" or over, vacuum single units); Truck crane drivers & oilers; Welding machine	6.125	.30	.30		.01	

AP-512 P. 3

5-IOWA-PEO-1-F (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (CONT'D)						
GROUP V						
FIREMAN ON MECHANICAL HEATERS	5.925	.30	.30		.01	

AP-512 P. 4

11a-IOWA-2-3 (1-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
HEAVY AND HIGHWAY CONSTRUCTION						
CARPENTERS; Piledrivermen	$ 5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air trucs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Sealers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical groutera; Boring machine; Automatic concrete power curbing machines; Stressor or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills; Hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			

AP-512 P. 5 11a-IOWA-2-3 (2-4)

HEAVY AND HIGHWAY CONSTRUCTION (CONT.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work.	4.55	.15	.10			
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy. & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete Mixer, Paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull; DW 10 & all similar equipment, over 10 cy struck cap; All self-loading scrapers; Tractors, Bulldozers; Push cats or Pulling scraper or Rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic sub-grade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapul;						

AP-512 P. 6 11a-IOWA-2-3 (3-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
DW 10 & all similar equipment under 10 cy struck cap; Paving breaker (drop or pneumatic); Spreader box (self propelled) or tractor-pushed); Subgrade Stab. (P & H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt Paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank Car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pumps on well points & deep wells for dewatering; mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or Group greaser helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on; 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	4.65	.25				

AP-512 P. 7 11a-IOWA-2-3 (4-4)

POWER EQUIPMENT OPERATORS (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Polk (City of Des Moines and abutting municipalities)

DECISION NUMBER: AP-513

DATE: Date of Publication

Supersedes Decision No. AP-214 dated August 11, 1972 in 37 FR 16334

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

77-IOWA-POL-1- 1 (1-2)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
ASBESTOS WORKERS	$ 7.95	.425	.25			
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons	7.625	.325				
CARPENTERS:						
Carpenters	7.00	.25	.20		.04	
Millwrights; Piledrivermen	7.25	.25	.20		.04	
CEMENT MASONS:						
Cement Masons	7.24					
Hanging, traveling scaffold slip form work mach. travel; Float operator; Color work	7.365					
ELECTRICIANS	8.50	.25	1%		1%	
ELEVATOR CONSTRUCTORS	7.625	.185	.20	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	5.32		.20	2 weeks		
IRONWORKERS:						
Ornamental; Reinforcing; Structural	6.975	.26	.50		.02	
LABORERS:						
General Laborers	6.185	.275	.275			
Mortar mixers; Motor buggies, when pouring concrete; Power tool ops. (Air tools, concrete vibrator, gunnite, nozzlemen, electric drills & hammers)	6.285	.275	.275			
Plasterers tenders	6.31	.275	.275			
Powder men	6.335	.275	.275			
Air tool, power tampers & other similar self-powered tools weighing 50 lbs. & over	6.385	.275	.275			
All tunnel work	6.435	.275	.275			
Paving breakers weighing 50 lbs. and over	6.485	.275	.275			
LATHERS	7.10					
PAINTERS:						
Brush; Roller; Drywall finisher	7.20				.03	
Paperhangers	7.45				.03	
Spray; Structural steel; Sandblasting	7.70				.03	
Stack; Tower work over 100'	8.30				.03	
PLASTERERS	7.35					
PLUMBERS; Steamfitters	7.49	.30	.20		.05	
ROOFERS	6.885					
SHEET METAL WORKERS	7.495	.25	.20		.05	
SPRINKLER FITTERS	8.00	.25	.40		.05	

AP-513 P. 2

77-IOWA-POL-1-1 (2-2)

BUILDING CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK DRIVERS	5.91					

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six 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.

AP-513 P. 3

BUILDING CONSTRUCTION

3-IOWA-PEO-1-j (1-2)

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I ATHEY; Barber Green; Euclid or Haiss loaders; Scoopmobile, when operated on project site; Cranes; Shovels; Draglines; Clamshells; Backhoes; Cableways; Derricks; Hoist, single drum, hauling men; Hoist, on steel, stone or concrete bucket; Dual drum paver; Paving mixer 21E to 24E; Paving mixer with tower attached; Mixer plants, stationary, portable and floating; Mixermobile; Frontend loader; Hi-lifts; Boom tractors; Boom or winch truck; Asphalt mixer plant engineer; Dipper dredge; Dipper dredge cranesman; Leverman; Engineman; Hydraulic dredges; Piledriver; Building hoist with two active drums; Mechanic & welders; Hot paint wrapping machine Cleaning & priming machine; Locomotive engineers; Trenching machine; Backfiller & all similar machines; Bulldozers; Scoop or scraper; Motor patrol; Pushcat; Tractor with power takeoff; DW 10's and 20's; LeTourneaupul & similar equipment; Elevating graders	$ 6.75	.30	.30		.01	
GROUP II ASPHALT PUGMILL; Barber Green Jauger & similar asphalt spreading; Rollers on asphalt, blacktop; Air compressors, over 250 cu. ft.; Concrete mixer, under 21E; Concrete pump; Concrete spreader; Concrete finishing machine on forms; Boat op.; Forklift; Tractor; Power blade; Power sub-grader on forms; Group equipment greaser; Tractor pulling elevating grader; Ross carrier; Hyster winch & similar machine; Pump or pumps over 3 inches in diameter; Single drum hoist, material only; Automatic hoist; Elevators permanent or temporary, used for hoisting material, lowering debris or carrying workmen from floor to floor; Locomotive firemen; Firing two boilers	6.525	.30	.30		.01	

AP-513 P. 4

BUILDING CONSTRUCTION

3-IOWA-PEO-1-j (2-2)

POWER EQUIPMENT OPERATORS (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP III AIR COMPRESSORS, 250 cu. ft. & under; Pumps 3 inches in diameter or under; Two or more gas driven welding machines; Mechanical heater; Conveyor; Concrete saw with seat; Firemen on crane or piledriver; Distributor; Screed	$ 6.10	.30	.30		.01	
GROUP IV OILER	6.00	.30	.30		.01	

AP-513 P. 5

11a-IOWA-2-3 (1-4)

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CARPENTERS; Piledrivermen	$ 5.91	.25				
CEMENT MASONS	5.65					
LABORERS:						
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line, or block & tackle; Drill op. of air tracs, wagon drills & similar drills	5.30	.15	.10			
Tree climber; Form setters; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	5.05	.15	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	4.80	.15	.10			
Form tamper; Air, gas & electric tool op., vibrator; Barco hammer, paving breaker, spader, tamper, electric drills; Hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	4.65	.15	.10			

AP-513 P. 6

11a-IOWA-2-3 (2-4)

HEAVY AND HIGHWAY CONSTRUCTION (CONT.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen, tending to carpenters; Hot asphalt labor; Stringman on paving work	4.55	.15	.10			
POWER EQUIPMENT OPERATORS:						
Power shovel & crane type equipment (1/2 cy. & over); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman; Concrete Mixer, Paver; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	6.05	.30	.30		.01	
Asphalt plant; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull; DW 10 & all similar equipment, over 10 cy struck cap; All self-loading scrapers; Tractors, Bulldozers; Push cats or Pulling scraper or Rooter; Sideboom tractor; Churn or rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy); Asphalt spreader; Group equipment greaser; Automatic sub-grade machine; Slip form paving	5.90	.30	.30		.01	
Motor patrol (other than finish); Asphalt roller (high type surfacing); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapul;						

AP-513 P. 7 — 11a-IOWA-2-3 (3-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
DW 10 & all similar equipment under 10 cy struck cap; Paving breaker (drop or pneumatic); Spreader box (self propelled) or tractor-pushed); Subgrade Stab. (P & H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Asphalt Paver; Backhoe under 3/8 cy	5.65	.30	.30		.01	
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader, concrete; Tank Car heater (combination boiler & booster); Self-propelled vibrating compactor; Trenching machine (other); Pumps on well points & deep wells for dewatering; mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Motor crane combination driver & oiler; Concrete curing machine	5.45	.30	.30		.01	
Boiler (single); Apprentice engineer or oil or mechanics' helper or Group greaser helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck	5.25	.30	.30		.01	
Batching plant (dry); Front end loader, rubbertired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller	4.95	.30	.30		.01	
TRUCK DRIVERS:						
Truck drivers (not otherwise specified); Warehousemen; Drivers on; 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcrates & scoopmobiles	4.65	.25				

AP-513 P. 8 — 11a-IOWA-2-3 (4-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Semi & tandem; Ready mix; Dumpster; Tandem axle service; Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation; Drivers on pavement breakers, pole trailers or air compressors and welding machines, including those pulled by separate units	4.75	.25				

SUPERSEDEAS DECISION

STATE: Louisiana PARISH: East Baton Rouge
DECISION NO.: AP-359 DATE: Date of Publication
Supersedes Decision No. AM-11,424 dated June 16, 1972 in 37 FR 12038.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

16 - LA - 1,2 (1-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$6.65	.30	.70		
BOILERMAKERS	6.80	.30	.50		.02
BRICKLAYERS & STONEMASONS	6.66	.20	.15		.01
CARPENTERS:					
Carpenters & Piledrivermen	6.28	.15	.15		.04
Millwrights	7.525				
CEMENT MASONS	5.575				
ELECTRICIANS:					
Electricians	7.75	.25	1% + .20		3/10%
Cable Splicers	8.00	.25	1% + .20		3/10%
ELEVATOR CONSTRUCTORS:					
Journeymen	6.32	.195	.20	2% + a&b	
Helpers	70%-JR	.195	.20	2% + a&b	
Helpers-probationary	50%-JR				
GLAZIERS	5.30				
IRONWORKERS:					
Structural, Ornamental, Reinforcing	7.425	.20	.15		.015
LABORERS:					
Building & General laborers, Carpenter tenders	4.31	.10	.10		
Power Tool operators (Jackhammer, Vibrator), Pipelayers(concrete-clay)	4.41	.10	.10		
Mason tenders, Hod Carrier tenders, Plaster tenders, Cement Mix(wet or dry) tenders, Mortar mixers & Cement mixers(wet or dry)	4.46	.10	.10		
LATHERS	5.90				.01
MARBLE, TERRAZZO & TILE WORKERS:					
Journeymen	5.80				
Helpers	4.80	.15			
PAINTERS:					
Brush	5.70				
Steel	6.075				
Spray & Rollers	5.95				
PLASTERERS	5.875				.01
PLUMBERS & PIPEFITTERS	7.20	.365	.475		.035
ROOFERS:					
Roofers	5.685	.25	.20		.01
Roofers' Helpers	4.285	.25	.20		.01
SHEET METAL WORKERS	6.85	.15	.10		
SPRINKLER FITTERS	7.30	.25	.40		.05
TRUCK DRIVERS:					
Pickups & Trucks 1 ton & under	4.15				
Trucks over 1 ton but less than 3 tons	4.45				
3 tons & over but less than 5 tons	4.60				
5 tons & over including winch, dempsey dumpster, lowboy, semi-trailer, euclid & tournapull	4.80				
Winch truck with "A" frame	4.75				

16 - LA - 1,2 (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:

a. 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.

b. The following paid holidays: New Year's, Memorial, Independence, Labor, Thanksgiving & Christmas.

AP-359 P. 3

LA. - 1 - PEO - 1 k

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
HEAVY DUTY OPERATOR Backhoe; Cable Way; Concrete Mixer, 16S & up; Crane; Derrick; Dragline; Dredge; Equipment Maintenance; Mechanic; Hoist - 2 drum; Locomotive Crane; Paving Mixer; Piledriver; Road Paver; Roller on Asphalt or Brick (5 tons & over); Shovel; Sideboom Cat; Bulldozer - 6 and over; Motor Patrol; Scraper; Hydrolift Crane, Hydrolift Truck, Yard Crane, Cherry Picker, etc.; Foundation, Boring and Reaming Machine; Cement Stabilizer; Trenching Machine; Asphalt Spreader; Traxcavator and similar front-end loading equipment with Scoop or Bucket of one (1) cubic yard or more capacity; Tug Boat Operator; Turnapull, Euclid, DW-10, and other similar self-loading earth-moving equipment; Concrete Pump (not Pump Crete)	$6.66	.10	.15			
MEDIUM DUTY OPERATOR A-Frame Truck; Bulldozer - under 6; Crew Boat Operator; Fireman; Fork Lift; Straddle Buggy; Traxcavator, Scoopmobile and similar front-end loading equipment with Scoop or Bucket under one (1) cubic yard capacity; Locomotive; Well Point System; Unit Operator; Hoist - 1 drum, 4 stories or over	6.03	.10	.15			
LIGHT DUTY OPERATOR Air Compressor; Asphalt Plant Engineer; Blade Grader; Distributor (Bitum Surface); Finishing Machine (Concrete, Paving); Hoist - 1 drum, less than 4 stories; Concrete Mixer under 16S; Oiler Driver; Pump Crete; Street and Road Sweeper; Roller (except on asphalt or brick); Roller, asphalt or brick (under 5 tons); Post-hole digger; Tractor operated Bush Hog and similar grass or bush cutting equipment	5.36	.10	.15			
Batch Plant Operator	4.93	.10	.15			
Mechanic Helper	4.76	.10	.15			
Oiler	4.63	.10	.15			
Pumps, under 3-inch suction	4.76	.10	.15			
Pumps, 3-inch suction or more	5.11	.10	.15			
Snatch Cat	5.11	.10	.15			

SUPERSEDEAS DECISION

STATE: Oregon
COUNTIES: Statewide
DECISION NUMBER: AP-249
DATE: Date of Publication
Supersedes Decision No. AP-218 dated August 11, 1972, 37 FR 16357
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.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	√Others
ASBESTOS WORKERS	7.85	.35	.60		.06	
BOILERMAKERS	6.95	.60	1.00	.50	.02	
BRICKLAYERS; Stonemasons						
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Multnomah, Morrow, Sherman, Tillamook, Wasco (north of the City of Maupin), Washington, N½ Yamhill Cos.	7.90	.35	.35		.02	
North ½ of Lincoln, Marion, Polk, S½ of Yamhill Cos.	7.40	.35	.35		.02	
Baker, North 1/2 of Malheur, Union, Umatilla, Wallowa Cos.	7.85	.30				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South 1/2 of Lincoln, Linn, South 1/2 of Malheur, Wasco (incl. the City of Maupin & south thereof), Wheeler Cos.	7.00	.45	.45		.02	
CARPENTERS:						
Acoustical & Drywall Applicators; Automatic Nailing Machine; Carpenters; Form Strippers; Manhole Builders	6.78	.55	.40	.35	.03	
Piledrivermen, Bridge, Dock & Wharf Builders	6.88	.55	.40	.35	.03	
Floor Layers & Finishers; Stationary Power Saw Operators	6.91	.55	.40	.35	.03	
Boom Men	6.98	.55	.40	.35	.03	
Millwrights & Machine Erectors	7.03	.55	.40	.35	.03	
CEMENT MASONS:						
Cement Masons	6.51	.35	.25		.01	
Mastic Worker; Composition Workers; Gunnite Man; Power Machinery Operator	6.635	.35	.25		.01	
DRYWALL TAPERS	6.10	.32	.15	.50	.015	
ELECTRICIANS:						
Malheur County						
Electricians	7.45	.30	1%		2/10%	
Cable Splicers	8.195	.30	1%		2/10%	
Baker; Gilliam; Grant; Morrow; Umatilla; Union; Wallowa; Wheeler Cos.						
Electricians	8.03	.25	1%		.02	
Cable Splicers	8.43	.25	1%		.02	
Coos; Curry; Lincoln; Those portions of Douglas & Lane Cos. lying west of a line north & south from the NE corner of Coos Co. to the SE corner of						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Lincoln Co.						
Electricians	$ 7.14	.15	1%			
Cable Splicers	7.85	.15	1%			
Clatsop; Tillamook Cos.						
Electricians	7.10	.15	1% + .30			
Cable Splicers	7.60	.15	1% + .30			
Benton; Crook; Deschutes; Jefferson; Lane (except coast portion); Linn; Marion; Polk; S. 1/2 of Yamhill Cos.						
Electricians	8.03	.25	1%		.04	
Cable Splicers	8.48	.25	1%		.04	
Clackamas; Columbia; Hood River; Multnomah; Sherman; Wasco; Washington; N. 1/2 of Yamhill Cos.						
Electricians	7.75	.25	1% + .30		.02	
Cable Splicers	8.35	.25	1% + .30		.02	
Harney; Jackson; Josephine; Klamath; Lake; That portion of Douglas lying east of a line running north & south from the corner of Coos Co. to the southeast corner of Lincoln Co.						
Electricians	7.42	.15	1%		.02	
Cable Splicers	7.87	.15	1%		.02	
ELEVATOR CONSTRUCTORS	6.84	.185	.20	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2% + a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.82	.26	.20	4%	.01	
IRONWORKERS:						
Reinforcing; Structural; Fence Erectors; Ornamental; Riggers; Signal Men	7.13	.43	.40	.25	.03	
LATHERS						
Clackamas, Clatsop, Columbia, Gilliam, Harney, Hood River, Morrow, Multnomah, Sherman, Tillamook, Wasco, Washington, Yamhill Cos.	6.60	.15			.01	
MARBLE SETTERS						
Clackamas, Clatsop, Columbia, Gilliam, Hood River North 1/2 of Lincoln, Marion, Multnomah, Morrow, Polk, Sherman, Tillamook, Wasco (north of the City of Maupin), Washington, Yamhill Cos.	7.90	.35	.35		.02	
Baker, North 1/2 of Malheur, Union, Umatilla; Wallowa Cos.						
Outside	7.85	.30				
Inside	7.65	.30				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake,						

AP-249 P. 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Lane, South 1/2 of Lincoln, Linn, South 1/2 of Malheur, Wasco (incl. the City of Maupin & south thereof), Wheeler Cos.	6.75	.35	.35		.02	
PAINTERS:						
Brush	6.55	.30	.20		.015	
Spray	6.80	.30	.20		.015	
High Work over 100'	7.05	.30	.20		.015	
High Towers, ground to 100'	6.70	.30	.20		.015	
High Towers, ground to 300'	7.05	.30	.20		.015	
High Towers, ground to over 300'	7.55	.30	.20		.015	
PLASTERERS	6.95	.45	.45		.01	
PLUMBERS; STEAMFITTERS:						
Baker; Harney (except NW portion); Malheur Cos.	6.58	.28	.30		.05	
Grant (except SW corner); Morrow; Umatilla; Wallowa; Union Cos.	7.52	.26	.55	.47	.06	
N. 1/2 of Benton, Lincoln, & Linn Cos.; Marion; Polk; S 1/2 of Tillamook, Yamhill Cos.	6.55	.46	.65	1.00	.08	
Clackamas; Clatsop; Columbia; Gilliam; Hood River; Jefferson; Multnomah; Sherman; N. 1/2 of Tillamook; Wasco; Wheeler; Washington; & N. 1/2 of Yamhill	7.36	.59	.66		.07	
Coos; Curry; Coast portion of Douglas Co.; Lane (City of Florence)	6.71	.35	.40		.0175	
Lane (except for City of Florence); Douglas (except coast portion); Crook; Deschutes; N.W. portion of Harney; Northern portions of Klamath and Lake Cos.; S. 1/2 of Lincoln, Linn, Benton and Jefferson Cos.; & S.W. corner of Grant County	7.73	.41	.62		.02	
Remainder of Klamath & Lake Cos.	7.06	.45	.55	.75	.05	
Jackson; Josephine Cos.	6.85	.40	.50	.43	.02	
ROOFERS						
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Jefferson, Multnomah, Sherman, Tillamook, Wasco Cos.						
Roofers	6.95	.45	.46			
Coal Tar	7.45	.45	.46			
Coal Tar in confined areas	7.70	.45	.46			
Wallowa County	6.25					
Coos, Crook, Curry, Deschutes, Douglas, Harney, Jackson, Josephine, Klamath, Lake, Lane, Malheur Cos.	6.53	.25				

AP-249 P. 4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
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, Yamhill Cos.	6.05	.20	.24	.24	.02	
Malheur County	7.06	.27	.20		.02	
Baker, Umatilla, Union, Wallowa Cos.	6.50	.22	.30			
Coos, Curry, Douglas, Lane Cos.	7.51	.22	.34		1/2%	
Jackson, Josephine	6.73	.22	.30			
SOFT FLOOR LAYERS	6.65	.35	.45	b	.05	
SPRINKLER FITTERS	8.70	.30	.50		.05	
TILE SETTERS & TERRAZZO WORKERS						
Clatsop, Clackamas, Columbia, Gilliam, Harney, Hood River, N. 1/2 of Lincoln, Marion, Morrow, Multnomah, Polk, Sherman, Wasco (north of the City of Maupin), Washington, Tillamook, Yamhill Cos.	6.95	.25	.24			
Baker, North 1/2 of Malheur, Union, Umatilla, Wallowa Cos.	7.18	.30				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South 1/2 of Lincoln, Linn, South 1/2 of Malheur, Wasco (incl. the City of Maupin and south thereof), Wheeler Cos.	6.95	.25				
TILE SETTERS' HELPERS	6.04	.25				
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 over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.

b. 4% of all gross wages to be placed to the credit of employees with less than one year of service. 6% to employees with more than one year of service

AP-249 P. 5

POWER EQUIPMENT OPERATORS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP I ASSISTANT CONVEYOR; Oiler, including plant and crusher; Crusher Feederman; Deckhand; Self-propelled Scaffolding; Guard Rail Punch Oiler; Pump under 4" Brakeman Switchman; Parts Man (Tool Room)	$6.10	.40	.50	.20		
GROUP II BLADE, PULLED TYPE; Truck Crane Oiler-driver, 25 ton capacity or over; Fireman, all equipment; A-Frame Truck, single drum; Tugger or Coffin type Hoist, any power; Drill Helper; Auger Oiler; Boatman; Fork-lift or Lumber Stacker; Temporary Heating Plant; Grade Oiler, required to check grade; Grade Checker; Tar Pot Fireman; Tar Pot Fireman (power agitated); H.D. Repairman Helper; Welder's Helper; Fireman Helicopter Radio-man (ground); Roller, Rock	6.24	.40	.50	.20		
GROUP III PLANT FIREMAN; Pugmill; Truck Mounted Asphalt Spreader, with screed; Compressor, any power, under 1,000 cu. ft. total capacity; Mixer Box Concrete Plant; Concrete Conveyor; Cement Hog; Concrete Saw, self-propelled unit; Wire Mat Machine or Booming Machine; Concrete Curing Machine, self-propelled; Bucket Elevator Loader, Barber Greene and similar type; Hydraulic Pipe Press; Pump any power, 4" and over; Hydrostatic Pump; Motorman; Ballast Jack Tamper; Bell Boy, phones, etc; Tamping Machine, mechanical self-propelled; Hydrographic Seeder Machine, straw, pump or seed; Broom Operator, self-propelled; Air Filtration Equipment; Welding Machine	6.34	.40	.50	.20		

AP-249 P. 6

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
GROUP IV SCREED; Compactor, including vibratory; Compressor, over 1,000 cu. ft. total capacity; Concrete Mixer, single drum, under 5 bag capacity; Concrete Cooling Machine; Combination Mixer and Compressor, Gunite work; Helicopter Hoist; Fork Lift, over 5 tons; Lull Hi-Lift of similar type, 20 ft. or over; Service Oiler (Greaser); Hydra Hammer or similar types; Pavement Breaker; Pump, more than 3, any size; Locomotive, under 40 tons; Roller, Oiling, CTE	$6.50	.40	.50	.20		
GROUP V CURB MACHINE, MECHANICAL BERM, CURB AND/OR CURB AND GUTTER; Wagner Factor or similar type (without blade); Batch Plant Material Control; Power Jumbo, setting slip forms, etc. in tunnels; Slip Form Pumps, power driven hydraulic lifting device for concrete forms; Hoist, single drum; Elevator, Diesel, Gas, Engineer; Chip Spreading Machine; Lime Spreading Sweeper (Wayne Type) self-propelled; Tractor, rubber-tired 50 H.P. Flywheel and under; Trenching Machine, maximum digging capacity 3 ft. depth	6.52	.40	.50	.20		
GROUP VI ASPHALT PLANT; Asphalt Paver; 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; Cast in place pipe laying machine; Concrete Paving Machine; Concrete Spreader; Loaders, Rubber-tired type, 2½ cu. yds. and under; Rock Spreader, self-propelled	6.60	.40	.50	.20		

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP VII ROLLER, ASPHALT; Concrete Mixer, single drum, 5 bag capacity and over; Beltcrete; Pumpcrete; Cement pump, Fuller-Kenyon and similar; Grouting Machine; Concrete Pump; Tower Mobile; A-Frame Truck, double drums; Boom Truck; Churn Drill and Earth Boring Machine; Hydraulic Backhoe, wheel type 3/8 cu. yds. and under with or without front end attachments 2½ cu. yds. and under (Ford, John Deere, Case type); Elevating Grader, Tractor and towed requiring operator or grader; Pot Rammer; Ballast Regulator; Ballast Tamper Multi-Purpose; Track Liner; Tie Spacer; Shuttle Car; Locomotive, 40 tons and over	6.66	.40	.50	.20		
GROUP VIII DIESEL-ELECTRIC ENGINEER, PLANT OR FLOATING; Batch Plant and/or wet mix, one and two drums; Generator; Diesel-Electric Engineer; Bolt Loaders Kolman and Ko Cal types	6.76	.40	.50	.20		
GROUP IX BULLDOZER; Drill Cat; Side-Boom Cat; Compactor, with blade; Chicago Boom and similar types; Lift Slab Machine; Boom Type lifting device, 5 tons capacity or less; Cherry picker or similar type crane-hoist 5 ton capacity or less; Grizzley; Crusher Plant; Boring Machine; Surface Heater & Planer; Hydraulic Backhoe, truck type 3/8 cu. yds Loader, front end and overhead 2½ cu. yds. and under 4 cu. yds.; Pipe Cleaning Machine; Pipe Doping Machine; Pipe Bending Machine; Pipe Wrapping Machine; Bolt Threading Machine; Drill Doctor; including bit grinder; H.D. Mechanic; H.D. Welder; Machine Tool Operator; Stationary Drag Scraper; Tractor Rubber-tired over 50 H.P. Flywheel; Tractor, Rubber tired with boom attachments; Trenching Machine maximum digging capacity over 3 ft. depth	6.82	.40	.50	.20		
GROUP X BULLDOZER, TWIN-ENGINE (TC 12 and similar type); Cable-Plow; Compactor, Multi-engine; Driller-Percussion, Diamond, Core, Cable, Rotary and similar types; Jack Operator Elevating Barges; Barge Operator, self-Unloading; Combination H.D. Mechanic-Welder; Welder-Certified; Rubber tired Dozers and Pushers (Michigan, Cat, Hough type)	6.88	.40	.50	.20		

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP XI MIXER MOBILE; Crane, 25 tons and under; Shovel, Dragline, Clamshell, Hoe, etc., under 1 cu. yd.; Gradeall, under 1 cu. yd.; Mucking Machine	6.90	.40	.50	.20		
GROUP XII BLADE; Batch Plant and/or wet mix, 3 units or more; Hoist, 2 drum; Hoist, 3 or more drums; Elevating Loader, Athey and similar types; Piledriver (not crane type); Rubber-tired Scraper, single engine, single scraper; Scraper-Self-Loading, paddle wheel ladder type; Rubber-tired Scraper, twin engine; Rubber-tired Scraper, with push-pull attachments; Blade Mounted Spreaders, Ulrich and similar types; Shield Operator	6.96	.40	.50	.20		
GROUP XIII BLADE, FINISH (Working with either red or blue tops); Blade, Electronically controlled by wire or laser beams; Blade, Multi-engine; Concrete Paving and Road Mixer; Bridge Crane, Locomotive, Gantry, Overhead; Derrick, under 100 tons; Hoist, Stiff-leg, Guy Derrick or similar type 50 tons and over; Cableway, up to 25 tons; Crane, over 25 tons and including 40 tons; Tower Crane; Piledriver (not crane type); Floating Clamshell, etc., under 3 cu. yds.; Floating Crane (Derrick Barge), less than 30 tons; Hydraylic Backhoe, truck type over 3/8 cu. yds. Elevating Grader, operated by tractor, Sierra, Euclid or similar types; Back-Filling Machine; Shovel, etc., 1 cu. yd. but less than 3 cu. yds.; Gradeall, 1 cu. yd. and over; Back filling Machine	7.04	.40	.50	.20		
GROUP XIV RUBBER-TIRED SCRAPER WITH TANDEM SCRAPER	7.20	.40	.50	.20		
GROUP XV ROCK HOUND; Loader, 4 cu. yds. but less than 6 cu. yds.	7.16	.40	.50	.20		
GROUP XVI AUTO GRADER (i.e. CMD) or TRIMMER; Tandem Bulldozer, Quad-nine and similar type; Automatic Concrete Slip Form Paver; Concrete Canal Liner; Cableway, 25 tons and over; Crane, over 40 tons and including 100 tons; Whirley, 80 tons and under; Floating Clamshell, etc., 3 cu. yds. and over;						

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Floating Crane (Derrick Barge), 30 tons but less than 80 tons; Loader, 6 cu. yds., but less than 8 cu. yds. Loader 8 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	7.54	.40	.50	.20		
GROUP XVII CRANE, Over 100 tons and including 200 tons; Whirley over 80 tons and including 150 tons; Floating Crane (Derrick Barge), 80 tons but less than 150 tons; Loader, 12 cu. yds. and over; Shovel, etc., 5 cu. yds. and over; Canal Trimmer	7.68	.40	.50	.20		
GROUP XVIII CRANE, over 200 tons; Whirley, 150 tons and over; Floating Crane 150 tons but less than 250 tons; Wheel Excavator, over 750 cu. yds. per hour; Band Wagons, in conjuction with wheel excavator	7.86	.40	.50	.20		
GROUP XVIV HELICOPTER; When used in erecting work; Floating Crane 250 tons and over; Remote controlled earth moving equipment (no one operator shall operate more than two pieces of moving equipment at one time); Underwater Equipment, remote or otherwise	8.00	.40	.50	.20		

LABORERS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP I Asphalt plant laborers; Asphalt spreaders; Batch weighman; Broomers; Brush burners & cutters; Car & truck loaders; Carpenter tender; Change-House man or dry shack men; Choker setters; Clean up laborers; Concrete laborers; Crusher feeders; Culvert, hand labor; Curing, concrete; Demolition, wrecking, & moving laborers; Driller helpers; Dumpers, Road oiling crew; Dumpmen (for grading crew); Elevator feeders; Fence builder (incl. Guard rail, Median rail, Reference post, Guide post, Right-of-way marker); Fine graders; Form strippers (not swinging stages); GENERAL LABORERS; Landscaping or planting laborers; Leverman on aggregate spreader (Flaherty & similar types); Loading spotters; Material yard man (incl. electrical); Pittsburgh chipper operator or similar types; Powderman helper; Railroad track laborers; Ribbon setters (incl. steel forms); Rip Rap man (hand placed); Road pump tender; Sewer labor; Skipmen; Signalman; Slopers; Spraymen; Stake chaser-Stake setter-Grade checker; Stockpiler; Timber faller & bucker (hand labor); Toolroom man (at job site) Tunnel bull gang (above ground); Weigh man-crusher aggregate (when used)	$5.25	.40	.45	.20	.02	
GROUP II Applicator (incl. pot tender for same), applying protective material by hand or nozzle on utility lines or storage tanks on project; Burners; Choker splicer; Clary power spreader & similar types; Clean-up nozzleman; Greencutter (Concrete rock, etc.); Concrete power buggyman; Demolition & wrecking charred materials; Gunite nozzleman tender; Gunite or sand blasting pot tender; Handlers or mixers of all materials of an irritating nature (incl. cement & lime); Manhole builder; Powertool op., incls but not limited to: Chipping Guns, JACKHAMMER, Paving breakers, Post hole digger, Air Gas, or Electric, Tampers, Vibrating screed, Vibrators (less than 4" in diameter); Ribbon setter, head; Rip rap man (head), Hand placed; Sand blasting (wet); Sewer						

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
timbermen; Timber buckers & fallers, Brush cutters (power saw); Tunnel-Muckers, Brakemen, Concrete crew, Bull gang (underground)	$5.40	.40	.45	.20	.02	
GROUP III Asphalt rakers; Bid grinder; Concrete saw op.; Drill doctor; Drill operator, Air tracks, Cat drills, Wagon drills, Rubber-mounted drills, & other similar types; Gunite nozzleman; High scalers, strippers & drillers (covers work in swinging stages, chairs or belts, under extreme conditions unusual to normal drilling, blasting, barring-down, or sloping & stripping); Powdermen; Power saw ops. (Bucking & falling merchantable logs); Pumpcrete nozzlemen; Sand blasting (Dry); SEWER PIPE LAYERS; Track liners, Anchor machines, Ballast regulators, Multiple tampers, Power jacks; Tugger op.; Tunnel--Chuck tenders, Nippers & Timbermen; Vibrators (4" & larger); Water blaster	5.55	.40	.45	.20	.02	
GROUP IV Tunnel miners; Tunnel powderman	5.70	.40	.45	.20	.02	

TRUCK DRIVERS	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS				
		H & W	Pensions	Vacation	App. Tr.	Other
Battery rebuilder; Bus or man-haul driver; Concrete buggies (power operated); Dump trucks, side, end & bottom dumps, incl. semi-trucks & trains or combin. thereof: 6 cu. yds. & under; Lift jitneys, fork lifts (all sizes used in loading, unloading & transporting material on job site); Loader and/or leverman on concrete dry batch plant (manually operated); Pilot car; Solo flat bed & misc. body trucks, 0-10 tons; Truck helper; Truck mechanic helper; Warehouseman (warehouse parts, tool men & parts chaser, checker & receivers); Water wagons (rated capacity); up to 1600 gals.	6.06	.40	.45	.25		
"A" frame or hydra-lift truck w/load bearing surface; Lubrication man, fuel truck driver, tireman, wash rack, steam cleaner or combin.; Team drivers	6.11	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 6 cu. yds. incl. 10 cu. yds.; Slurry truck driver or leverman; Transit mix & dry or wet trucks: 5 cu. yds. & under; Tireman (full-time basis); Water wagons (rated capacity): 1600 to 3000 gals.	6.16	.40	.45	.25		
Flaherty spreader driver or leverman; Low bed equipment, flat bed semi-trailer, truck & 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 gals.	6.21	.40	.45	.25		
Dumpster or similar equipment, all sizes; Transit mix & wet or dry mix trucks; Over 5 cu. yds. & incl. 7 cu. yds.	6.26	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi trucks & trains or combin. thereof: over 10 cu. yds. & incl. 20 cu. yds.; Transit mix & dry or wet mix trucks: over 7cu. yds. & incl. 9 cu. yds.; Truck mechanic--welder--body repairman; Water wagons (rated capacity): 5000 to 7000 gals.	6.36	.40	.45	.25		

AP-249 P. 13

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Dump trucks, side end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 20 cu. yds. & incl. 30 cu. yds.; Transit mix & wet or dry mix trucks: over 9 cu. yds. & incl. 11 cu. yds.; Water Wagons (Rated capacity): over 7000 gals to 10,000 gals.	$6.46	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi trucks & trains or combin. thereof: over 30 cu. yds. & incl. 40 cu. yds.; Transit mix & wet or dry mix trucks: over 11 cu. yds. and incl. 13 cu. yds.; Wager Wagons (rated capacity): over 10,000 gals. to 15,000 glas.	6.56	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 40 cu. yds. & incl. 50 cu. yds.; Transit mix and wet or dry mix trucks: over 13 cu. yds. and incl. 15 cu. yds.	6.66	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 50 cu. yds. & incl. 60 cu. yds.	6.83	.40	.45	.25		
Dump trucks, side, end & bottom dumps, incl. semi-trucks & trains or combin. thereof: over 60 cu. yds. & incl. 70 cu. yds.	6.93	.40	.45	.25		
Dump trucks, side, end & bottom dumps; incl. semi truck & trains or combin. thereof: over 70 cu. yds. and incl. 80 cu. yds.	7.03	.40	.45	.25		
Dump trucks, side, end & bottom dump, including semi trucks & trains or combin. thereof: over 80 cu. yds. & incl. 90 cu. yds.	7.13	.40	.45	.25		
Dump trucks, side, end & bottom dump, incl. semi-trucks and trains or combin. thereof: over 90 cu. yds. & incl. 100 cu. yds.	7.23	.40	.45	.25		

Drivers and Helpers (handling sacked cement add $.15 per hour).
Winch truck - takes classification of truck on which winch is mounted.

AP-249 P. 14

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Dredging:						
Dipper Leverman:						
(a) 5 yards and under	7.59	.40	.50	.20		
(b) Over 5 yards	8.14	.40	.50	.20		
Leverman, Hydraulic	7.20	.40	.50	.20		
Assistant Engineer (Electric Generator Operator for Primary Pump; Power Barge or Dredge)	6.88	.40	.50	.20		
Assistant Engineer (Electric, Diesel, Steam or Booster Pump); Mates and Boatmen	6.78	.40	.50	.20		
Engineer Welder; Craneman	6.83	.40	.50	.20		
Fireman; Oiler	6.44	.40	.50	.20		
Assistant Mate (Deckhand)	6.34	.40	.50	.20		

LINE CONSTRUCTION - OREGON d (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Cable Splicers Leadman Pole Sprayer	$ 8.60	.25	1%		1/2%	
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	7.76	.25	1%		1/2%	
Tree Trimmer	7.00	.25	1%		1/2%	
Line Equipment Man	6.67	.25	1%		1/2%	
Head Groundman (Chipper); Head Groundman; Powderman; Jackhammer Man	5.82	.25	1%		1/2%	
Groundman; Tree Trimmer Helper	5.49	.25	1%		1/2%	
Hole Digger	5.25	.25	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Cameron, Hidalgo, Starr and Willacy

DECISION NO.: AP-357

DATE: Date of Publication

Supersedes Decision No. AM-11,418, dated May 5, 1972, in 37 FR 9163.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

23 - Texas - 1 1

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$6.555	.30	.295			
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS	5.00					
CARPENTERS:						
Carpenters	4.275					
Piledriverman	4.67					
CEMENT MASONS	3.50					
ELECTRICIANS	5.76		1%		1%	
GLAZIERS	2.75					
LABORERS:						
Common laborers	1.60					
Mason tenders	1.75					
Pipelayers (concrete & clay)	2.00					
PAINTERS:						
Brush	2.60					
PLASTERERS	5.00					
PLUMBERS - PIPEFITTERS	5.90	.15			.05	
ROOFERS:						
Roofers	3.00					
Kettleman	2.05					
SOFT FLOOR LAYERS	2.00					
SPRINKLER FITTERS	8.35	.30	.50		.05	
TERRAZZO WORKERS	2.50					
TERRAZZO WORKERS' HELPERS	1.83					
TILE SETTERS	2.50					
TILE SETTERS' HELPERS	1.75					
TRUCK DRIVERS	1.93					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

AP-357 P. 2

36 - Texas - 3 g (1 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Tool Man	$1.85					
Asphalt Heaterman	2.60					
Asphalt Raker	2.15					
Batterboard Setter	2.70					
Carpenter	3.00					
Carpenter Helper	2.25					
Concrete Finisher (Paving)	2.55					
Concrete Finisher Helper (Paving)	2.50					
Concrete Finisher (Structures)	2.75					
Concrete Finisher Helper (Structures)	2.35					
Electrician	5.50					
Fireman	2.75					
Form Builder (Structures)	3.15					
Form Builder Helper (Structures)	2.50					
Form Setter (Paving and Curb)	3.00					
Form Setter Helper (Paving and Curb)	2.50					
Form Setter (Structures)	3.15					
Form Setter Helper (Structures)	2.05					
Laborer, Common	1.85					
Laborer, Utility Man	2.30					
Mechanic	3.15					
Mechanic Helper	2.50					
Oiler	2.15					
Serviceman	2.35					
Piledriverman	3.35					
Pipelayer	2.50					
Reinforcing Steel Setter (Paving)	2.60					
Reinforcing Steel Setter (Structures)	3.00					
Reinforcing Steel Setter Helper	2.00					
Spreader Box Man	2.60					
Swamper	2.50					
Power Equipment Operators:						
Asphalt Distributor	2.60					
Asphalt Paving Machine	3.00					
Broom or Sweeper Operator	2.25					
Bulldozer, 150 H.P. and Less	3.00					
Bulldozer, over 150 H.P.	3.25					
Concrete Paving Curing Machine	3.15					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.00					

AP-357 P. 3

36 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	$3.50					
Front End Loader (2½ C.Y. and Less)	2.55					
Front End Loader (Over 2½ C.Y.)	3.05					
Motor Grader Operator, Fine Grade	3.50					
Motor Grader Operator	3.00					
Roller, Steel Wheel (Plant-Mix Pavements)	2.35					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.35					
Roller, Pneumatic (Self-Propelled)	2.10					
Scrapers (17 C.Y. and Less)	2.75					
Scrapers (Over 17 C.Y.)	3.00					
Tractor (Crawler Type) 150 H.P. and Less	2.35					
Tractor (Crawler Type) over 150 H.P.	2.55					
Tractor (Pneumatic) 80 H.P. and Less	2.25					
Tractor (Pneumatic) over 80 H.P.	2.40					
Traveling Mixer	2.85					
Trenching Machine, Light	2.60					
Truck Drivers:						
Single Axle, Light	1.85					
Single Axle, Heavy	2.50					
Tandem Axle or Semitrailer	1.85					
Welder	3.00					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Lineman	$5.34	.17	1%		1/2%	
Ground mechanic	4.40	.17	1%		1/2%	
Groundman, 1st 6 months	2.28	.17	1%		1/2%	
Groundman	3.31	.17	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher and Wheeler

DECISION NO.: AP-358

DATE: Date of Publication

Supersedes Decision No. AP-312, dated August 18, 1972, in 37 FR 16716.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

(1 - 4)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	✓ Others
ASBESTOS WORKERS	$7.25	.30	.25		.02	
BOILERMAKERS	6.80	.30	.50		.02	
BRICKLAYERS & STONEMASONS	6.75					
CARPENTERS:						
Carpenters:						
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hartley, Oldham, Potter, Randall, Sherman, Swisher and Wheeler Counties	6.65					
Hansford, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree and Roberts Counties	6.40					
Millwrights:						
Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hartley, Oldham, Potter, Randall, Sherman, Swisher and Wheeler Counties	6.90					
Hansford, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree and Roberts Counties	6.65					
CEMENT MASONS:						
Cement masons	5.70					
Machine operators	5.95					
ELECTRICIANS:						
Electricians	6.90	.25	1%		1/2%	
Cable splicers	7.59	.25	1%		1/2%	
ELEVATOR CONSTRUCTORS	4.06	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.175	.20	2%+a+b		
ELEVATOR CONSTRUCTORS' HELPERS (FRGR.)	50%JR					
GLAZIERS	4.85					
IRONWORKERS:						
Structural; Ornamental; Reinforcing	6.55	.40	.40		.05	

AP-358 P. 2

(2 - 4)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Unskilled:						
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall and Swisher Counties	$3.00					
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.50					
Air tool operator (jackhammer, vibrator):						
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties	3.15					
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.65					
Mason tenders:						
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties	3.15					
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.65					
Mortar mixers:						
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall and Swisher Counties	3.15					
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.65					
Pipelayers (non-metallic):						
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall and Swisher Counties	3.15					
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.65					

AP-358 P. 3

(3 - 4)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS (CONT'D):						
Plasterers' tenders:						
Armstrong, Carson, Castro, Childress, Collingsworth, Deaf Smith, Donley, Oldham, Potter, Randall, and Swisher Counties	3.15					
Dallam, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, Sherman and Wheeler Counties	3.65					
LATHERS	5.275					
MARBLE MASONS (EXTERIOR)	5.50					
MARBLE MASONS (INTERIOR)	4.60					
PAINTERS:						
Brush & roller; paperhanger; perfa-tapers	5.25					
Structural steel painters; swinging stage or chair below 50 ft.	5.375					
Spray painters & sandblasters	5.90					
Perfa-tape, machine operator	5.50					
PLASTERERS	5.925				.01	
PLUMBERS & PIPEFITTERS:						
ZONE 1 - shall extend a distance of 25 road miles beyond the police station in Amarillo & Borger	6.20	.25	.30	.35		
ZONE 2 - shall extend a distance of 25 road miles beyond the outer perimeter of Zone 1	6.45	.25	.30	.35		
ZONE 3 - shall apply to all areas not within Zones 1 or 2	6.70	.25	.30	.35		
SHEET METAL WORKERS	7.22					
SPRINKLER FITTERS	8.35	.30	.50		.05	
TERRAZZO WORKERS	4.60					
TILE SETTERS	4.60					
TRUCK DRIVERS:						
1/2 ton to 3 tons	2.88					
3 to 5 tons	3.13					
5 tons and over	3.38					
Ready mix concrete to 3 yds.	2.88					
Ready mix concrete over 3 yds.	3.13					
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.						

AP-358 P. 4

(4 - 4)

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others

FOOTNOTES:

a - 1st 6 mos. - none; 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.

AP-358 P. 5 — 19 - Texas - PEO - 1 3

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
HEAVY EQUIPMENT:						
Utility operator	$6.15		.35			
Blade grader, self-propelled; clam shells; cableways; cranes, power operated, all types; derricks, power operated all types; dragline; elevating graders, self-propelled; hoist, two drum or more; locomotives; mixermobiles; paving mixer, all sizes; pile drivers; scrapers; bulldozers; side boom; cherry pickers; shovels; heavy duty mechanics; all welders; all tractors, with power attachments (crawler type); ditching machine; all other equipment of similar nature coming within the heavy class, when power operated	6.025		.35			
LIGHT EQUIPMENT:						
Mixer, 14 cu. ft. or over; rollers, over ten tons; 2 pumps operated by 1 man; 1 air compressor and 1 air tugger; 2 or more boilers; farm type tractors (loader under 1 yd.) with backhoe	5.85		.35			
Winch trucks	5.75		.35			
2 air compressors, 1 air compressor and 1 pump; front end scoopmobile loader	5.725		.35			
Blade grader, towed; elevated graders, towed; elevators, building; fork lifts; form graders; hoist, single drum or one line hoisting; mixer, less than 14 cu. ft.; rollers; screening plants; welding machines (gas or diesel) min. 2 max. 5; crushing plants; tractors, wheel type (except when hauling material); truck crane drivers and/or oilers	5.625		.35			
Pulsometer; 1 pump; 1 air compressor; mechanic helper; welder helper; fireman	5.45		.35			
Greasers	5.275		.35			
Oilers	5.175		.35			
All other equipment of similar nature coming within the light class, when power operated						

AP-358 P. 6 — 19 - Texas - 3 8 (1 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asphalt Heaterman	$3.20					
Asphalt Raker	3.50					
Batching Plant Scaleman	3.90					
Carpenter	3.25					
Carpenter Helper	2.25					
Concrete Finisher (Paving)	3.75					
Concrete Finisher Helper (Paving)	3.30					
Concrete Finisher (Structures)	3.80					
Concrete Finisher Helper (Structures)	2.60					
Concrete Rubber	3.25					
Form Builder (Structures)	3.55					
Form Liner (Paving and Curb)	3.50					
Form Setter (Structures)	4.35					
Form Setter Helper (Structures)	3.20					
Laborer, Common	2.15					
Laborer, Utility Man	2.70					
Mechanic	3.50					
Mechanic Helper	3.25					
Oiler	3.00					
Serviceman	3.10					
Pipelayer	2.60					
Powderman	3.50					
Powderman Helper	2.70					
Reinforcing Steel Setter (Structures)	2.85					
Reinforcing Steel Setter Helper	2.35					
Sign Erector	2.85					
Sign Erector Helper	2.50					
Spreader Box Man	3.20					
Power Equipment Operators:						
Asphalt Distributor	3.30					
Asphalt Paving Machine	4.20					
Bulldozer, 150 H.P. and Less	3.25					
Bulldozer, over 150 H.P.	3.50					
Concrete Paving Finishing Machine	3.75					
Concrete Paving Spreader	3.75					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ C.Y.)	3.65					

AP-358 P. 7

19 - Texas - 3 g (2 - 2)

INCIDENTAL PAVING & UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ C.Y. and Over)	$4.35					
Crusher or Screening Plant Operator	3.75					
Foundation Drill Operator (Truck Mounted)	4.20					
Front End Loader (2½ C.Y. and Less)	3.25					
Front End Loader (Over 2½ C.Y.)	3.75					
Motor Grader Operator, Fine Grade	4.35					
Motor Grader Operator	3.75					
Roller, Steel Wheel (Plant-Mix Pavements)	3.30					
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	3.00					
Roller, Pneumatic (Self-Propelled)	2.55					
Scrapers (17 C.Y. and Less)	3.00					
Scrapers (Over 17 C.Y.)	3.50					
Tractor (Crawler Type) 150 H.P. and Less	2.75					
Tractor (Crawler Type) over 150 H.P.	3.00					
Tractor (Pneumatic) 80 H.P. and Less	2.60					
Tractor (Pneumatic) over 80 H.P.	3.00					
Traveling Mixer	3.50					
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00					
Truck Drivers:						
Single Axle, Light	2.50					
Single Axle, Heavy	2.90					
Tandem Axle or Semitrailer	2.25					
Weighman (Truck Scales)	2.25					
Welder	4.35					

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Lineman	$6.80		1%			
Groundman, more than 1 year experience	4.59		1%			
Groundman, less than 1 year experience	4.01		1%			
Operator-hole digger, line truck	5.34		1%			
Flat bed truck driver	4.01		1%			

SUPERSEDEAS DECISION

STATE: Wyoming
COUNTY: Laramie
DECISION NUMBER: AP-250
DATE: Date of Publication

Supersedes Decision No. AM-2,477 dated August 27, 1971, 36 FR 17152

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	16TH
ASBESTOS WORKERS	$7.04	.25	.42			
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons	5.75					
CARPENTERS:						
Carpenters	6.65	.25	.25		.06	
Piledrivermen	6.90	.25	.25		.06	
CEMENT MASONS:						
Cement Masons	5.10	.15				
Working with composition material; Scaffold, Swinging Stage or Temporary Platform over 8' high; Op. of Power Machines	5.35	.15				
Working on Scaffold, Swing Stage or Temporary Platform over 20' high	5.60	.15				
ELECTRICIANS:						
Electricians	7.33	.32	1%		1%	
Cable Splicers	7.53	.32	1%		1%	
ELEVATOR CONSTRUCTORS	6.71	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
IRONWORKERS:						
Structural; Ornamental; Reinforcing	7.10	.40	.65		.10	
LATHERS	4.60			.20		
PLASTERERS	6.47			.20		
PLUMBERS; Steamfitters:						
Zone #1 (10 mi radius from Cheyenne P.O.)	6.47	.30	.10	.60	.05	
Zone #2 (10 mi radius beyond Zone #1)	7.07	.30	.10	.60	.05	
Zone #3 (15 mi radius beyond Zone #2)	7.67	.30	.10	.60	.05	
Zone #4 (Jurisdiction beyond Zone #3)	8.52	.30	.10	.60	.05	
Zone #5 (Footnote "b")						
General Contracts $700,000.00 or less	6.47	.30	.10	.60	.05	
General Contracts over $700,000.00	6.97	.30	.10	.60	.05	
ROOFERS	6.15					
SHEET METAL WORKERS	7.08	.22				
SPRINKLER FITTERS	7.95	.30	.50		.05	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
WELDERS; Riggers: Receive rate prescribed for craft performing operation to which rigging or welding is incidental.						

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.

b. Use only in the cities of Laramie, Torrington, Wheatland, Evanston, Green River and Rock Springs within a 5-mile radius from the Post Office of each of the above cities.

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

1-WYO-2-3-a (1-1)

HEAVY AND HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Carpenters	$4.61					
Cement Masons	3.89					
Ironworkers, structural	5.12					
Ironworkers, reinforcing	3.72					
Painters, brush & spray	5.00					

WYOMING-LINE CONSTRUCTION-1 (1-1)

LINE CONSTRUCTION:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
All work over 34.5 KV, all work on steel towers and/or multiple wood structures, all cross country underground communications work, and all motor traffic controlling, street, & highway lighting:						
Cable Splicer	$6.78	.15	1%		½%	
Linemen	6.16	.15	1%		½%	
Equipment Operator	5.64	.15	1%		½%	
Groundman	4.65	.15	1%		½%	
All work 34.5 KV and under						
Lineman	5.95	.15	1%		½%	
Line Equipment Operator	5.18	.15	1%		½%	
Experienced Groundman (2yrs.)	4.60	.15	1%		½%	
Groundman	3.97	.15	1%		½%	

AP-250 P. 3

BUILDING CONSTRUCTION

LABORERS

1-WYO-LAB-1-f (1-2)

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
GROUP I Axeman and Hand Faller; Concrete Worker (wet or dry) (curing and drying); Car and Truck Loader; Dumpman; Erector and Installer (includes the installation and erection of all fences, right-of-way, median fence, snow fence, etc., guard rails, section rails, reference posts, guide posts, signs and right-of-way markers); Form Stripper; Form Setter Helper (paving); General Laborer; Gunite Helper; Landscaper Helper; Material Handler (lumber, rods, cement, concrete) Nozzleman (air and water); Pipe Setters Helpers, non-metallic; Pipe Setters Helpers, corrugated; All work pretaining to pre-watering pre-irrigation, and pre-wetting; Rodman; Riprap Man; Sandblaster Pot Tender; Signalman, grade, concrete, etc.; Sisserman or Hopper Man; Stake Jumper for Equipment; Tar and Asphalt Pot Tender Wrecking and Demolition Crews; Unloading and Packing of Steel Rods and Mesh (reinforcing); Heater Tender and Pilot Car Operator	$4.15					
GROUP II Asphalt Raker and Tamper; Bin Wall Installer; Bituminous Curb Builder; Carpenter Tender; Cement Mason Tender; Chuck Tender; Form Setter (paving); Hand Operator Vibrator Roller; Landscaper; Mechanical Form Cleaner; Mortar Man on Stone Riprap; Operator of Pneumatic, Electric, Gas Tamper and Similar Mechanical Tools; Powderman Helper; Pipe Setter, Corrugated, Culvert Pipe, Multi-plate, Sectional Plate and Similar Type; Pipe Wrapper; Power-Type Concrete Buggy (push); Power Saw Operator (clearing); Vibrator (concrete); Creosote Material Handler (corrosive enamel or its equal); Burner (cutting torch)	4.37					
GROUP III Concrete Saw; Gunite Nozzleman; High Scaler (using air tools from bos'n chair, swing stage life belt, or block and tackle, shall receive $.20 per hour more than the classified rate); Jackhammer and Pavement Breaker; Sandblaster Nozzleman; Sewer Pipe Installer, non-metallic;						

AP-250 P. 4

LABORERS

1-WYO-LAB-1- f (2-2)

	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
GROUP III (CONT'D) Caulker; Collarman; Jointer; Mortarman; Rigger; Jacker; Power-Type Concrete Buggy (ride); Shoring and Lagging of Open Ditch	4.43					
GROUP IV Powderman and Blaster; Wagon Drill, Air Track, Diamond and other drills for blasting powder or grouting	4.65					
GROUP V Hod Carriers; Mason Tenders; Plasterers Tenders; Terrazzo Tenders; Tile Setter Tenders; and Scaffold Builders.	4.65					
GROUP VI TUNNEL AND UNDERGROUND WORK: Miners (drills) Machine Man; Timberman; Steelman; Drill doctor; Form setter and Movers; Spaders; Tuggers; Spilling and/or Caisson Workers; Jackhammer men; Finishers; Re-bar man; Powderman.	4.90					
GROUP VII Nipper; Chuck Tender; Top Man or Toplander	4.74					
GROUP VIII Brakeman and Vibrator Man	4.63					
GROUP IX Mucker and Bull Gang Laborer	4.47					

BUILDING CONSTRUCTION

AP-250 P. 5

1-WYO-PEO-1-b (1-3)

BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
BATCH BIN WEIGHMAN, Scissorman, or Hopperman; Beginner Op.; Brakeman and Helper; Crusher Oiler; Oiler, utility; Scraper Equipment, Multiple Units; Screed Operator	$3.81	.15	.15		.01	
PUMP OPERATOR (under 6 inches)	3.83	.15	.15		.01	
AUGER MACHINE OPERATOR; Broom Operator, self-propelled; Cableway Signalman (bellboy); Concrete Saw (self-propelled) Fireman; Power Loader, Belt & Bucket type; Tractor Operators: Farm, crawler or wheel type 60 hsp (drawbar) or less w/wo use of power attachments, except for use of back hoe or bucket	3.86	.15	.15		.01	
AIR COMPRESSOR over 315 cu. ft. cap.; Chip Spreader Op.; Form Grader Op.; Helper (welder or heavy duty); Joint Machine Op.; Longitudinal Float Op.; Mixer Op., Concrete (under 1 yd); Roller Op., self-propelled (pneumatic, rubber tired, sheep foot, vibratory or combination type); Tire Repairman	3.91	.15	.15		.01	
PUMP OPERATOR (over 6 inches)	3.94	.15	.15		.01	
CONVEYOR BELT OPERATOR; Fork Lift and Lumber Stacker; Screening Plant Op.	3.96	.15	.15		.01	
"A" FRAME TRUCK; Front End Loader (up to 3/4 cu. yds); Tractor Operators: Farm, crawler or wheel type, over 60 hsp (drawbar) w/o use of power attachments	4.01	.15	.15		.01	
OILER, LEAD UTILITY	4.05	.15	.15		.01	

AP-250 P. 6

1-WYO-PEO-1-b (2-3)

POWER EQUIPMENT OPERATORS: CONT'D	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GUNITE & GROUT MACHINE OPERATOR; Mulching Machine Op.; Oil Distributor	$4.06	.15	.15		.01	
FRONT END LOADER (3/4 & incl. 1 cu. yd) Pavement Breakers, Hydro-Tamper & sim. type Machines; Pump, Well Points	4.16	.15	.15		.01	
AIR COMPRESSOR, 2 or more machines; Hoist Op. (1 drum); Welding Machine Op. (gas or diesel)	4.21	.15	.15		.01	
HAULAGE MOTORMAN AND INDUSTRIAL TYPE MOTORMAN	4.23	.15	.15		.01	
ASPHALT PLANT OPERATOR: Bituminous Laydown Machine Op.; CMI Machine & sim; Concrete Batch Plant; Concrete Finish Machine Op.; Concrete Multi blade span saw (Hunt process or sim); Concrete Spreader & Paver Op.; Crusher Op.; Drilling Machine, Integrated (Core, Rotary, Caisson, Diamond); Economobile Elevating Grader; Finish Dozer Op.; Jumbo Form Op.; Joy Cutter & sim. type machines; Mixer, Bituminous Op. (travel plant); Mixer Op, Base Course Pug Mill type; Mixer Op., Concrete (over 1 yd); Motor Patrol Op.; Mucking Machine Op. (all types); Pneumatic Guns; Pumpcrete Op.; Roller Op. (Tandem steel wheel, 3 axle or 3 wheel); Ross Carrier & sim. type Machines; Scraper Equipment (all types); Shovels, Draglines, Pileodrivers: 3/4 yd. & smaller, all attachs.; Shuttle Car Op.; Subgrade Machine Op. (power); Tractor Operators, all w/use of power attachs. & incl. Pushcat, Dozer, Tournadozer, etc. (The use of power attachments shall not incl. disking, pulling or rollers, & sim. unskilled actions);						

AP-250 P. 7

1-WYO-PEO-1-b (3-3)

POWER EQUIPMENT OPERATORS CONT'D	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
ASPHALT PLANT OPERATOR: (cont'd)						
Trenching Machine Op.; Wash Plant Op.; Front End Loader (over 1 cu. yd.)	4.38	.15	.15		.01	
WELDER, MACHINE DOCTOR	4.42	.15	.15		.01	
HEAVY DUTY MECHANIC, Machine Doctor; Hoist Op. (2 or more drums or shafts or raises)	4.48	.15	.15		.01	
CABLEWAY OPERATORS; Cranes (Whirley, Gantry, Stiffleg, Hydro Cranes); Locomotive Engineer; Mixer, Dual Drum; Shovels, Draglines, Piledrivers over 3.4 yds. to 3½ yds. all attachments	4.53	.15	.15		.01	
SHOVELS, DRAGLINES, PILEDRIVERS: over 3½ yds. to 7 cu. yds. all attachments Wheel Excavator Operator	4.68	.15	.15		.01	
SHOVELS, DRAGLINES, PILEDRIVERS: 7 cu. yds. and over	4.98	.15	.15		.01	

Fifteen Cents (15¢) per hour for each additional connected tractor.

Boom Pay - One Cent (1¢) per hour per foot over 80 feet not to exceed 50¢ per hour.

Caisson Drilling Machine, truck or truck mounted, Oiler; Oiler on Cranes and Shovels; Truck Crane Carrier Operator - 50¢ under Operator's rate.

SCRAPER Equipment, Multiple Units: Fifteen cents (15¢) per hour additional per unit.

Underground Work shall be paid an additional twelve and one-half (12½¢) per hour more than the regular rate.

AP-250 8

1 - WYO - LAB - 2 - 3 - f (1-2)

HEAVY AND HIGHWAY CONSTRUCTION

LABORERS

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP I						
Axeman and Hand Faller; Bin Wall Installer Helpers; Concrete Worker (wet or dry); Concrete Workers (curing & drying); Dumpman; Erector & Installer (incl. the installation & erection of fences, snow fense, guard rails, median rails, median posts, signs & right of way marker); Form Stripper; Form Setter Helper (Paving); General Labor; Gunite Helper; Heater Tender; Landscaper Helper; Material Handler (Lumber, rods, cement, concrete); Nozzleman, air & water; Pipe Setters Helpers (non-metallic); Pipe Setters Helpers (corrugated); Pre watering, pre wetting and pre irrigation (all work); Rip Rap Man; Sandblaster Pot Tender; Signal men, grade concrete, etc.; Scissor Man or Hopper Man; Stake Jumper for equipment; Tar & Asphalt Pot Tender; Wrecking & Demolition Crews	$3.35					
GROUP II						
Asphalt Raker & Tamper; Bin Wall Installer; Bituminous Curb Builder; Cement Mason or Finisher, helper & tender; Chuck Tender; Form Setter (paving); Hand Operated Vibratory Roller; Landscaper; Mortar Man on Stone Rip Rap; Operator of Pneumatic, Electric Gas Tamper & similar mechanical tools; Pipe setter (corrugated, culvert pipe, sectional, multiplate & similar type); Pipe Setter, Pipelayer (non-metallic); Pipewrapper; Powderman Helper; Power Type Concrete Buggy (push or ride); Power Saw Operator (clearing); Vibrator, concrete	3.45					
GROUP III						
Concrete Saw; Gunite Nozzleman; High Scaler (using air tools from bos'n chair, swing stage life belt, or block and tackle shall receive $.20 per hour more than the classified rate); Jackhammer & Pavement Breaker; Sandblaster Nozzleman; Sewer Pipe Installer (non-metallic), clay concrete, etc. (caulker, collarman, jointer, mortarman, rigger, jacker	3.60					

AP-250 P. 9

1 - WYO - LAB - 2 - 3 - f (2-2)

LABORERS (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
GROUP IV						
Powderman & Blaster; Wagon Drill, Air-trac, Diamond, and other drills for blasting powder or grouting	$3.85					
GROUP V - TUNNEL & UNDERGROUND WORK						
Brakeman; Swamper; Vibrator Man	3.83					
Bull Gang; Dumpman; Mucker; Trackman	3.67					
Miners (drillers) machine men; timbermen; steelmen; drill doctor; form setter and mover; spader; tuggers spilling and/or caisson workers; powdermen; jackhammermen; finishers	4.10					
Nipper; Chucktender; Topman; Toplander	3.94					

AP-250 P. 10

1-WYO-2-3-c

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Group I AUGER MACHINE OPERATOR (Post hole, etc. Batch Bin Weighman, Scissorman or Hopperman; Beginner Op.; Brakeman and Helpers; Crusher Oiler, Utility Screed Op.; Tractor Op., Farm, Crawler or Wheel type, 60 hsp. (drawbar) or less with or without use of power attachments except for use of backhoe or bucket	$4.36	.15	.20		.01	
Group II BROOM OPERATORS, self-propelled; Cableway Signalman (Bellboy); Concrete Saw (self-propelled); Fireman; Power Loader, Belt & Bucket type	4.41	.15	.20		.01	
Group III AIR COMPRESSOR over 315 cu. ft. cap.; Chip Spreader Op.; Form Grader; Joint Machine Op.; Longitudinal Float Op.; Mixer Op., concrete (under 1 yd.); Helper (welder or heavy duty); Roller Op., self-propelled (pneumatic, rubber tired, Sheep foot, vibratory or comb. type); Tire Repairman	4.46	.15	.20		.01	
Group IV PUMP OPERATOR (except in tunnels, shafts raises)	4.49	.15	.20		.01	
Group V CONVEYOR BELT OPERATOR; Fork Lift and Lumber Stacker; Screening Plant Op.	4.51	.15	.20		.01	
Group VI A-FRAME TRUCK; Tractor Op., Farm, Crawler or Wheel type, over 60 hsp. (drawbar); without use of power attachments	4.56	.15	.20		.01	
Group VII OILER, Lead Utility	4.60	.15	.20		.01	
Group VIII CUNNITE AND GROUT MACHINE OPERATOR; Mulching Machine Op.; Oiler Distributor	4.61	.15	.20		.01	

AP-250 P. 11

1-WYO-PEO-2-3-c

POWER EQUIPMENT OPERATORS (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Group IX FRONT END LOADER (up to & incl. 1½ cu. yds.); Pavement Breakers, Hydro-Tamper & sim. type machine; Pump, Well Points	$4.71	.15	.20		.01	
Group X HOIST OPERATOR (one drum)	4.76	.15	.20		.01	
Group XI HAULAGE MOTORMAN & INDUSTRIAL TYPE MOTORMAN; Motor Patrol Op. (all except finish); Pump Op. (in tunnels, shafts, raises); Hydro-type Cranes (up to 15 tons)	4.78	.15	.20		.01	
Group XII AIR COMPRESSOR, two or more machines or tunnels, shafts, raises or plant op.; Asphalt Plant Op.; Bituminous Laydown Machine Op.; CMI Machine & sim.; Concrete Batch Plant; Concrete Finish Machine Op.; Concrete Multi-Blade Span Saw (Hunt process or sim.); Concrete Spreader and Paver Op.; Crusher Op.; Drilling Machine, integrated (core, rotary, caisson, diamond); Elevating Grader Front End Loader (over 1½ cu. yds.); Jumbo Form Op.; Mixer Op., base course pugmill type; Mixer Bituminous Op. (travel plant); Mixer Op. Concrete (over one yd.); Motor Patrol Op. (finish); Mucking Machine Op.; (all types); Pneumatic Guns; Pumperete Op.; Roller Op. (tandem steel wheel, 3 axle or 3 wheel); Scraper Equipment (all types); Shovels, Draglines, Cranes, Piledrivers, all Truck Mounted Cranes (mfg's rating) Up to 3½ yds. all attachments; Hydor-type Cranes (15 tons and over); Shuttle Car Op. Subgrade Machine Op. (power); Tractor Ops. (all w/use of power attach & incl. Pushcat, Dozer, Tournadozer, etc.); Trenching Machine Op.; Wash Plant Operator	4.93	.15	.20		.01	
Group XIII WELDER, Machine Doctor	4.97	.15	.20		.01	

AP-250 P. 12

1-WYO-PEO-2-3-c

POWER EQUIPMENT OPERATORS (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Group XIV HOIST OPERATOR (two or more drums or shafts or raises); Heavy Duty Mechanics, Machine Doctor	$5.03	.15	.20		.01	
Group XV CABLEWAY OPERATOR; Mixer, dual drum; Cranes (Whirley, Gantry, Stiffleg, Overhead Traveling)	5.08	.15	.20		.01	
Group XVI SHOVELS, Draglines, Cranes, Piledrivers, all Truck Mounted Cranes (mfg's rating) 3½ to 7 cu. yds., all attachments; Wheel Operator	5.23	.15	.20		.01	
Group XVII SHOVELS, Draglines, Cranes, Piledrivers, all Truck Mounted Cranes (mfg's rating) 7 cu. yds. & over, all attachments	5.53	.15	.20		.01	

HEAVY AND HIGHWAY CONSTRUCTION

AP-250 P. 13

1-WYO-TD-2-3-b (1-2)

TRUCK DRIVERS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
Group I DUMP (Water level capacity box) over 40 cu. yds. to & incl. 45 cu. yds.	$4.40					
Group II FIELD MECHANICS	4.38					
Group III DUMP (Water level capacity box) 35 cu. yds. to & incl. 40 cu. yds.	4.35					
Group IV DUMP (Water level capacity box) 30 cu. yds. to & incl. 35 yds.	4.30					
Group V DUMP (Water level capacity box) 25 cu. yds. to & incl. 30 yds.	4.25					
Group VI DUMP (Water level capacity box) 20 cu. yds. to & incl. 25 cu. yds.; Heavy duty (Euclids, electric or similar type)	4.15					
Group VII LOWBOY & Tandem Axle Float Drivers; Multiple Axle Type; Semi; Dump (Water level capacity box) 13 cu. yds. to & incl. 20 cu. yds.	4.15					
Group VIII HELPERS-FIELD (Welders, Mechanics, etc.)	3.91					
Group IX OVER 3600 gal. (semi-truck); Transit Mix or Wet Mix over 10 cu. yds.	3.85					
Group X OVER 3600 gal. (straight truck): Transit Mix or Wet Mix, over 5 cu. yds. to 10 cu. yds; Tandem Axle	3.75					

AP-250 P. 14

1-WYO-TD-2-3-b (2-2)

TRUCK DRIVERS (CONT'D)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Group XI OVER 2500 gals. to & incl. 3600 gals.; Dump (Water level capacity box) over 10 cu. yds. to & incl. 13 cu. yds.; Flat Rack, over 5 tons; Winch Trailer (cable & hoist); Utility Winch; "A" Frame Transit Mix or Wet Mix, less than 5 cu. yds.; Single Axle	$3.65					
Group XII DUMP (Water level capacity box) over 7 cu. yds. to & incl. 10 cu. yds.; 2500 gals. or less (semi-truck); Flat Rack, 2 tons to 5 tons; Power Broom; Material Checkers	3.55					
Group XIII DUMP (Water level capacity box) 7 cu. yds. or less; Gravel Spreader; Flat Rack, less than 2 tons; Gang; Single Axle Type Truck; Warehousemen, Partsmen & Helpers; 2500 gals. or less (straight truck); Fuel Service; Greasemen, Tiremen, Servicemen & Helpers	3.95					
Group XIV PILOT CAR DRIVERS; Pick-up	3.35					

[FR Doc.72-19102 Filed 11-9-72;8:45 am]