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Title 3—The President

Executive Order 11890 • December 10, 1975

Amending Executive Order No. 10422,[1] as Amended, Prescribing Procedures for Making Available to the Secretary General of the United Nations Certain Information Concerning United States Citizens Employed or Being Considered for Employment on the Secretariat of the United Nations

By virtue of the authority vested in me by the Constitution, statutes, and treaties of the United States, including the Charter of the United Nations, and as President of the United States, it is hereby ordered as follows:

SECTION 1. Paragraphs 1, 2 and 3 of Part I of Executive Order No. 10422 of January 9, 1953, as amended, are hereby amended to read as follows:

"1. Whenever the Secretary of State receives, from the Secretary General of the United Nations, the name of and other necessary identifying data concerning each United States citizen employed or being considered for employment by the United Nations, the Secretary of State shall, consistent with the Privacy Act of 1974 (5 U.S.C. 552a) and other applicable law, cause an investigation to be conducted as provided in paragraph 2 of this Part, or forward the information received from the Secretary General to the Civil Service Commission, which shall conduct an investigation, consistent with the Privacy Act of 1974 (5 U.S.C. 552a) and other applicable law, as provided in paragraphs 3 and 4 of this Part.

"2. With respect to all applicants for short term appointments which will not exceed six months and which are not appointments to United Nations Secretariat professional posts or posts subject to geographical distribution, the Secretary of State shall cause an investigation to be conducted, which investigation shall be limited to a search of the files of the Department of State. If the investigation reveals any derogatory information within the meaning of the standard set forth in Part II of this order, the information received from the Secretary General of the United Nations shall be forwarded to the United States Civil Service Commission, which shall conduct an investigation.

"3(a) Whenever the Civil Service Commission receives the information forwarded by the Secretary General to the Secretary of State, the Civil Service Commission shall conduct a National Agency Check. Each

[1] 18 FR 239; 3 CFR, 1949–1953 Comp., p. 921.

National Agency Check shall include reference to the following: (1) Federal Bureau of Investigation files; (2) Civil Service Commission files; (3) Military Intelligence files as appropriate; and (4) files of any other appropriate Government investigative or intelligence agency.

(b) If the investigation conducted by the Civil Service Commission reveals that a favorable National Agency Check was previously completed, and the investigation conducted by the Civil Service Commission has not disclosed any derogatory information within the meaning of the standard set forth in Part II of this order, completion of a new National Agency Check is not required if: (1) the applicant is or was previously employed by the same or another international organization without an immediately prior break in such service exceeding one year; (2) the applicant is or was a United States Government civilian or military employee, or a United States Government contract employee, without an immediately prior break in such employment exceeding one year; or (3) the applicant is transferred or detailed from an agency of the United States Government pursuant to the provisions of sections 3343, 3581, 3582, 3583, or 3584 of Title 5 of the United States Code.".

SEC. 2. Paragraph 2(f) of Part II of Executive Order No. 10422 of January 9, 1953, as amended, is hereby amended to read as follows:

"(f) Knowing membership with the specific intent of furthering the aims of, or adherence to and active participation in, any foreign or domestic organization, association, movement, group or combination of persons, which unlawfully advocates or practices the commission of acts of force or violence to prevent others from exercising their rights under the Constitution or laws of the United States, or of any State, or which seeks to overthrow the Government of the United States or any State or subdivision thereof by unlawful means.".

Gerald R. Ford

THE WHITE HOUSE,
December 10, 1975.

[FR Doc.75-33731 Filed 12-10-75;4:51 pm]

rules and regulations

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

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

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show that one position of Special Assistant to the Associate Administrator for Operations is excepted under Schedule C.

Effective December 12, 1975, § 213.3332 (b) is added as set out below:

§ 213.3332 Small Business Administration.

* * * * *

(b) One Special Assistant to the Associate Administrator for Operations.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-33562 Filed 12-11-75;8:45 am]

Title 7—Agriculture Department

CHAPTER II—FOOD AND NUTRITION SERVICE; DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—CHILD NUTRITION PROGRAMS

[Amdt. 8]

PART 245—DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS AND FREE MILK IN SCHOOLS

Correction

In FR Doc. 75-32771, appearing at page 57206 in the issue for Monday, December 8, 1975, in the headings "Notice of Proposed Rulemaking" should be deleted.

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

[Lemon Reg. 17]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Dec. 14–20, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.317 Lemon Regulation 17.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is only fair this week with an easing trend on all sizes and grades. Average f.o.b. price was $7.98 per carton the week ended December 6, 1975, compared to $9.03 per carton the previous week. Track and rolling supplies at 170 cars were up 35 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this seciton will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 9, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period December 14, 1975, through December 20, 1975, is hereby fixed at 175,000 cartons.

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

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

Dated: December 11, 1975.

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

[FR Doc.75-33775 Filed 12-11-75;11:22 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1464—TOBACCO

Subpart A—Tobacco Loan Program

1975—CROP—CIGAR TOBACCO, LOAN RATE SCHEDULES

On October 30, 1975, there was published in the FEDERAL REGISTER (40 FR 50543) a notice of proposed rulemaking setting forth the proposed price support grade loan rate schedules for 1975-crop

cigar tobacco. Interested parties were given the opportunity to submit, not later than December 1, 1975, data, views and recommendations pertaining to the grade loan rates.

No unfavorable comments have been received. The revision of 7 CFR 1464.22–27 containing the proposed loan rates are adopted without change as set forth below. The material previously appearing under the section numbers shown below remains applicable to the crop to which each refers.

(Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714b, 714c); secs. 101, 106, 401, 403, 63 Stat. 1051, as amended, 1054, 74 Stat. 6 (7 U.S.C. 1441, 1445, 1421, 1423))

Effective date: December 12, 1975.

Signed at Washington, D.C. on December 8, 1975.

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

§ 1464.22 1975 Crop—Ohio Filler Tobacco, Types 42–44, Loan Schedule.[1]

Grade	*Loan rate*
[Dollars per hundred pounds, farm sales weight]	
Crop run (stripped together):	
X1	50
X2	46
X3	43
X4	39
Nondescript:	
N	30

[1] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated, "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.23 1975 Crop—Connecticut Valley Broadleaf Tobacco, Type 51 Loan Schedule.[2]

Grade	*Loan rate*
[Dollars per hundred pounds, farm sales weight]	
Binders:	
B1	88
B2	80
B3	70
B4	59
B5	52
Non-binders:	
X1	44

[2] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "N1" or "N2" (nondescript) or "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.24 1975 Crop—Connecticut Valley Havana Seed Tobacco, Type 52, Loan Schedule.[3]

Grade	*Loan Rate*
[Dollars per hundred pounds, farm sales weight]	
Binders:	
B1	84
B2	77
B3	67
B4	58
B5	52
Non-binders:	
X1	44

[3] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "N1" or "N2" (nondescript) or "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.25 1975 Crop—New York and Pennsylvania Havana Seed Tobacco, Type 53, and Southern Wisconsin Tobacco, Type 54, Loan Schedule.[4]

Grade	*Loan Rate*
[Dollars per hundred pounds, farm sales weight]	
Crop-run:	
X1	55
X2	48
X3	41
Farm fillers:	
Y1	35
Y2	33
Y3	31
Nondescript:	
N1	31
N2	25

[4] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.26 1975 Crop—Northern Wisconsin Tobacco, Type 55, Loan Schedule.[5]

Grade	*Loan rate*
[Dollars per hundred pounds, farm sales weight]	
Binders:	
B1	72
B2	66
B3	61
Strippers:	
C1	55
C2	49
C3	40
Crop-run:	
X1	54
X2	48
X3	39
Farm fillers:	
Y1	37
Y2	35
Y3	32
Nondescript:	
N1	31
N2	26

[5] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

§ 1464.27 1975 Crop—Puerto Rican Tobacco, Type 46, Loan Schedule.[6]

Grade:	*Loan rate*
[Dollars per hundred pounds, farm sales weight]	
Price block I (C1F and C1P)	57
Price block II (X1F, X1P, and X1S)	47
Price block III (X2T, X2F, X2P and X2S)	39
Price block IV (N)	23

[6] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco "S" (scrap) or designated, "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower $1 per hundred pounds to apply against overhead and receiving costs.

[FR Doc.75-33545 Filed 12-11-75;8:45 am]

Title 12—Banks and Banking

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY

PART 329—INTEREST ON DEPOSITS

Individual Retirement Accounts

1. The Board of Directors of the Federal Deposit Insurance Corporation ("FDIC") and the Board of Governors of the Federal Reserve System have considered the desirability of amending the regulations of their respective agencies to better harmonize them with certain provisions of the Employee Retirement Income Security Act of 1974 ("ERISA") (Pub. L. 93-406). The amendments relate to those provisions of ERISA dealing with Individual Retirement Accounts ("IRA's") permitted by virtue of ERISA's amendments to the Internal Revenue Code (the "Code"), principally 408 thereof.

Under section 408 of the Code, individuals who are not otherwise participating in existing pension plans may receive favored tax treatment in the form of deductions and deferred taxes when they establish IRA's until the individual establishing the plan receives a discretionary distribution at age 59½ or a mandatory distribution at age 70½. (Distributions prior to age 59½ or after age 70½ will incur substantial tax penalties.) Since time deposits of banks

are a permissible investment vehicle for IRA's, it is clear that to the extent that such obligations have not matured by either the discretionary or mandatory distribution ages, the penalties for premature withdrawal in § 329.4(d) of the FDIC's regulations (12 CFR 329.4(d)) may work a hardship on the account holder.

On June 27, 1975 the FDIC requested public comment on the penalty question as well as a number of other issues related to the treatment of IRA's. (See 40 FR 28099–28100.) A similar request for public comment was made by the Board of Governors of the Federal Reserve System.

After evaluating all comments received and after consulting with the Board of Governors of the Federal Reserve System and the Federal Home Loan Bank Board, the Board of Directors of the FDIC has decided to amend its regulations respecting withdrawal of time deposits prior to maturity. The amendment will provide an exception from the withdrawal penalties in § 329.4(d) of the FDIC's regulations (12 CFR 329.4(d)) as to IRA's qualified under the Code upon an IRA holder's reaching age 59½ or thereafter, or upon his or her disability.[1]

In addition, the $1,000 minimum amount requirements for four and six-year time deposits will be removed as to qualified IRA's. It is anticipated that in most cases, IRA deposits will be in long-term four and six-year time deposits to earn the higher interest rates payable on these obligations. Removal of the minimum amount requirement will allow funds to be initially deposited in four and six-year time deposits where the contribution to the IRA is less than $1,000.

The following amendments apply to existing IRA deposits as well as to those established subsequent to the effective date thereof.

2. 12 CFR 329.4(d) is amended by adding the following sentence at the end thereof:

§ 329.4 Payment of time deposits before maturity.

* * * * *

(d) *Penalty on payment of time deposits before maturity.* * * * The prohibitions contained in this paragraph (d) shall not apply to a time deposit consisting of funds contributed to an Individual Retirement Account established pursuant to 26 U.S.C. 408 where the individual for whose benefit the account is maintained is 59½ years of age or older, or has become disabled within the meaning of 26 U.S.C. 72(m)(7).

* * * * *

3. 12 CFR 329.6(b)(2) is amended by adding a new footnote 13a thereto as follows:

§ 329.6 Maximum rates of interest payable on time and savings deposits by insured nonmember banks other than insured nonmember mutual savings banks.[13]

(b) *Deposits of less than $100,000* * * *

(2) *Deposits of $1,000 or more with maturities of four years or more.*[13a] * * *

4. 12 CFR 329.7(b)(4) is amended by adding a new footnote 14b thereto as follows:

§ 329.7 Maximum rates of interest or dividends payable on deposits by insured nonmember mutual savings banks.[14]

* * * * *

(b) *Maximum rates payable.* * * *

(4) *Time deposits of $1,000 or more with maturities of four years or more.*[14b] * * *

(Sec. 9, 64 Stat. 881, (12 U.S.C. 1819); sec. 18, 64 Stat. 891, 80 Stat. 824, (12 U.S.C. 1828 (g)))

3. Since these amendments relax restrictions imposed by prior regulations, the requirements of sections 553(b) and 553(d) of Title 5 of the United States Code and §§ 302.1, 302.2 and 302.5 of the rules and regulations of the Federal Deposit Insurance Corporation with respect to notice, public participation and deferred effective date were not followed in connection with their promulgation.

4. *Effective date.* These amendments are effective immediately.

By order of the Board of Directors, December 5, 1975.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] ALAN R. MILLER,
Executive Secretary.

[FR Doc.75-33541 Filed 12-11-75;8:45 am]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

[No. 75-1008]

INSURANCE AGENCIES—USURPATION OF CORPORATE OPPORTUNITY

DECEMBER 8, 1975.

SUMMARY

The following summary of the regulatory amendments adopted by this Resolution is provided for the reader's convenience and is subject to the full description in the preamble and the provisions in said amendments as set forth below.

I. PROPOSED AMENDMENTS

A. Post-11/16/67 referrals of Federal association-related insurance business to insurance agency owned by officer, director or controlling person thereof would be deemed to be usurpation of association's corporate opportunity, unless:

1. Referral made during period after 11/6/67 reasonably necessary for investigating feasibility of association's own service corporation insurance agency,

2. With regard to pre-12/31/75 referrals, association given chance to acquire the affiliated insurance agency and disinterested majority of the association's board of directors (or majority of its members voting with new proxies, if disinterested majority is not possible) vote to reject such acquisition for sound business reasons,

3. State statute or regulation precludes Federal association service corporations from engaging in the insurance business,

4. Association's application rejected by State authorities, or

5. State authorities pursue an established and well-known policy of refusing to accept or process such applications.

B. Relief required—usurpation of corporate opportunity would entitle the association to all profits of the affiliated agency attributable to association referrals or renewals of referrals during period of usurpation.

C. Prospective prohibition—referrals to affiliated agency prohibited after 12/31/75, even if acquisition opportunity declined by board of directors or members.

D. Owner of affiliated agency would include any officer, director or controlling person of Federal association individually owning 5%, or collectively owning 10%, of the agency.

II. CHANGES REFLECTED IN FINAL AMENDMENTS

A. Earliest date for finding of usurpation changed to May 20, 1971, plus up to 18 months for determination as to feasibility of association's own insurance subsidiary and preparing and filing applications for permission to engage in insurance business; exceptions to usurpation finding, in addition to those listed in I.A., above, if:

1. Applications for permission to engage in the insurance business are on file with State agencies and/or the Board;

2. Less than 18 months have passed after change by State authorities of negative policy regarding applications, or change in State law which prohibited Federal association service corporations from engaging in insurance business; or

3. Clear showing is made of lack of economic justification.

B. Prospective prohibition changed to 1977 annual meeting.

C. Relief required—association not entitled to profits:

1. Derived from renewals of referred business made for reasons other than the original referral

2. Exceeding the profits actually accruing to the affiliated persons

---

[1] The Code also permits distribution on the death of an IRA holder. This is covered by separate amendments to § 329.4(d) permitting withdrawal without penalty on the death of the owner of all or part of a time deposit.

[13] * * *

[13a] The $1,000 minimum denomination requirement does not apply to time deposits consisting of funds contributed to an Individual Retirement Account established pursuant to 26 U.S.C. 408.

[14] * * *

[14a] * * *

[14b] The $1,000 minimum denomination requirement does not apply to time deposits consisting of funds contributed to an Individual Retirement Account established pursuant to 26 U.S.C. 408.

3. Received by an association officer in lieu of compensation from the association

D. Definitions—1. "Owner" of affiliated agency includes an officer, director or controlling person of a Federal association owning 10 percent, and a group owning 25 percent, of the agency.

2. "Referral" excludes mere inclusion of affiliated agency name on list of approved insurance brokers or agents offered to association members

3. "Profits" means any remuneration received, or to be received, by officers, directors or controlling persons of the association, except for salaries or commissions based upon, and reasonably related to, services actually performed respecting the insurance agency.

E. Ruling restructured and clarified, and statement of policy regarding State-chartered insured institutions moved to Insurance Regulations.

The Federal Home Loan Bank Board, by Resolution No. 75-590, dated June 30, 1975, proposed to amend Part 555 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 555) by adding a new Board Ruling, set out at § 555.17, to clarify the authority of a Federal savings and loan association, acting through a service corporation, or a wholly-owned subsidiary thereof, to engage in the insurance brokerage business, the circumstances under which management of a Federal association would be deemed to have usurped a corporate opportunity by operating an insurance agency for their own benefit, and the relief required in the event of a finding of usurpation of such corporate opportunity. Notice of such proposed rulemaking was duly published in the FEDERAL REGISTER on July 8, 1975 (40 FR 28641-43), with an invitation for interested persons to submit written comments by August 18, 1975.

Comment letters received by the Board, a number of which presented cogent and persuasive reasons for modifying portions of the proposal, prompted further research by the Board's staff into the evolution of the service corporation concept, the working of the Board's application procedures, and the equities arising from long-accepted industry practices in this area. On the basis of its consideration of all relevant material, therefore, the Board hereby adopts a new § 555.17 as proposed, with modifications and conforming amendments as described herein.

Under the proposed Ruling, the Board selected November 19, 1967, the date of its issuance of a Statement of Policy allowing for the first time a Federal association to apply to the Board for a service corporation insurance agency, as the earliest date that usurpation of this corporate opportunity could arise. Upon reconsideration, the Board believes that November 19, 1967 should not be used as the triggering date for corporate opportunity, for a number of reasons. Most importantly, as of November, 1967, and continuing for a substantial period thereafter, there was widespread uncertainty within the savings and loan industry as to the types of business which were appropriate and permissible activities for wholly owned service corporations. Further, the service corporation concept then was still understood by most of the industry to be centered on a type of entity shared by a number of associations, not a wholly-owned company which could be formed to operate or acquire an insurance agency. Also, the promptness of Board processing and approval of applications for insurance company service corporations, encompassing as it did new and difficult questions such as valuation of affiliated agencies, differed widely for given applications. After consideration of the small number of such applications which were received, the unresolved issues arising out of the processing procedure, and the length of time required to process such applications in some cases, the Board believes that May 20, 1971, the date when insurance brokerage was added to the list of pre-approved activities for wholly-owned service corporations, is the fair and appropriate date to be used as the earliest time when usurpation of corporate opportunity of Federal associations respecting insurance agencies may be reasonably considered to have occurred. The final Ruling therefore denotes May 20, 1971, plus up to 18 months for examining the feasibility of acquiring or establishing such an activity and preparing and filing applications with State authorities for permission to engage in the insurance business by means of a service corporation or a wholly owned subsidiary thereof (and with the Board respecting the acquisition of an insurance agency from association insiders after December 14, 1973), as the earliest time that usurpation of such opportunity may be deemed to have occurred.

The proposed Ruling described several instances where usurpation of an association's opportunity to engage in the insurance business would not be deemed to have taken place, even though an affiliated agency existed to which referrals were made: (1) If a disinterested majority of the association's board of directors (or members, if disinterested directors were not in the majority) voted for sound business reasons to reject the opportunity; (2) if a State statute or regulation precluded Federal association service corporations or subsidiaries thereof from engaging in insurance activities; (3) if the association's application had been rejected; or (4) if State authorities pursued an established and well-known policy of not accepting or processing such applications (proposed § 555.17 (h) and (i)). These exceptions are retained in the final Ruling at § 555.17(d) (2)-(5), and two others are added: no usurpation of corporate opportunity may be deemed to arise (1) while the association's service corporation application is pending before the proper authorities (§ 555.17(d) (1) (ii)) or (2) if it is clearly established that there was no economic justification for the association to engage in the insurance business (§ 555.17(d) (6)).

Under paragraph (1) of the proposed Ruling, Federal associations would have been prohibited from referring insurance business to affiliated insurance agencies after December 31, 1975, except in certain circumstances; the final amendment adopts the prospective prohibition as a new regulation, § 545.27, and changes the effective date to the association's 1977 annual meeting.

Section 555.17(f) (1) of the final Ruling retains the substance of proposed § 555.17(k), stating that usurpation of an insurance opportunity by management entitles the association to the profits attributable to association referrals (and renewals of such referrals) to the affiliated insurance agency during the period of usurpation. However, four new limitations are placed on the right to recovery under § 555.17(f) and (g) (2). Profits from renewals which can be shown to be made for a reason other than original placement, such as a previous customer relationship or more advantageous premium terms, are not reclaimable, nor are profits received by an officer of the association if it can be clearly shown that such receipts were in lieu of compensation from the association, to the extent that such compensation is reasonable. Section 555.17(g) (2) defines "referral" to exclude mere inclusion of the affiliated agency's name on a list of approved insurers provided to association customers as a convenience, so that recovery would be denied in the case of profits from association business orgiginating in that manner. Finally, recovery is limited to profits from association referrals received by affiliated persons, e.g., based on their pro rata ownership of the affiliated insurance agency during the period of usurpation. "Profits" is defined to mean dividends, commissions or comparable forms of remuneration received, or to be received, by officers, directors or controlling persons of the association, but excludes salaries or commissions based upon, and reasonably related to, services actually performed respecting the insurance agency.

The final Ruling at § 555.17(g) (1) raises the level of ownership of an insurance company sufficient to constitute usurpation of the association's corporate opportunity from 5 percent to 10 percent for one person and from 10 percent to 25 percent for more than one person.

Paragraph (n) of the proposed Ruling contained a statement of the Board's position on the remedy appropriate to a finding of usurpation of corporate opportunity to engage in the insurance business by State-chartered insured institutions; the substance of this language has been transferred to a new paragraph (b) in § 571.9 of the regulations for Insurance of accounts.

Accordingly, the Board hereby amends Parts 545 and 555 of the rules and regulations of the Federal Savings and Loan System by adding new §§ 545.27 and 555.17 thereto, and Part 571 of the rules and regulations for Insurance of Accounts by adding new paragraph (b) to § 571.9 thereof, as set forth below, effective January 20, 1976.

PART 545—OPERATIONS

1. A new § 545.27 is added to Part 545, to read as follows:

§ 545.27 Referral of insurance business.

(a) After its 1977 annual meeting, no Federal association shall refer any insurance business to any insurance agency owned by officers or directors of said association, or by persons having the power to direct its management, unless:

(1) A specific State statute or regulation precludes a service corporation of a Federal association, or a wholly-owned subsidiary of the service corporation, from engaging in the insurance business;

(2) The Federal association, after filing any necessary applications and making a bona fide attempt to obtain any necessary approvals (with or without instituting legal proceedings against State officials to compel such approvals) has been denied permission by the appropriate State licensing or regulatory authorities for its service corporation, or a wholly-owned subsidiary thereof, to engage in the insurance business;

(3) The State licensing or regulatory authorities whose approval is required to engage in the insurance business follow an established and well-known policy of refusing to accept or approve applications from Federal association service corporations, or wholly-owned subsidiaries thereof, for permission to engage in the insurance business (an association need not demonstrate existence of such a policy by instituting legal proceedings against such authorities to compel such approval);

(4) Such referral takes place within a period of time, not in excess of 18 months after the change in State law, regulation or policy referred to in paragraphs (a) (1) and (3) of this section, for the association to have investigated the feasibility and desirability of acquiring or establishing its own service corporation insurance business; or

(5) An application for permission to establish or acquire a service corporation insurance business is on file with the appropriate State agencies and/or the Board.

(b) For purposes of this section, the term "owned" is defined as set forth at § 555.17(g) (1) of this subchapter, and the term "referral" is defined as set forth in § 555.17(g) (2) of this subchapter.

PART 555—BOARD RULINGS

2. A new § 555.17 is added to Part 555, to read as follows:

§ 555.17 Insurance Agencies—Usurpation of Corporate Opportunity.

(a) *History of authority to engage in insurance business.* (1) The Home Owners' Loan Act of 1933 (HOLA) does not authorize a Federal savings and loan association to directly operate an insurance business.

(2) On September 2, 1964, Congress amended section 5(c) of HOLA to permit Federal associations to invest in service corporations. This amendment was intended to enable Federal associations to invest in business entities to "* * * supplement and facilitate the services of the savings and loan associations" (remarks of Congressman Widnall on August 13, 1964, at Cong. Rec. 19332–33). The scope of such services was not delineated.

(3) In order to implement the new statutory service corporation authority, the Board, on September 8, 1965, added a new § 545.9–1 to the rules and regulations for the Federal Savings and Loan System, which provided for investment in "general service corporations". Under paragraph (a) of § 545.9–1, Board approval was not required for such investment if substantially all of the business of the corporation was limited to certain preapproved activities. Under § 545.9–1 (b), associations desiring to invest in corporations engaging in other activities were required to apply to the Board for prior approval of the specific activity in question. Operation of an insurance business was not listed as a pre-approved activity under paragraph (a), and the Board gave no indication at that time that the conduct of such a business might be favorably considered as a permissible activity under paragraph (b).

(4) On November 8, 1967, the Board indicated that a service corporation might engage in insurance activities by adopting a Statement of Policy (then codified as § 556.3 of the Federal regulations) which provided that—

* * * In addition to those activities which a Federal association is authorized to perform, the Board will consider for approval applications in which the service corporation, or a subsidiary, has authority to act as an insurance agent * * * primarily for the benefit of the service corporation members. * * *

During 1968 and 1969, the Board received from Federal associations a small number of applications seeking Board permission to acquire or establish insurance agencies by means of service corporations.

(5) On June 25, 1970, the Board rescinded its November 8, 1967 Statement of Policy and incorporated its substance into an amended version of § 545.9–1. While the operation of an insurance business was not added to the expanded list therein of pre-approved service corporation activities, operation of such a business was mentioned as an approvable activity in amended paragraph (b) providing for investment in wholly-owned service corporations as follows:

The activities of such corporation, performed directly or through one or more wholly-owned subsidiaries, consist solely of one or more of the activities specified in subdivisions (i) through (xi) of paragraph (a) (4) of this section, and such other activities, including acting as insurance agent or broker, * * * as the Board may approve upon application therefor by such corporation or otherwise. * * *

(6) On May 20, 1971, a further amendment by the Board to § 545.9–1 added as follows certain insurance activities to the list of service corporation activities which were pre-approved by the Board for "b"-type service corporations:

* * * Serving as insurance broker or agent, primarily dealing in policies for savings and loan associations, their borrowers and accountholders, which provide protection such as homeowners', fire, theft, automobile, life, health, and accident, but excluding title insurance and private mortgage insurance.

(7) Section 545.9–1 was further amended by the Board on December 14, 1973, to require pre-approval for investment in a service corporation if the purpose of the investment was to acquire, from an officer or director of an association owning stock in the corporation, a going business for an amount exceeding the fair market value of its tangible net assets. Due to difficulties in ascertaining value, the practical effect of the 1973 amendment is to require prior Board approval of virtually all transactions whereby a director or officer of a Federal association would receive substantial consideration from a sale to his association's service corporation of any business, including an insurance agency, in which he has a beneficial interest.

(8) On February 6, 1974, the Board adopted the following Statement of Policy, which reflected a distillation and codification of the existing general law respecting corporate opportunity and application of such existing law, with regard to "Corporate Opportunity in Insured Institutions" (§ 571.9 of the Board's insurance regulations), and which was intended as a warning to insured institutions as to the applicability to them of said existing law:

Directors and officers of an insured institution, and other persons having the power to direct the management of the institution, stand in a fiduciary relationship to the institution and its accountholders or shareholders. Out of this relationship arises, among other things, the duty of protecting the interests of the institutions. It is a breach of this duty for such a person to take advantage of a business opportunity for his own or another person's personal profit or benefit when the opportunity is within the corporate powers of the institution or a service corporation of the institution and when the opportunity is of present or potential practical advantage to the institution. If such a person so appropriates such an opportunity, the institution or service corporation may claim the benefit of the transaction or business and such person exposes himself to liability in this regard. In determining whether an opportunity is of present or potential practical advantage to an institution, the * * * [Board] will consider, among other things, the financial, managerial, and technical resources of the institution and its service corporation, and the reasonable ability of the institution directly or through a service corporation to acquire such resources.

(b) *Findings.* The Board hereby finds that (1) since issuance of the Board's November 16, 1967, Statement of Policy, operation of an insurance business has been a permissible activity for a service corporation (or its wholly-owned subsidiary) of a Federal association in those States where operation of such an agency or brokerage business was lawful under State law and where approval to operate the enterprise, if required, could have been obtained from the appropriate

State licensing and regulatory authorities, (2) prior to May 20, 1971, Federal associations could not engage in the insurance business, by means of a service corporation, or a wholly owned subsidiary thereof, without filing an application with the Board for permission to engage in such business and receiving Board approval of such applications, (3) since May 20, 1971, when the Board amended § 545.9–1 to add certain insurance activities to the list of pre-approved service corporation activities, Federal associations have been on notice that continued referral of insurance business of members of the association to an insurance agency owned by officers or directors of said association, or by other persons having the power to direct the management of the association, in lieu of such association establishing or acquiring its own insurance subsidiary by means of a service corporation, might constitute usurpation of a corporate opportunity belonging to the association, and (4) subject to the exceptions set forth in paragraph (d) of this section, the Board deems May 20, 1971, the fair and appropriate date to be used as the starting point for determining the period during which such corporate opportunity may have been usurped.

(c) *Ruling.* Subject to the exceptions in paragraph (d) of this section, as limited by paragraph (e) of this section and § 545.27 of this subchapter, referral of insurance business of an association's members to an insurance agency owned by one or more officers or directors of the association or by a person or persons having the power to direct the management of the association has constituted and continues to constitute usurpation of the association's corporate opportunity to engage in the insurance business.

(d) *Exceptions.* No corporate opportunity for a Federal association to enter the insurance business shall be deemed to exist or to have existed if:

(1) The referral described in paragraph (c) of this section took place (i) before May 20, 1971, or a reasonable period of time thereafter, not to exceed 18 months, for the association to have investigated the feasibility and desirability of establishing or acquiring its own service corporation insurance business and to have prepared and filed applications with appropriate State agencies and/or the Board for permission to establish or acquire a service corporation insurance business, or (ii) while applications for permission to engage in the insurance business were on file with the appropriate State agencies and/or the Board;

(2) A specific State statute or regulation is in operation, or for such period of time as such a statute or regulation was in operation, which precludes a service corporation of a Federal association, or a wholly-owned subsidiary of the service corporation, from engaging in the insurance business; this exception includes a reasonable period of time (not in excess of 18 months) after the change of any such statute or regulation for the association to have investigated the feasibility and desirability of acquiring or establishing its own service corporation insurance business and to have prepared and filed applications with respect thereto;

(3) The Federal association, after filing any necessary applications and making a bona fide attempt to obtain any necessary approvals (such attempt need not involve instituting legal proceedings against State officials to compel such approvals), is denied or has been denied permission by the appropriate State licensing or regulatory authorities for its service corporation, or a wholly-owned subsidiary thereof, to engage in the insurance business;

(4) The State licensing or regulatory authorities whose prior approval is required to engage in the insurance business follow or did follow an established and well-known policy of refusing to accept or process applications from Federal association service corporations, or wholly-owned subsidiaries thereof, for permission to engage in the insurance business (an association need not demonstrate existence of such a policy by instituting legal proceedings against such authorities to compel such approval); this exception includes a reasonable period of time (not in excess of 18 months) after the change of such policy and commencement of acceptance and processing of such applications for the association to have investigated the feasibility and desirability of acquiring or establishing its own service corporation insurance business and to have prepared and filed applications with respect thereto;

(5) A disinterested and independent majority of the Federal association's board of directors, after receiving a full and fair presentation of the matter, rejects or has rejected the opportunity to engage in the insurance business through acquisition or de novo, as a matter of sound business judgment, taking into consideration such factors as the financial resources of the association to establish or acquire an insurance agency, the risks involved in entering the insurance business, and the projected profitability of the insurance agency: where, because of involvement in the existing affiliated insurance agency by members of the board of directors of the Federal association, no decision by a majority of disinterested and independent directors has been possible, the matter is submitted or was submitted to the vote of the association's members at a special or annual meeting (As of January 20, 1976, no existing proxies may be used at such members' meeting and any new proxy solicitation must be accompanied by proxy solicitation material which makes full, fair, and accurate disclosure of all relevant material and information respecting the corporate opportunity to enter the insurance business); or

(6) Lack of economic justification for the association to engage in the insurance business by either acquiring an existing affiliated insurance agency, or establishing or purchasing another insurance agency, is clearly established.

(e) *Limitation to certain exceptions.* (1) Notwithstanding the provisions of paragraphs (d) (1) (ii), (2), (4), and (5) of this section, the exceptions provided thereunder do not apply to any period of time, following 18 months after May 20, 1971, during which the condition or actions delineated in said paragraphs do not exist or have not occurred or been instituted.

(2) It shall not be a defense to the charge of usurpation of corporate opportunity that the existing affiliated insurance agency which could have been acquired by the association engages in business of a nature which is impermissible as an activity of a service corporation under § 545.9–1 of this chapter. In such a case, a determination must have been made whether: (i) the portion of the business of the existing affiliated insurance agency related to referrals from members of the association could have been acquired by the association; or (ii) it was feasible and desirable for the association, by means of a service corporation, or a wholly-owned subsidiary thereof, to establish or acquire its own insurance agency.

(f) *Relief required.* (1) Usurpation of a corporate opportunity of a Federal association to engage in the insurance business by officers or directors of the association, or by other persons having the power to direct the management of the association, entitles such association to the resulting profits of the affiliated insurance agency during the period of such usurpation, where such profits are attributable to (i) referrals by the association of the business of association borrowers to said agency during such period and (ii) renewals of such referrals made during such period, unless it can be shown that such renewals were made for a reason other than maintaining the original placement. The association is not entitled to the profits for referrals (or renewals thereof) made prior to the period of usurpation of corporate opportunity, or for referrals (or renewals thereof) made after such opportunity ceased to exist.

(2) Notwithstanding the rule set forth in paragraph (f) (1) of this section, an association whose corporate opportunity is deemed to have been usurped under this section shall not be entitled to recover insurance agency profits:

(i) Which exceed the profits actually accruing to the association's officers, directors, or controlling persons, (e.g., their pro rata share of such profits based on their partial ownership of the insurance agency) during the period of such usurpation; or

(ii) From a person who was an officer of the association during the period of such usurpation, if it is clearly shown that his receipt of such profits was in lieu of a portion of what otherwise would have constituted his compensation as officer: *Provided,* That profits found to exceed an amount which could reasonably be regarded to have been in lieu of compensation, based on compensation of persons in comparable positions, shall be recoverable by the association.

(g) *Definitions.* (1) The terms "owned" and "ownership" as used in this Ruling with respect to an insurance agency include, in addition to ownership by a person: (i) Ownership by such person's

spouse, minor child, or other relative by blood or marriage having the same home as such person; (ii) ownership through a broker or other nominee or agent; or (iii) ownership by a company controlled by such person. However, such terms do not include ownership by one such person of less than 10 percent of the insurance agency, or ownership by more than one such person of less than 25 percent of such agency.

(2) The term "referral" as used in this Ruling means the practice of directing the business of association members to an affiliated insurance agency and does not include the practice of offering association members, without specific recommendation, a list of approved insurance agencies, including the affiliated agency, *Provided* That such list shall not be designed or given in a manner calculated to cause the members to select the affiliated agency over the other agencies included on the list.

(3) The term "profits" as used in this Ruling means any form of remuneration received, or to be received, by officers, directors, or controlling persons of the association, except for salaries, fees, or commissions based upon, and reasonably related to, services actually performed respecting the insurance agency.

PART 571—STATEMENT OF POLICY

3. Section 571.9 of Part 571 is amended by redesignating the text thereof as paragraph (a) and adding a new paragraph (b) thereto, to read as follows:

§ 571.9 Corporate opportunity in insured institutions.

* * * * *

(b) The Board believes that usurpation of an insured institution's corporate opportunity to engage in the insurance business, to the extent that such a usurpation is found to exist under State law, is violative of §§ 571.7 and 571.9(a) of this subchapter, is inconsistent with sound and economical home financing, and also constitutes an unsafe and unsound practice. In such a case, the Board believes that the insured institution is entitled to profits attributable to the usurpation of the corporate opportunity as provided under paragraph (f) of § 555.17 of this chapter.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464; Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended; 12 U.S.C. 1725, 1726, 1730; Reorg. Plan No. 3 of 1947, 12 F.R. 4981; 3 CFR, 1943–48 Comp., p. 1071, 1947 Supp.)

Dated: December 8, 1975.

By the Federal Home Loan Bank Board.

[SEAL] J. J. FINN,
Secretary.

[FR Doc. 75-33561 Filed 12-11-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-CE-32-AD, Amdt. 39-2458]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Model 200 Airplanes

There have been reports of fuel transfer system malfunctions on Beech Model 200 airplanes caused by a concurrent failure in the motive flow auxiliary fuel transfer system in the "On" position and an inoperative float valve in the nacelle tank. This condition, if not corrected, could result in restricted fuel supply to the engine and eventual engine power interruption. Since this condition is likely to exist or develop in other airplanes of the same type, an Airworthiness Directive (AD) is being issued, applicable to Beech Model 200 airplanes, requiring inspection of the fuel vent float valve assembly for proper installation and operation and the correction thereof where necessary.

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

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

BEECH. Applies to Model 200 (BB-2 through BB-71) airplanes.

Compliance: Required as indicated, unless already accomplished.

To prevent malfunction of the fuel transfer system, within the next 50 hours' time in service after the effective date of this AD, accomplish the following:

(A) Inspect the P/N 100-920067-1 fuel vent float valve for opening and operation in accordance with the criteria set forth in Beechcraft Service Instruction No. 0772-295 or later FAA-approved revision. (P/N 101-320035-1 baffle, if installed, must be removed to perform this inspection.)

(B) Replace any fuel vent float valve assembly that does not meet the criteria set forth in Beechcraft Service Instruction No. 0772-295 or later FAA-approved revision with new P/N 100-920067-1 fuel vent float valve assembly.

(C) Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective December 19, 1975.

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

Issued in Kansas City, Mo., on December 5, 1975.

GEORGE R. LA CAILLE,
Acting Director,
Central Region.

[FR Doc.75-33442 Filed 12-11-75;8:45 am]

[Airworthiness Docket No. 75-SW-64, Amdt. 39-2457]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Models 204B, 205A-1, and 212 Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive imposing a periodic inspection, sealing, and refinishing of main rotor blades to prevent possible cracks due to corrosion on Bell Models 204B, 205A-1, and 212 helicopters was published in 40 FR 46320.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Only one comment was received. An operator stated that stripping and painting would be difficult and unwarranted for certain operators and might result in additional damage to the blade. Bell Helicopter Company revised their service bulletins to require partial stripping and refinishing only if repair or rework is accomplished. The FAA agrees with this change to relax the initial requirements and the adopted rule requires compliance with the revised service bulletins.

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

BELL. Applies to Bell Models 204B, 205A-1, and 212 helicopters certificated in all categories.

(a) Compliance required as follows:

(1) For main rotor blades having 12 or more months' installed time on a helicopter, on the effective date of this AD, conduct inspections within 90 days' time unless already accomplished.

(2) For main rotor blades having less than 12 months' installed time on a helicopter on the effective date of this AD, conduct inspections prior to attaining 15 months' installed time on a helicopter.

(3) Conduct repetitive inspections at intervals not to exceed 12 months' installed time from the last inspection.

(b) To detect possible cracks and corrosion and to prevent further corrosion in the main rotor blade inboard portion, accomplish the following:

(1) Remove the main rotor blades from the helicopter and prepare the blades for inspection as noted in Bell Helicopter Company Service Bulletin No. 205-75-5, revision A, dated October 22, 1975, or later approved revisions, Part III, paragraph A.

(2) Inspect the blades as noted in Service Bulletin No. 205-75-5, revision A, or later approved revisions, Part III, paragraph A. Blades with cracks or adhesive voids exceeding the limits specified in Service Bulletin No. 205-75-5, revision A, Part III, paragraph A, may not be returned to service.

(3) Repair discrepant blades as specified in Service Bulletin No. 205-75-5, revision A, or later approved revisions, Part III, paragraph A. Refinish discrepant blades as specified in Part III, paragraph B.

(4) Install blades on the helicopter in accordance with the applicable model maintenance and overhaul information manual and balance and track the blades.

(c) Equivalent means of compliance with paragraph (b) of this AD may be approved

by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. Bell Service Bulletins No. 204–75–1, revision A, dated October 22, 1975, No. 212–75–6, revision A, dated October 22, 1975, or later FAA-DER approved revisions to these bulletins are approved as equivalent means of compliance with paragraph (b).

(d) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, Flight Standards Division, FAA, Southwest Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

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

This amendment becomes effective January 19, 1976.

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

Issued in Fort Worth, Texas, on December 3, 1975.

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

HENRY L. NEWMAN,
Director,
Southwest Region.

[FR Doc.75-33443 Filed 12-11-75;8:45 am]

[Airworthiness Docket No. 75-SW-69; Amdt. 39-2451]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Models 204B, 205A–1 and 212 Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring compliance with Bell Helicopter Company Service Bulletin No. 204–75–2, No. 205–75–6, and No. 212–75–7 for Bell Models 204B, 205A–1, and 212, respectively, was published in 40 FR 48519. Compliance with these bulletins will improve identification of the emergency exit handle and the main sliding door handle.

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

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

BELL. Applies to Bell Models 204B, 205A–1, and 212 helicopters certificated in all categories.

Compliance required within 100 hours' time in service after the effective date of this AD unless already accomplished and, thereafter, at intervals not to exceed 300 hours' time in service from the last inspection.

To deter unauthorized access to the emergency exit operating handle and to improve identification of the emergency exit handle and the main sliding door handle, accomplish the following:

(a) Inspect the helicopter main passenger doors and the four emergency exits for proper and legible placards and for proper exit handle covers, both inside and outside the helicopter, in accordance with the figures in Bell Helicopter Company Service Bulletins noted in paragraph (c).

(b) If proper and legible placards and proper exit handle covers are not installed, install the placards and handle covers as specified in Bell Helicopter Company Service Bulletins noted in paragraph (c).

(c) The following Bell Helicopter Company service bulletins, or later approved revisions thereto, apply to the noted helicopter models.

(1) Bell Helicopter Company Service Bulletin No. 204–75–2 dated September 16, 1975, for Model 204B.

(2) Bell Helicopter Company Service Bulletin No. 205–75–6, Revision A, dated August 22, 1975, for Model 205A–1.

(3) Bell Helicopter Company Service Bulletin No. 212–75–7, Revision A, dated August 22, 1975, for Model 212.

(d) Equivalent means of compliance with this AD may be approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Administration, Southwest Region, Fort Worth, Texas.

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Administration, Southwest Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

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

This amendment becomes effective January 19, 1976.

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

Issued in Fort Worth, Tex., on November 28, 1975.

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

A. H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-33445 Filed 12-11-75;8:45 am]

[Airworthiness Docket No. 74-WE-45-AD; Amdt. 39-2459]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Aircraft Service Company Model 209 Digital Flight Data Recorder

Amendment 39–2169 (40 FR 16297), AD 75–08–17, requires the installation of four identical vibration isolators under the ARINC ½ ATR rack supporting the Model 209 Digital Flight Data Recorder in accordance with Lockheed Aircraft Service Company Drawing No. 10077J 500, Revision F, dated March 14, 1975, or later FAA-approved revisions, and permits equivalent vibration isolators and/or installations if approved by the Chief, Aircraft Engineering Division, FAA Western Region. This AD applies to the Model 209 Digital Flight Data Recorder installed in all civil aircraft, certificated in all categories.

After issuing Amendment No. 39–2169, Boeing Commercial Airplane Company requested a six-month extension of the compliance time on Boeing 727 and 737 airplanes, due to unusual installation problems. The FAA has considered this request and determined that the requested extension of compliance time is warranted. Therefore, the AD is being amended to extend the compliance time for these airplanes.

Since this situation requires immediate striction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–2169 (40 FR 16297), AD 75–08–17, is amended as follows:

Compliance required on or before January 1, 1976, unless already accomplished, except for Boeing 727 and 737 airplanes for which compliance is required on or before June 30, 1976, unless already accomplished.

This amendment becomes effective December 19, 1975.

(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 December 5, 1975.

ROBERT H. STANTON,
Director,
FAA Western Region.

[FR Doc.75-33441 Filed 12-11-75;8:45 am]

[Docket No. 75-EA-51, Amdt. 39-2441]

PART 39—AIRWORTHINESS DIRECTIVES

Martin Aircraft

On page 41143 of the FEDERAL REGISTER for September 5, 1975, the Federal Aviation Administration published a proposed amendment applicable to Martin 404 type aircraft.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. The body of the amendment has been editorially changed by renumbering and indenting paragraphs.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697) § 39.13 of the Federal Aviation Regulations is amended hereby and the airworthiness directive adopted as published.

This amendment is effective December 19, 1975.

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

Issued in Jamaica, N.Y., on December 4, 1975.

DUANE W. FREER,
Director,
Eastern Region.

MARTIN. Applies to all Martin 404 Aircraft Certificated in all categories.

Compliance required as indicated.

(a) Affects the wing spar chord splice joints at wing station 187.

(1) Within the next three months after the effective date of this AD, unless accomplished within five years preceding the effective date, remove the left and right outer wings and visually inspect the wing spar splice joints at wing station 187 for corrosion.

(2) Repeat the inspection specified in paragraph (1) at intervals not to exceed 10,000 hours' time in service or five years, whichever comes first, for left wings, and 12,000 hours' time in service or six years, whichever comes first, for right wings.

(b) For airplanes that have an FAA approved alteration installed at the wing spar chord splice joints at WS 187 for corrosion control, in lieu of the foregoing accomplish the following:

(1) Externally inspect the left and right wing panels at wing station 187 within the next 10,000 hours' time in service or five years, whichever comes first, by:

(i) Stripping all sealant from the joint and performing a complete dye-check of the alteration and spars.

(ii) Removing two bolts from each splice and inspecting the bolts visually and the holes by borescope for corrosion. If corrosion is evident, remove both wing panels and inspect the wing structure.

(2) After another 10,000 hours' time in service or five years, whichever comes first, remove both wings at wing station 187 and accomplish complete corrosion inspection of the wing structure.

(c) Repair corroded parts in accordance with an FAA approved repair or replace with an unused part of the same part number or an equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

(d) Upon submission of substantiating data by an owner or operator through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, may adjust the inspection interval specified in this AD.

[FR Doc.75-33444 Filed 12-11-75;8:45 am]

[Docket No. 15239, Amdt. 39-2460]

PART 39—AIRWORTHINESS DIRECTIVES

Morane Saulnier (Socata) MS892.A-150, MS893-A, and MS894-A Airplanes

There have been bent elevator bellcrank levers found on certain Morane Saulnier airplanes that could result in a lack of pitch up control. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require repetitive inspections and replacement as necessary of the elevator bellcranks on Morane Saulnier (Socata) MS892.A-150, MS893-A, and MS894-A airplanes.

Since this situation requires the 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.

(Sec. 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))

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

MORANE SAULNIER (SOCATA). Applies to MS892.A-150, MS893-A, and MS894-A airplanes, serial numbers 1873 and below, certificated in all categories.

Compliance is required as indicated, unless already accomplished.

To detect a distorted or bent elevator bellcrank and prevent loss of pitch-up control, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 100 hours' time in service from the last inspection, visually inspect the elevators bellcrank (pitch control crank lever) in accordance with Socata Service Bulletin No. 89 Gr 27.07, dated June 1971, or an FAA-approved equivalent.

(b) If a bent or distorted elevator bellcrank is found as a result of an inspection required by paragraph (a) of this AD, before further flight, replace the elevator bellcrank, No. 880-27.0.261.0, with a reinforced elevator bellcrank, No. 880-27.0.371.0, in accordance with the "Description" paragraph of Socata Service Bulletin No. 92 Gr:27-08, dated October 1971, or an FAA-approved equivalent.

(c) The inspections required by paragraph (a) of this AD may be discontinued after installation of a reinforced bellcrank, No. 880-27.0.371.0, in accordance with the Socata Service Bulletin No. 92 Gr:27-08, dated October 1971, or an FAA-approved equivalent.

This amendment becomes effective December 29, 1975.

Issued in Washington, D.C., on December 5, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-33448 Filed 12-11-75;8:45 am]

[Airspace Docket No. 75-CE-10]

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

Alteration of Control Zone and Transition Area

On page 44576 of the FEDERAL REGISTER dated September 29, 1975, the Federal Aviation Administration published a notice of proposed rulemaking which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Columbus, Nebraska.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendments.

No objections have been received and the proposed amendments are hereby adopted without change and are set forth below.

These amendments shall be effective 0901 G.m.t., January 29, 1976.

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

Issued in Kansas City, Mo., on November 19, 1975.

C. R. MELUGIN, Jr.,
Director,
Central Region.

In § 71.171 (40 FR 353), the following control zone is amended to read:

COLUMBUS, NEBRASKA

Within a 5-mile radius of the Columbus Municipal Airport (latitude 41°26'49" N., longitude 97°20'31" W.); and within 3½ miles west and 4 miles east of the Columbus VOR 324° radial, extending to 10.5 miles northwest of the VOR, and within 3.5 miles each side of the Columbus VOR 152° radial, extending to 10.5 miles southeast of the VOR. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

In § 71.181 (40 FR 441), the following transition area is amended to read:

COLUMBUS, NEBRASKA

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Columbus, Nebraska Airport, and within 3.5 miles each side of the Columbus VOR 152° radial, extending from the 6-mile radius to 11.5 miles southeast of the VOR, and within 3½ miles west and 4 miles east of the Columbus VOR 324° radial, extending from the 6-mile radius to 11½ miles northwest of the VOR.

[FR Doc.75-33446 Filed 12-11-75;8:45 am]

[Airspace Docket No. 75-CE-11]

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

Designation of Transition Area

On pages 44576 and 44577 of the FEDERAL REGISTER dated September 29, 1975, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Maquoketa, Iowa.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., January 29, 1976.

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

Issued in Kansas City, Mo., on November 19, 1975.

C. R. MELUGIN, Jr.,
Director,
Central Region.

In § 71.181 (40 FR 441), the following transition area is added:

MAQUOKETA, IOWA

That airspace extending upward from 700' above the surface within a 7-mile radius of the Maquoketa Airport (latitude 42°03'00" N., 90°45'00" W.); and that airspace three miles each side of the 343° bearing from the Maquoketa NDB (latitude 42°03'05" N., longitude 90°44'27" W.); extending from the 7-mile radius area to 8.5 miles northwest of the NDB.

[FR Doc.75-33447 Filed 12-11-75;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-11854]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

PART 241—INTERPRETATIVE RELEASES RELATING TO THE SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULATIONS THEREUNDER

Brokers and Dealers Effecting Transactions in Municipal Securities

Adoption of a financial responsibility program pertaining to transactions in municipal securities, including the adoption of certain amendments, temporary amendments and interpretations to the uniform net capital rule (Rule 15c3-1) [17 CFR 240.15c3-1], the customer protection rule (Rule 15c3-3) [17 CFR 240.15c3-3] and other related financial responsibility and reporting rules.

The Securities and Exchange Commission today announced the adoption of certain amendments, temporary amendments and interpretations of Rule 15c3-1 [17 CFR 240.15c3-1] and Rule 15c3-3 [17 CFR 240.15c3-3], as well as of related financial responsibility and reporting rules under the Securities Exchange Act of 1934. The amendments are intended to modify temporarily and, some instances, permanently the impact of such rules on brokers and dealers effecting transactions in municipal securities.

The Commission believes that the temporary amendments are necessary and appropriate in the public interest and for the protection of investors in light of comments received from the public, and will afford the Commission the opportunity to consider and develop appropriate financial responsibility and reporting standards while providing protection to investors.

Introduction. Prior to the Securities Acts Amendments of 1975,[1] (the "1975 Amendments") municipal securities were included within the definition of "exempted securities" as defined in section 3(a)(12) of the Securities Exchange Act of 1934 (the "Act"). The 1975 Amendments embodied a congressional conclusion that the protection of investors requires the regulation of brokers and dealers who effect transactions in municipal securities. "The [Senate Banking, Housing and Urban Affairs] Committee has concluded the time has come to revise the Exchange Act to subject municipal securities professionals to essentially the same regulatory scheme that applies to other securities activities."[2]

Implementing this conclusion, the 1975 Amendments, *inter alia*, excised municipal securities from the class of exempted securities for purposes of section 15(c)(3) of the Act, effective December 1, 1975. Moreover, the 1975 Amendments amended section 15(c)(3) to require the Commission to establish minimum financial responsibility requirements for all brokers and dealers no later than September 1, 1975. While thus subjecting brokers and dealers who effect transactions in municipal securities to Commission financial responsibility regulation, Congress, nonetheless, remained cognizant that the often unique structure of the municipal securities industry might somehow indicate financial responsibility rules different from those applicable to other members of the securities industry. In particular, Congress cautioned that "it may not be appropriate to apply the existing net capital rules to firms that are solely brokers in municipal securities, whose only customers are professional securities dealers and banks. The limited risks inherent in this form of business may justify less stringent rules without danger to the public."[3]

The 1975 Amendments became law on June 4, 1975. At that time the Commission was completing development of a uniform net capital rule subsequently adopted pursuant to section 15(c)(3) on June 26, 1975, effective September 1, 1975.[4] Thus it is contemplated that Rule 15c3-1 [17 CFR 240.15c3-1] as amended (the "Rule"), would be in place by the time municipal securities brokers and dealers become subject to section 15(c)(3) on December 1, 1975. Accordingly, the Commission, directed to establish minimum financial responsibility standards for brokers and dealers effecting transactions in municipal securities consistent with the protection of investors, and cognizant of the unique features of this industry, included a request for comments in the release adopting the Rule.[5] The Commission reiterated this request in Securities Exchange Act Release No. 11561 (July 30, 1975), [40 FR 33747 (Aug. 11, 1975)] soliciting public comment concerning any special problems which Rule 15c3-1 would pose to the municipal securities industry. When certain members of the public requested additional time in which to present their views and supporting data on these matters, the Commission extended the public comment period until October 15, 1975.[6]

In response to these releases, the Commission received a number of thoughtful comment letters. Salient among the numerous issues they raised were minimum net capital requirements under Rule 15c3-1 (a) and (f) [17 CFR 240.15c3-1(a), (f)], the appropriate haircuts for municipal notes, the treatment of undue concentrations in municipal securities, and the fact that municipal securities trading markets are structurally different from the markets on which the Rule's nonmarketability provisions were premised. More generally, the Commission became aware of the need to prescribe emergency temporary relief from a number of the Rule's provisions. This is necessary both to enable

[1] Act of June 4, 1975, Publ. L. No. 94-29, 89 Stat. 97.

[2] S. Rep. No. 75, 94th Cong., 1st Sess. 43 (1974).

[3] S. Rep. No. 75, 94th Cong., 1st Sess. 43 (1974).

[4] Securities Exchange Act Release No. 11497 (June 26, 1975); 40 FR 29795 (July 16, 1975). However, Rule 15c3-1(g)(1), 17 CFR 240.15c3-1(g)(1) provides that computations of aggregate indebtedness and net capital for purposes of Rule 15c3-1(a), 17 CFR 240.15c3-1(a) may until January 1, 1976, be made pursuant to the capital rule to which a broker or dealer was subject prior to September 1, 1975. This effectively postponed the effective date of all provisions except Rule 15c3-1(a), 17 CFR 240.15c3-1(a) (minimum net capital requirements) and Appendix D, 17 CFR 240.15c3-1d (satisfactory subordination agreements) until January 1, 1976.

[5] Securities Exchange Act Release No. 11497 (June 26, 1975), 40 FR 29795 (July 16, 1975).

[6] Securities Exchange Act Release No. 11656 (Sept. 16, 1975), 40 FR 43743 (Sept. 23, 1975).

brokers and dealers effecting transactions in municipal securities and those firms newly subject to Commission regulation to make a smooth transition to the requirements of Rule 15c3–1 [17 CFR 240.15c3–1] and to allow the Commission to consider and develop appropriate permanent capital standards for brokers and dealers effecting transactions in municipal securities.

The Commission is aware that some brokers and dealers effecting municipal securities transactions may experience initial difficulty in understanding net capital requirements as set forth in Rule 15c3–1 [17 CFR 240.15c3–1]. The Commission points out that the Rule affords to these brokers and dealers the same opportunities afforded to all registered brokers and dealers. Specifically, while the minimum net capital requirements set forth in Rule 15c3–1(a) [17 CFR 240.15c3-1(a)] generally provide for net capital of not less than $25,000, only $5,000 net capital is required of brokers and dealers who (1) carry no customer accounts, (2) do not hold customers' funds or securities and do not owe funds or securities to customers, and (3) restrict their business to certain specific activities.[7] These activities include acting as an introducing broker on a fully disclosed basis, participating as a broker or dealer in underwritings on a "best efforts" or "all or none" basis, and (promptly) forwarding subscriptions to the issuer, underwriter or other distributor of the securities where payment is made through the broker or dealer in the form of checks, notes or other evidences of indebtedness made payable solely to the distributor of the securities. Permitted activities also include occasional transactions for the broker's or dealer's investment account, as well as engaging, while acting as an introducing broker on a fully disclosed basis, in riskless principal transactions, and effecting (but not clearing) broker transactions on a national securities exchange for the account of another member of the exchange. The Commission believes that many newly registered and newly regulated brokers and dealers may wish to consider operating as a "$5,000 broker or dealer" in accordance with the provisions of Rule 15c3–1(a)(2) [17 CFR 240.15c3–1(a)(2)].

Rules adopted pursuant to sections 15(c)(2), 15(c)(3) and 17(a) of the Act establish a comprehensive financial responsibility and reporting program for brokers and dealers. Municipal securities bank dealers similarly operate under regulatory programs maintained by the bank regulatory authorities. Brokers and dealers effecting transactions solely in municipal securities have not been subject to either a Commission program or a bank regulatory program in this area, even though they may hold substantial quantities of customer funds and securities. Upon registration with the Commission, they may join other brokers and dealers within the ambit of the Securities Investors Protection Act of 1970.[8] These considerations, among others, underlie the 1975 amendments to sections 15(c)(2), 15(c)(3) and 17(a) of the Act, which sections now apply to all brokers and dealers, including those effecting transactions solely in municipal securities.

In addition, section 15B(b)(2) of the Act grants rulemaking authority to the Municipal Securities Rulemaking Board. The Commission will work with the Board in the development of a sound regulatory program for all brokers and dealers effecting transactions in municipal securities. Until a coordinated program can be formulated and implemented, the Commission believes that the public interest and the protection of investors require that these brokers and dealers become subject to certain of its existing rules, and that certain amendments and interpretations to these rules be adopted. Accordingly, the Commission publishes amendments and interpretations designed to establish a brief period of transition and adjustment during which these brokers and dealers can prepare to come into compliance with these rules.

The Commission hereby solicits comments from all interested persons and self-regulatory organizations and, in particular, the Municipal Securities Rulemaking Board, concerning the shaping of a comprehensive, permanent financial responsibility and reporting program for brokers and dealers effecting transactions in municipal securities. The Commission also notes that the offices of the Commission and the self-regulatory organizations stand ready to assist all brokers and dealers in developing programs designed to allow them to come into compliance with the financial responsibility and reporting rules.

Assistance for New Registrants. Brokers and dealers facing financial responsibility regulation for the first time should note that the National Association of Securities Dealers ("NASD") maintains fourteen offices throughout the country, that there are the offices of the exchanges, and that the Commission maintains a network of Regional and Branch offices, which, if contacted, may be able to assist these brokers and dealers in marshalling their capital and restructuring their operations in order to comply with Rule 15c3–1 [17 CFR 240.15c3–1] and related rules. In any event, the offices of the NASD and the exchanges, as well as the Commission's offices whose locations and phone numbers are set out in the footnote,[9] stand ready to assist brokers or dealers unfamiliar with financial responsibility regulation.

Miami Branch Office, Dupont Plaza Center, 300 Biscayne Boulevard Way, Suite 701, Miami, Florida 33131, 305/350–5765.
Cleveland Branch Office, Federal Office Building, 1240 East Ninth Street, Room 893, Cleveland, Ohio 44199, 216/522–4060.
St. Louis Branch Office, 210 North 12th Street, Room 1452, St. Louis, Missouri 63101, 314/425–5555.
Houston Branch Office, Federal Office and Courts Bldg., 515 Rusk Avenue, Room 7615, Houston, Texas 77002, 713/226–4986.
Salt Lake Branch Office, Federal Reserve Bank Bldg., 120 South State Street, Salt Lake City, Utah 84111, 801/524–5796.
San Francisco Branch Office, 450 Golden Gate Avenue, Box 36042, San Francisco, California 94102, 415/556–5264.
Washington Regional Office, Ballston Centre Tower 3, 4015 Wilson Boulevard, Arlington, Virginia 22203, 703/557–8201.

Local District Offices of the NASD, as well as the offices of the other self-regulators, are also available for consultation with their member organizations.

Brokers and dealers engaging in municipal securities transactions who are in doubt as to their ability to comply with Rule 15c3–1 [17 CFR § 240.15c3–1] are urged especially to consult with these offices. The staff may be able to assist such firms in the formulation and implementation of plans designed to insure compliance with the Rule.

AMENDMENTS AND TEMPORARY AMENDMENTS TO RULE 15c3–1 TEMPORARY AMENDMENT TO AND INTERPRETATION OF RULE 15c3–1(g)—TIMING OF IMPLEMENTATION OF THE RULE

Brokers and Dealers Effecting Transactions in Municipal Securities. Rule 15c3–1(g)(1) [17 CFR 240.15c3–1(g)(1)] provides that the minimum net capital requirements of paragraph (a) [17 CFR 240.15c3–1(a)] (as well as the provisions governing satisfactory subordination

[7] Rule 15c3–1(a)(2)(i)–(vi), 17 CFR 240.15c3–1(a)(2)(i)–(vi).

[8] Municipal securities brokers and dealers registered under section 15B(a) of the Act, unlike those registered under section 15(b) of the Act, are not required to become members of SIPC. *See* section 3(a)(2) of the Securities Investor Protection Act of 1970, 15 U.S.C. section 78ccc(a)(2) (1970). Thus, registered municipal securities dealers which are banks (or separately identifiable departments or divisions of banks), as well as exclusively intrastate municipal securities brokers and dealers using the jurisdictional means, both of which register under section 15B(a), need not join SIPC.

[9] See the following list:
New York Regional Office, 26 Federal Plaza, New York, New York 10007, 212/264–1614.
Atlanta Regional Office, 1371 Peachtree Street, N.E., Suite 138, Atlanta, Georgia 30309, 404/892–0737.
Chicago Regional Office, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Room 1708, Chicago, Illinois 60604, 312/353–7390.
Detroit Branch Office, 1044 Federal Building, Detroit, Michigan 48226, 313/226–6070.
Fort Worth Regional Office, 503 U.S. Court House, 10th and Lamar Streets, Fort Worth, Texas 76102, 817/334–3393.
Denver Regional Office, Two Park Central Room 640, 1515 Arapahoe Street, Denver, Colorado 80202, 303/837–2071.
Los Angeles Regional Office, 10460 Wilshire Blvd., Suite 1710, Los Angeles, California 90024, 213/473–4511.
Seattle Regional Office, 3040 Federal Building, 915 Second Avenue, Seattle, Washington 98174, 206/442–7990.
Philadelphia Branch Office, Federal Building, 600 Arch Street—Room 2204, Philadelphia, Pennsylvania 19106, 215/597–2278.
Boston Regional Office, 150 Causeway Street, Boston, Massachusetts 02114, 617/223–2721.

agreements in Appendix D [17 CFR 240.-15c3-1d]) become effective on September 1, 1975. This subparagraph also provides that until January 1, 1976, brokers and dealers may continue to compute aggregate indebtedness and net capital in accordance with the respective capital rules to which the broker or dealer was subject prior to September 1, 1975. The net effect of these provisions is to allow brokers and dealers to make their capital computations in accordance with the rule under which they had been operating, for purposes of determining compliance with the Rule. These provisions were intended to provide a period during which brokers and dealers subject to former Rule 15c3-1 or the capital rule of an exchange could familiarize themselves with the computational modifications required by the uniform net capital rule. However, section 3(a)(12) of the Act provides that as of December 1, 1975 municipal securities lose their former status as "exempted securities." While the computational provisions of the uniform net capital rule do not become effective until January 1, 1976, firms still computing aggregate indebtedness and net capital under one of the former net capital rules would face unworkable conditions for the month of December 1975, to the extent that they engaged in municipal securities transactions. Such brokers and dealers thereby would be deprived of much of their familiarization period, contrary to the Commission policy as embodied in Rule 15c3-1(g)(1) [17 CFR 240.15c3-1(g)(1)].

The Commission is of the view that all brokers and dealers subject to former Rule 15c3-1 should be afforded an equal opportunity to prepare to implement the uniform net capital rule, regardless of the nature of their business. Accordingly, the Commission amends Rule 15c3-1(g)(1) [17 CFR § 240.15c3-1(g)(1)] to provide that municipal securities shall be deemed to be exempted securities for purposes of computing aggregate indebtedness and net capital computations pursuant to former Rule 15c3-1.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Commission amends § 240.15c3-1(g)(1) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * *

(g)(1) On September 1, 1975 the provisions of paragraph (a) of this section and Appendix D (17 CFR 240.15c3-1) shall be applicable to all brokers or dealers subject to the provisions of this section; provided, however, that until no later than January 1, 1976 the computation of aggregate indebtedness and net capital may continue to be computed pursuant to the respective capital rules to which the broker or dealer was subject prior to September 1, 1975. Provided further, that for purposes of such computaitons, municipal securities shall be deemed to be exempted securities.

The Commission expects that the seven national securities exchanges which now maintain net capital rules will, in accordance with the policy underlying this amendment to Rule 15c3-1(g)(1) [17 CFR 240.15c3-1(g)(1)], take a similar position concerning their own capital rules.

Brokers and Dealers Effecting Transactions Solely in Municipal Securities. The interface between Rule 15c3-1(g)(1) [17 CFR 240.15c3-1(g)(1)] and section 3(a)(12) of the Act detailed above poses different problems in the case of brokers and dealers effecting transactions solely in municipal securities, who must register with the Commission on or before December 1, 1975, pursuant to sections 15(a)(1) and 15B(a) of the Act. While the Commission, by temporary rules, has exempted these brokers and dealers from registration requirements until June 1, 1976, these temporary rules condition such exemption upon compliance with all other applicable provisions of the Act and rules thereunder,[10] including Rule 15c3-1 [17 CFR 240.15c3-1]. Unless the Commission modifies Rule 15c3-1(g) [17 CFR 240.15c3-1(g)], these brokers and dealers would have to calculate aggregate indebtedness and net capital during December pursuant to former Rule 15c3-1 [17 CFR 240.-15c3-1]. Accordingly, during December these brokers and dealers would be required to take as much as a 30% haircut on all municipal securities held long or short in their proprietary or other accounts, pursuant to former Rule 15c3-1(c)(2)(iii)(d), as opposed to a maximum of 5% under the uniform rule, which would come into effect on January 1, 1976. Such a result would be unintended. Moreover, those newly registered brokers and dealers wishing to compute net capital under the alternative method provided by paragraph (f) of the uniform rule would be unable to do so until January 1, 1976; during December their only option would be former Rule 15c3-1.

The Commission is of the view that the protection of investors requires that newly registered brokers and dealers effecting transactions solely in municipal securities be afforded a period of transition and adjustment to the new experience of net capital regulation. To this end, the Commission has found it necessary and appropriate to amend paragraph (g) of the uniform net capital rule to provide, in a new subparagraph (g)(3), that for the month of December, 1975, brokers and dealers effecting transactions solely in municipal securities, on written notice to the Commission and their Examining Authority, may elect to operate under all provisions of the uniform net capital rule, as amended by this release. In particular, the Commission notes that new Rule 15c3-1(g)(3) [17 CFR 240.15c3-1(g)(3)] would allow brokers and dealers effecting transactions solely in municipal securities to operate under the alternative net capital requirement of Rule 15c3-1(f) [17 CFR § 240.15c3-1(f)] beginning in December, 1975.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission adds a new paragraph (g)(3) to § 240.15c3-1 in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations reading as follows:

* * * * *

(g) * * *

(3) In lieu of the provisions of paragraph (g)(1) of this section, a broker or dealer effecting transactions solely in municipal securities who is either registered with the Commission or temporarily exempt from such registration pursuant to § 240.15a-1(T) or § 240.15Ba2-3(T) may elect, on written notice to the Commission and such broker's or dealer's Examining Authority, if any, to operate after November 30, 1975, under this § 240.14c3-1, as amended.

TEMPORARY AMENDMENT TO RULE 15c3-1(c)(1)(i)—EXCLUSION OF OVERNIGHT BANK LOANS FROM AGGREGATE INDEBTEDNESS

In many cases, a purchasing dealer of municipal securities will fail to take delivery of the securities on settlement date because of delays in issuing instructions to the clearing bank or broker. Delivery, when made, often occurs too late in the day to allow the purchasing dealer to accomplish same day redelivery to a purchaser to whom he has resold the securities. In such circumstances, in order to pay for the securities delivered to him, the dealer must borrow against the securities failed to deliver on an overnight basis.

A fail to receive offset by a fail to deliver is excluded from aggregate indebtedness (AI) pursuant to Rule 15c3-1(c)(1)(iii) [17 CFR 240.15c3-1(c)(1)(iii)]. However, once the securities are received (and not redelivered on the same day) and the dealer borrows against them, his position is long in fail to deliver and short in bank loan. Since these securities are not carried long in the proprietary or other accounts of the broker or dealer, the indebtedness they secure must be included in AI pursuant to Rule 15c3-1(c)(1)(i) [17 CFR 240.-15c3-1(c)(1)(i)].

The list of exclusions from AI presently contained in Rule 15c3-1(c)(1) [17 CFR 240.15c3-1(c)(1)] is the result of years of study and careful consideration. Former Rule 15c3-1(c)(1) had contained fewer exclusions, and during the development of the uniform Rule much attention was devoted to the subject of further exclusions from AI. Numerous public comments urged that the list of exclusions include overnight bank loans, as well as many other items, and were carefully weighed.

Under the existing rules of the major national securities exchanges[11] there is

[10] 17 C.F.R. 240.15a-1(T)(b) (1975); 17 C.F.R. 240.15Ba2-3(T)(b) (1975). These temporary rules, which expire on June 1, 1976, were adopted in Securities Exchange Act Release No. 11742 (Oct. 15, 1975), 40 FR 49772 (Oct. 24, 1975).

[11] *See* Joint Regulatory Report, (New York Stock Exchange; American Stock Exchange; National Association of Securities Dealers) (3⅓% charge to capital).

a charge to capital for indebtedness collateralized by exempted securities, which would include overnight loans collateralized by municipal securities. The incorporation into the Rule of a similar charge to capital, generally, and as regards municipal securities, was weighed and found to be reasonable with respect to existing brokers and dealers and did not reflect a significant increase in capital requirements. Impact studies directed to the overall effect of the Rule specifically considered the subject of overnight bank loans. These studies reflected the contemplated effect of all proposed amendments to the net capital rule upon existing registered brokers and dealers, but did not reflect the contemplated effect on brokers or dealers effecting transactions solely in municipal securities. On the basis of impact studies and comments, several new and significant items were excluded from AI, including deferred tax liabilities, credit balances in the accounts of general partners, subordinated liabilities not the subject of a satisfactory subordination agreement, liabilities representing the amounts on deposit in Special Reserve Bank Accounts, credit balances representing amounts payable for money market instruments outstanding as long as three days, and fails to receive offset by matching fails to deliver. However, the Commission determined that exclusion of overnight bank loans would eliminate one of the important indicia of a broker's or dealer's liquidity. The uniform rule as adopted appears to represent a more rational test and, in some ways, notably the alternative method of computation, represents a substantial reduction in capital requirements.

A different situation is presented by those firms dealing solely in municipals, which will be required to register for the first time pursuant to the 1975 Amendments. The Commission has received public comment to the effect that overnight bank loans are so prevalent a practice in the municipal securities industry that inclusion of this item in AI would be disruptive to newly registered brokers and dealers effecting transactions solely in municipal securities. These firms largely did not participate in the comment process which preceded adoption of the uniform rule, nor did they have the benefit of time which would have permitted an orderly transition to the new rule. The Commission is of the view that the public's compelling interest in the stability of the securities markets requires that brokers and dealers effecting transactions solely in municipal securities be given a period of transition and adjustment to net capital regulation.

Therefore, in order to allow an orderly transition for these firms, the Commission is adopting a temporary amendment to the Rule. While the Commission thus finds it necessary and appropriate to permit temporarily this exclusion from AI, the effect of allowing only some members of the securities industry to take overnight bank loans without capital consequences mandates that this temporary relief be of a short duration. Accordingly, in order to permit these firms to make an orderly transition to net capital standards, the Commission amends Rule 15c3–1(c)(1)(i) [17 CFR 240.15c3–1(c)(1)(i)] to allow brokers and dealers effecting transactions solely in municipal securities to exclude overnight bank loans outstanding not more than one business day from AI for a period of four months beginning December 1, 1975 and ending on April 1, 1976.

If the clearance and settlement procedures in the municipals industry are improved, inclusion of the indebtedness in AI incurred pursuant to this long-standing practice of the municipals industry would be sharply reduced for all registrants.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3–1(c)(1)(i) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * * *

(c) * * *

(1) * * *

(i) Indebtedness adequately collateralized by securities which are carried long by the broker or dealer and which have not been sold or by securities which collateralize a secured demand note pursuant to Appendix (D) to this § 240.15c3–1d; indebtedness adequately collateralized by spot commodities which are carried long by the broker or dealer and which have not been sold; or, until April 1, 1976, indebtedness adequately collateralized by municipal securities outstanding for not more than one business day and offset by municipal securities failed to deliver of the same issue and quantity, where such indebtedness is incurred by a broker or dealer effecting transactions solely in municipal securities who is either registered with the Commission or temporarily exempt from such registration pursuant to § 240.15a–1(T) or § 240.15Ba2–3(T);

* * * * * *

TEMPORARY AMENDMENTS TO RULE 15c3–1(c)(2)(iv)(C)—RECEIVABLES ARISING FROM UNDERWRITING SYNDICATES AND JOINT ACCOUNTS

Most municipal securities underwriting syndicates and joint accounts operate on a much more protracted timetable than their corporate securities counterparts. Public comments indicate that in a municipal note underwriting, the closing occurs typically ten days to six weeks following commencement of the offering; the closing in municipal bond underwritings may take place two weeks to two months after the offering commences. Underwriting profits generally may be distributed anywhere between six and eighteen weeks after the closing, and good faith deposits are retained by the syndicate or account manager until profits are distributed.

Rule 15c3–1 [17 CFR 240.15c3–1] presently does not account for these established practices of the municipal securities industry. Good faith deposits outstanding more than eleven business days are deducted from net worth pursuant to Rule 15c3–1(c)(2)(iv)(C) [17 CFR 240.15c3–1(c)(2)(iv)(C)]. Receivables from municipal underwriting syndicates and joint underwriting accounts are, when all securities are sold, deductible from net worth as "other unsecured receivables" under Rule 15c3–1(c)(2)(iv)(E) [17 CFR 240.15c3–1(c)(2)(iv)(E)]. The Commission is of the view that the duration and conduct of public offerings of municipal securities may be an appropriate matter for consideration by the Municipal Securities Rulemaking Board. Until the Board is able to act, the Commission will adopt on a temporary basis certain suggestions received from the public. Thus, Rule 15c3–1(c)(2)(iv)(C) [17 CFR 240.15c3–1(c)(2)(vi)(C)] is amended to allow inclusion in net capital of receivables arising from municipal securities underwriting syndicates and joint underwriting accounts outstanding ninety days or less from settlement of the underwriting with the issuer until June 1, 1976. Furthermore, Rule 15c3–1(c)(2)(iv)(C) [17 CFR 240.15c3–1(c)(2)(iv)(C)] is amended to allow inclusion in net capital of good faith deposits arising in connection with a municipals underwriting and outstanding ninety days or less from settlement of the underwriting with the issuer, until June 1, 1976.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3–1(c)(2)(iv)(C) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * * *

(c) * * *

(2) * * *

(iv) * * *

(C) Interest receivable, floor brokerage receivable, commissions receivable from other brokers or dealers (other than syndicate profits which shall be treated as required in paragraph (c)(2)(iv)(E) of this section), mutual fund concessions receivable and management fees receivable from registered investment companies, all of which receivables are outstanding longer than thirty (30) days from the day they arise; dividends receivable outstanding longer than thirty (30) days from the payable date; good faith deposits arising in connection with an underwriting, outstanding longer than eleven (11) business days from the settlement of the underwriting with the issuer; and, until June 1, 1976, receivables due from participation in municipal securities underwriting syndicates and municipal securities joint underwriting accounts which are outstanding longer than ninety (90) days from settlement of the underwriting with the issuer, and good faith deposits arising in connection with an underwriting of municipal securities, outstanding longer than ninety (90) days from settlement of the underwriting with the issuer;

* * * * * *

AMENDMENTS TO RULE 15c3–1(c)(2)(B)—HAIRCUTS ON MUNICIPAL NOTES

Rule 15c3–1(c)(2)(vi)(B) [17 CFR 240.15c3–1(c)(2)(vi)(B)] provides that

certain specified percentage deductions from market value ("haircuts") shall be taken on all municipal securities in the proprietary or other accounts of a broker or dealer. Numerous comments received from the public stressed that the haircuts on municipal notes (defined as municipal securities with maturities from date of issue of one year or slightly longer, which are issued at par value and pay interest at maturity or are issued at a discount) are unduly high. The public pointed out that the market behavior of municipal notes is closely similar to that of money market instruments such as commercial paper, certificates of deposit, and bankers' acceptances, all of which receive much lower haircuts pursuant to Rule 15c3-1(c)(2)(vi)(E) [17 CFR 240.15c3-1(c)(2)(vi)(E)]. Inasmuch as securities haircuts are intended as protection against downside market risk, the Commission is of the view that some adjustments to the haircuts on muinicipal notes are necessary and appropriate. The haircuts on municipal notes, as amended, are set out below.

Comments from the public also maintained that the haircuts on municipal bonds are unnecessarily high. However, unlike the case of municipal notes, the Commission received no data challenging the validity of statistical compilations upon which the municipal bond haircuts were originally based.[12] Therefore, the Commission is presently not in a position to reduce the haircuts on municipal bonds. The Commission remains receptive to public comment and study on this question, however, and would welcome further public input pursuant to its request for comments set forth later in this release.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3-1(c)(2)(vi)(B) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * *

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

(B)(*1*) In the case of any municipal security which has a scheduled maturity at date of issue of 455 days or less and which is issued at par value and pays interest at maturity, or which is issued at a discount, and which is not traded flat or in default as to principal or interest, the applicable percentages of the market value on the greater of the long or short position in each of the categories specified below are:

(*i*) Less than 30 days to maturity—0%;

(*ii*) 30 days but less than 91 days to maturity—⅛ of 1%;

(*iii*) 91 days but less than 181 days to maturity—¼ of 1%;

(*iv*) 181 days but less than 271 days to maturity—⅜ of 1%;

(*v*) 271 days but less than 366 days to maturity—½ of 1%;

(*vi*) 366 days but less than 456 days to maturity—¾ of 1%.

(2) In the case of any municipal security, other than those specified in subdivision (B)(*1*), which is not traded flat or in default as to principal or interest, the applicable percentages of the market value on the greater of the long or short position in each of the categories specified below are:

(*i*) less than 1 year to maturity—1%;

(*ii*) 1 year but less than 2 years to maturity—2%;

(*iii*) 2 years but less than 5 years to maturity—3%;

(*iv*) 5 years or more to maturity 5%.

TEMPORARY AMENDMENTS TO RULE 15c3-1(c)(2)(vi)(M), (f)(3)(iii) — UNDUE CONCENTRATIONS

Rule 15c3-1(c)(2)(vi)(M) [17 CFR 240.15c3-1(c)(2)(vi)(M)] essentially provides that, for purposes of computing net capital, an additional deduction from net worth equal to one-half the appropriate haircut shall be taken against all positions of a broker or dealer in the securities of an issuer of a single class or series with a value exceeding 10% of tentative net capital. The provision does not apply to exempted securities, positions held eleven business days or less, positions in equity securities not exceeding the greater of 500 shares or $10,000 in market value, or debt securities positions not exceeding $25,000 in market value. A similar provision, Rule 15c3-1(f)(3)(iii) [17 CFR 240.15c3-1(f)(3)(iii)], applies to computations under the alternative net capital requirement.

Numerous public comments contended that these provisions, if applicable to positions in municipal securities, would have an inappropriately severe impact upon firms dealing largely or solely in municipal securities. These commentators contended that the market risks attending municipal securities are a function of interest rate fluctuations and thus impact more or less equally on all municipals of similar maturity and quality, regardless of their issuers. It is argued that these facts would render inappropriate provisions designed as downside protection against radical changes in the fortunes of single corporate issuers.

A second line of argument pursued in the comments was that present practices in the municipal industry require that municipal firms from time to time take positions, usually in respect of underwritings, which exceed the quantity and time parameters of the undue concentration provisions. These provisions, it was contended, penalize regular and historically safe practices of the municipal industry.

The Commission is not convinced that the municipal securities industry should be exempt from all adjustments in respect of undue concentrations. This industry, like any other, possesses established practices and norms. At some point the degree of concentration in a municipal dealer's accounts exceeds that norm which, *arguendo*, might itself exceed what is appropriate for the protection of investors and the stability of the securities markets. The Commission intends to establish undue concentration requirements for the municipal securities industry consistent with these public policies. However, the Commission is of the view that the present undue concentration provisions of the Rule may be inappropriate for the municipal securities industry as it currently conducts itself. The Commission is willing to provide a transitional period wherein the Commission, with the public's assistance, can explore this matter with a view towards determining in what respects the municipal securities marketplace is endemically incapable of conforming its positioning practices to those current elsewhere in the securities industry. Towards this end, the Commission later in this release invites public comment and impact studies concerning this question. Meanwhile, the Commission amends Rule 15c3-1(c)(2)(vi)(M) [17 CFR 240.15c3-1(c)(2)(vi)(*M*)] and Rule 15c3-1(f)(3)(iii) [17 CFR 240.15c3-1(f)(3)(iii)] to provide an exemption of six months' duration for positions in municipal securities.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3-1(c)(2)(vi)(M) and § 240.15c3-1(f)(3)(iii) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations by adding at the end thereof:

* * * * *

Provided further, That until June 1, 1976, this paragraph shall not apply to municipal securities.

TEMPORARY AMENDMENT TO RULE 15c3-1(c)(2)(ix)—AGED FAILS TO DELIVER

Rule 15c3-1(c)(2)(ix) [17 CFR 240.15c3-1(c)(2)(ix)] requires that appropriate haircuts be applied to securities failed to deliver outstanding fifteen business days or longer (eleven business days or longer after January 1, 1977). Comments received from municipal securities professionals indicate that the industry does not yet possess settlement or depository facilities which would expedite the clearance and settlement of municipal transactions to the levels contemplated in this provision of the Rule. The industry apparently has no structured system of transfer agents comparable to that existing for corporate securities. Delays occur in exchanging registered bonds for bearer bonds and in transferring registered bonds. Furthermore, municipals markets are not sufficiently liquid to allow an immediate buy-in at a reasonable price or borrowing of securities to cover fails to deliver. Brokers and dealers often have no alternative but to await delivery of fails.

The Commission recognizes that while the development of reliable and efficient

[12] *E.g.*, Letter from the National Association of Securities Dealers, Inc. to the Commission, March 5, 1973, at 7 & Attachment C; Letter from the Securities Industry Association to the Commission, March 6, 1973, at 9 & Exhibit B.

clearance and settlement systems is essential,[12] it is inappropriate to establish, during their period of transition to financial regulation, a standard for municipals brokers and dealers which may be unrealistic. Accordingly, the Commission amends Rule 15c3–1(c)(2)(ix) [17 CFR 240.15c3–1(c)(2)(ix)] to provide that, for the period expiring June 1, 1976, municipal securities failed to deliver shall not be subjected to haircuts until the fail is outstanding twenty-five business days or longer.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3–1(c)(2)(ix) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * *

(c) * * *

(2) * * *

(ix) Deducting from the contract value of each failed to deliver contract which is outstanding 11 business days or longer the percentages of the market value of the underlying security which would be required by application of the deduction required by paragraph (c)(2)(vi) or where appropriate, paragraph (f) of this section *Provided*, that such deduction shall be increased by any excess of the contract price of the fail to deliver over the market value of the underlying security or reduced by any excess of the market value of the fail but not to exceed the amount of such deduction. Provided, however, that until January 1, 1977 the deduction provided for herein shall be applied only to those fail to deliver contracts which are outstanding 15 business days or longer. Provided further, that until June 1, 1976 the deduction set forth herein shall be applied only to those fail to deliver contracts in municipal securities which are outstanding 25 business days or longer.

TEMPORARY AMENDMENT TO RULE 15c3–1(c)(2)(xiii)—INDEBTEDNESS COLLATERALIZED BY EXEMPTED SECURITIES

Rule 15c3–1(c)(2)(xiii) [17 CFR 240.15c3–1(c)(2)(xiii)] provides that a broker or dealer, in lieu of including indebtedness secured by exempted securities in AI, may deduct 4% of such indebtedness from net worth, provided that the exempted securities are not carried long by the broker or dealer, and that the indebtedness does not represent contra securities failed to deliver. Since municipal securities lose their exempted status on December 1, 1975, this provision would no longer be available to a broker or dealer collateralizing its indebtedness with municipal securities.

Several comments received from the public averred that, because of the relatively inefficient clearance and settlement mechanisms existing with respect to municipal securities, the unavailability of the paragraph (c)(2)(xiii) [17 CFR 240.15c3–1(c)(2)(xiii)] option would work an undue hardship. If a broker or dealer carrying municipal securities failed to receive sold them to another broker or dealer, the fail to receive, so long as it were offset by a long position or a fail to deliver, would be excludable from AI pursuant to Rule 15c3–1(c)(1)(iii) [17 CFR 240.15c3–1(c)(1)(iii)]. However, once the securities were received and redelivered, draft against payment with immediate credit from a bank, the liability on the draft would be includable in AI. On the other hand, if the securities involved were exempted securities, the option afforded by paragraph (c)(2)(xiii) [17 CFR 240.15c3–1(c)(2)(xiii)] would be available for the liability on the draft. Commentators observed that transactions in municipal securities do not clear and settle efficiently, very often leaving brokers or dealers effecting municipal transactions in the predicament described above.

As noted earlier,[13] the Commission is of the view that the employment of efficient mechanisms for the clearance and settlement of municipal securities is essential. The Commission has also determined that it is necessary and appropriate to provide interim transitional relief with respect to subparagraph (c)(2)(xiii) [17 CFR 240.15c3–1(c)(2)(xiii)] until the municipals industry improves these procedures. It may well be appropriate after further public comment to continue this treatment permanently. Accordingly, the Commission amends Rule 15c3–1(c)(2)(xiii) [17 CFR 240.15c3–1(c)(2)(xiii)] to allow brokers and dealers to deduct from net worth, until June 1, 1976, 4% of their indebtedness collateralized by municipal securities.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3–1(c)(2)(xiii) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * *

(c) * * *

(2) * * *

(xiii) Deducting, at the option of the broker or dealer, in lieu of including such amounts in aggregate indebtedness, 4 percent of the amount of any indebtedness secured by exempted securities or municipal securities not carried long in the proprietary or other accounts of the broker or dealer or representing exempted securities failed to deliver. Provided, with respect to indebtedness collateralized by municipal securities that, such option shall be available until June 1, 1976.

AMENDMENTS TO RULE 15c3–1(c)(6) AND (7) RULE 15c3–3(a)(1)—DEFINITIONS OF "CUSTOMER" AND "NON-CUSTOMER"

These amendments reflect the congressional decision to regulate dealer banks effecting transactions in municipal securities by extending to them the same definitional treatment accorded by Rule 15c3–1 [17 CFR 240.15c3–1] to other dealers. Accordingly, for purposes of the Rule, all registered municipal securities dealers would be treated as "non-customers." The term "municipal securities dealer" is intended to carry its statutory meaning as set forth in section 3(a)(30) of the Act. An important consequence of these amendments is that municipal securities transactions with registered dealer banks are no longer customer transactions for purposes of the Rule's "fail" provisions.

A parallel amendment to Rule 15c3–3(a)(1) [17 CFR 240.15c3–3(a)(1)], that rule's definition of "customer," will result in the exclusion of debits and credits arising out of transactions with registered municipal securities dealer banks from the Formula for the Determination of Reserve Requirements For Brokers and Dealers contained in Exhibit A to Rule 15c3–3 [17 CFR 240.15c3–3a], since only "customer debits" and "customer credits" are includable in the Reserve Formula.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3–1(c)(6), (7) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * *

(c) * * *

(6) The term "customer" shall mean any person from whom, or on whose behalf, a broker or dealer has received, acquired or holds funds or securities for the account of such person, but shall not include a broker or dealer or a registered municipal securities dealer, or a general, special or limited partner or director or officer of the broker or dealer, or any person to the extent that such person has a claim for property or funds which by contract, agreement, or understanding, or by operation of law, is part of the capital of the broker or dealer. Provided, however, that the term "customer" shall also include a broker or dealer, but only insofar as such broker or dealer maintains a special omnibus account carried with another broker or dealer in compliance with 12 CFR 220.4(b) of Regulation T under the Securities Exchange Act of 1934.

(7) The term "non-customer" means a broker or dealer, registered municipal securities dealer, general partner, lim-

[12] Section 15(c)(6) of the Act authorizes the Commission to make rules, *inter alia*, with respect to the time and method of clearance and settlement of all securities except, *inter alia*, municipal securities. Section 15B(b)(2)(C) of the Act requires that the rules of the Municipal Securities Rulemaking Board, at a minimum, shall "be designed to * * * foster cooperation and coordination with persons engaged in regulating, clearing, [and] settling * * * transactions in municipal securities * * *" Section 17A(a) directs the Commission to establish a national system for the clearance and settlement of transactions in all securities except exempted securities, but not excepting municipal securities. Section 17A(b)(3)(F) requires that the rules of a clearing agency registered with the Commission shall be designed, at a minimum, to "promote the prompt and accurate clearance and settlement of securities transactions."

[13] *See* text accompanying note 13 *supra*.

ited partner, officer, director and persons to the extent their claims are subordinated to the claims of creditors of the broker or dealer.

* * * * *

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission amends § 240.15c3-3(a)(1) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

* * * * *

(a) * * *

(1) The term "customer" shall mean any person from whom or on whose behalf a broker or dealer has received or acquired or holds funds or securities for the account of such person, but shall not include a broker or dealer, or a registered municipal securities dealer, or a general, special or limited partner or director or officer of a broker or dealer, or any person to the extent that such person has a claim for property or funds which by contract, agreement or understanding, or by operation of law, is part of the capital of the broker or dealer or is subordinated to the claims of creditors of the broker or dealer: *Provided, however,* That the term "customer" shall also include a broker or dealer but only insofar as such broker or dealer maintains a special omnibus account carried with another broker or dealer in compliance with Section 4(b) of Regulation T under the Securities Exchange Act of 1934 (12 CFR Part 220).

* * * * *

AMENDMENT TO RULE 15c3-1(c)—DEFINITION OF "MUNICIPAL SECURITIES"

This amendment will clarify the numerous references to "municipal securities" added to Rule 15c3-1 [17 CFR 240.15c3-1] by this release. A new subparagraph, Rule 15c3-1(c)(14) [17 CFR 240.15c3-1(c)(14)], provides that this term shall carry the meaning given to it by section 3(a)(29) of the Act.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission adds a new paragraph (c)(14) to § 240.15c3-1 in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations reading as follows:

* * * * *

(c) * * *

(14) The term "municipal securities" shall mean those securities included within the definition of "municipal securities" in section 3(a)(29) of the Securities Exchange Act of 1934.

TEMPORARY AMENDMENT TO RULE 15c3-1(f)(1)—ALTERNATIVE NET CAPITAL REQUIREMENT

The Senate Committee on Banking, Housing and Urban Affairs, while reporting favorably upon the bill which became the Securities Acts Amendments of 1975, declared, as quoted earlier in this release,[15] that "it may not be appropriate to apply the existing net capital rules to firms that are solely brokers in municipal securities, whose only customers are professional securities dealers and banks. The limited risks inherent in this form of business may justify less stringent rules without danger to the public." The Commission's analysis of comments received from the public tends to confirm this congressional judgment. These municipal securities brokers appear to restrict their business to the execution of agency transactions for other brokers, dealers, and bank municipal securities dealers, all of whom are themselves required to register with the Commission pursuant to sections 15 and 15B of the Act. These municipal securities brokers engage in no transactions with the investing public and do not invest for their own accounts. All their transactions are cleared through a bank or clearing service. In light of these facts, the Commission arrives at a conclusion similar to that of Congress, namely, that it may be unnecessary for the protection of investors to subject this special type of municipal securities broker to the same capital requirements applicable to other brokers and dealers. The Commission has determined that a minimum net capital requirement of $25,000 will provide a sufficient capital cushion to municipal securities brokers conducting their business in the restricted fashion described above.

Furthermore, the Commission is of the view that the alternative net capital requirement may be more suitable for this special class of brokers effecting transactions solely in municipal securities. While the Commission tends to regard new Rule 15c3-1(f)(1)(ii) [17 CFR 240.15c3-1(f)(1)(ii)] as the most appropriate response to the considerations raised by Congress and the public, it hereby solicits further public comment, especially by way of impact study, concerning the appropriate capital requirements for these municipal securities brokers. Accordingly, the Commission adopts Rules 15c3-1(f)(1)(ii) [17 CFR 240.15c3-1(f)(1)(ii)] as a temporary amendment, expiring June 1, 1976. Since these restricted municipal securities brokers deal only with entities not within the Rule 15c3-3(a)(1) [17 CFR 240.15c3(a)(1)] definition of "customer," as amended hereinabove, requirements under Rule 15c3-1(f)(1)(ii) [17 CFR 240.15c3-1(f)(1)(ii)] based on the Reserve Formula are not likely to increase significantly their minimum net capital requirements. However, the $25,000 requirement must be computed in accordance with all provisions of paragraph (f) [17 CFR 240.15c3-1(f)], including those incorporating certain of the adjustments to net capital required by subparagraph (c)(2) [17 CFR 240.15c3-1(c)(2)] of the Rule.

Commission Action. Pursuant to sections 15(c)(3) and 23(a) of the Securities Exchange Act of 1934, the Securities and Exchange Commission redesignates § 240.15c3-1(f)(1) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations as § 240.15c3-1(f)(1)(i), and adopts a new § 240.15c3-1(f)(1)(ii) in Part 240 of Chapter II of Title 17 of the Code of Federal Regulations reading as follows:

* * * * *

(f) * * *

(1) * * *

(ii) In the case of a municipal securities broker, as defined in section 3(a)(31) of the Securities Exchange Act of 1934, who is not exempt from the provisions of § 240.15c3-3 under the Securities Exchange Act of 1934 pursuant to paragraph (k)(1) or (k)(2)(i), and who effects transactions only on a payment versus delivery basis with other brokers or dealers or municipal securities brokers or municipal securities dealers, and who does not hold funds or securities for, or owe money to, customers and does not otherwise carry accounts of, or for, customers, in order to qualify to operate under this paragraph (f) such municipal securities broker shall at all times, until June 1, 1976 maintain net capital equal to the greater of $25,000 or 4 percent of aggregate debit items computed in accordance with Exhibit A to Rule 15c3-3, § 240.15c3-3a. *Provided,* That in order to qualify to operate under this paragraph (f), such municipal securities broker shall notify the Examining Authority for such broker or dealer and the Regional Office of the Commission in which the broker or dealer has its principal place of business, in writing, of its election to operate under this provision. Once a municipal securities broker has determined to operate pursuant to this paragraph (f), he shall continue to do so unless a change in such election is approved upon application to the Commission.

INTERPRETATIONS WITH RESPECT TO THE NET CAPITAL REQUIREMENTS OF BROKERS AND DEALERS EFFECTING TRANSACTIONS IN MUNICIPAL SECURITIES

The Commission has determined to publish the following interpretations concerning the net capital requirements for brokers and dealers effecting transactions in municipal securities.

Rule 15c3-1(a)(1)—800 Percentum Requirement for New Registrants. Rule 15c3-1(a)(1) [17 CFR § 240.15c3-1(a)(1)] provides in part that no broker or dealer shall permit its aggregate indebtedness to exceed 800% of its net capital for twelve months following its commencing business as a broker or dealer. The Commission interprets this provision not to apply to brokers and dealers engaged solely in a municipal securities business for 12 months prior to their registration with the Commission.

Rule 15c3-1(c)(2)(iv)(C)—Profits Receivable From Underwriting Syndicates and Joint Underwriting Accounts. In connection with the Commission's amendments to Rule 15c3-1(c)(2)(iv)(C) [17 CFR 240.15c3-1(c)(2)(iv)(C)] concerning receivables from municipal securities underwriting syndicates and joint underwriting accounts, it is the Commission's position that such receiv-

[15] *See* note 4 *supra* and accompanying text.

ables shall be conservatively accrued, with adequate provision made for losses and other expenses.

Rule 15c3–1(c)(2)(iv)(B)—Free Shipments. Many comments from the public contended that the present limits on free shipments without capital charges, contained in Rule 15c3–1(c)(2)(iv)(B) [17 CFR 240.15c3–1(c)(2)(iv)(B)] were far less than what is considered to be a routine free shipment of municipal securities. These commentators apparently were unaware of a previous staff position, reaffirmed here, that a shipment by mail of securities to a bank which serves as the seller's agent for the collection of proceeds is not a "free shipment" for purposes of the Rule.

Rule 15c3–1(c)(2)(vi)(K)—Securities With a Limited Market. In view of the confusion evidenced in many public comments addressed to this provision, the Commission wishes to clarify that Rule 15c3–1(c)(2)(vi)(K) [17 CFR 240.15c3–1(c)(2)(vi)(K)] operates, in the case of securities with a limited market, to magnify the haircut prescribed in Rule 15c3–1(c)(2)(vi)(J) [17 CFR 240.15c3–1(c)(2)(vi)(J) for "all other securiites," and does not apply to securities, including munipical securities, receiving haircuts pursuant to Rule 15c3–1(c)(2)(vi)(A)–(I) [17 CFR 240.15c3–1(c)(2)(vi)(A)–(I)]. It should be noted that Rule 15c3–1(c)(2)(vi)(L) [17 CFR 240.15c3–1(c)(2)(vi)(L)] applies to a given security only if Rule 15c3–1(c)(2)(vi)(K) [17 CFR 240.15c3–1(c)(2)(vi)(K)] applies, and therefore also does not apply beyond "all other securities" treated in Rule 15c3–1(c)(2)(vi)(J) [17 CFR 240.15c3–1(c)(2)(iv)(J)].

Rule 15c3–1(c)(2)(vii)—Nonmarketable Securities. Rule 15c3–1(c)(2)(vii) [17 CFR 240.15c3–1(c)(2)(vii)] provides that, for purposes of computing net capital, a 100% deduction from net worth shall be taken against the carrying value of securities in the proprietary or other accounts of a broker or dealer for which there is no ready market. In turn, Rule 15c3–1(c)(11)(i) [17 CFR 240.15c3–1(c)(11)(i)] provides in part that a ready market is deemed to exist when there exists a recognized established market comprising independent bona fide offers to buy and sell, so that a price reasonably related to the last sale, or current bid and offer quotations, can be determined almost instantaneously. Pursuant to Rule 15c3–1(c)(11)(ii) [17 CFR 240.15c3–1(c)(11)(ii)], a ready market is also deemed to exist when securities have been accepted as collateral for a loan which the broker or dealer demonstrates to its Examining Authority is adequately secured.

The application of these provisions to the municipal securities industry was the subject of much public comment. It was pointed out that municipals, which generally are issued at a denomination of at least $1,000, provide a lesser number of trading units than corporate equities. The problem, the comments noted, is further complicated by the existence of a great number of different issues often involving relatively few trading units, which are issued by thousands of small municipalities, school districts, and the like. Unlike the bid-ask market in corporate bonds, the municipals market is a so-called "work-out" market, containing too many issues with too many different maturities for a continuous two-sided market to be maintained.

Furthermore, present pricing practices in the municipals markets are complex and time consuming, involving a matrix system of credit ratings and time to maturity, evaluated by individual traders in light of general market conditions. This system often does not result in the "almost instantaneous" quotation or continuous market contemplated in the Rule. In short, the present structure of the municipals marketplace does not resemble the corporate securities markets on which the marketability provisions of the Rule were premised.

In this release, the Commission requests public comments and an impact study concerning the question of what constitutes a ready market for municipal securities, so that appropriate marketability criteria for municipal securities can be built into the Rule. In the interim, pending the forthcoming development of such criteria, the Commission by interpretation suspends Rule 15c3–1(c)(2)(vii) [17 CFR 240.15c3–1(c)(2)(vii)] as applied to municipal securities not traded flat or in default as to principal or interest.

Interpretations With Respect to Other Rules Establishing a Financial Responsibility and Reporting Program for Brokers and Dealers Effecting Transactions in Municipal Securities

The Commission has determined to publish the following interpretations concerning the financial responsibility and reporting requirements for brokers and dealers effecting transactions in municipal securities.

Rule 15c2–1—Hypothecation of Customers' Securities. Rule 15c2–1 [17 CFR 240.15c2–1] defines the term "fraudulent, deceptive, or manipulative act or practice" as used in section 15(c)(2) of the Act to include a broker's or dealer's hypothecation of securities carried for the account of customers, as defined, under circumstances permitting (1) the commingling of securities carried for the account of different customers without consent, (2) the commingling of securities carried for the account of customers with noncustomer securities held by the broker or dealer pursuant to a lien, or (3) the hypothecation of customer securities to secure loans exceeding the aggregate indebtedness of all customers in respect of securities carried for their accounts.[16] The Commission deems it necessary and appropriate to suspend this rule in order to afford brokers and dealers effecting transactions solely in municipal securities a brief transitional period during which they can make necessary adjustments to their hypothecation practices. Accordingly, the Commission by interpretation suspends Rule 15c2–1 [17 CFR 240.15c2–1], as applied to brokers and dealers effecting transactions solely in municipal securities, until January 15, 1976.

Rule 15c3–2—Customers' Free Credit Balances. Rule 15c3–2 [17 CFR 240.15c3–2] stipulates that a broker or dealer may not use, in the operation of his business, free credit balances arising out of customer accounts until such broker or dealer, in general, has developed adequate procedures for informing his customers of his intent to do so. The procedures established must ensure that whenever, at least every three months, the broker or dealer sends a customer a statement of his account, he shall include therewith written notice that (a) the customer's free credit balance is not segregated and may be used in the broker's or dealer's operations, and (b) that the free credit balance is payable on demand.

The Commission recognizes that procedures such as these presently do not exist in the municipal securities industry and, therefore, a brief transitional period may be appropriate during which time brokers and dealers effecting transactions solely in municipal securities can study and implement Rule 15c3–2 [17 CFR 240.15c3–2]. Accordingly, the Commission suspends Rule 15c3–2 [17 CFR 240.15c3–2], as applied to brokers and dealers effecting transactions solely in municipal securities, until January 15, 1976.

Rule 15c3–3(d)—Requirement to Reduce Securities to Possession or Control. Rule 15c3–3(d) [17 CFR 240.15c3–3(d)] requires brokers and dealers to determine, not later than the close of the next business day, the quantities of customers' fully paid and excess margin securities in their possession or control as of the preceding business day. A similar determination is required with respect to these fully paid and excess margin securities not in the broker's or dealer's possession or control. With respect to those fully paid securities or excess margin securities determined not to be in his possession or control, Rule 15c3–3(d) [17 CFR 240.15c3–3(d)] requires that the broker or dealer rectify the situation by taking prompt steps to secure possession or control of such securities, to the extent they are in certain specified noncontrol locations. Brokers and dealers currently subject to the rule have achieved compliance either by taking appropriate steps to reduce securities to their possession or control, or by obtaining extensions pursuant to Rule 15c3–3(n) [17 CFR 240.15c3–3(n)].

Commentators have asserted that clearance and settlement mechanisms in municipal securities are inefficient and impede the reduction to possession or control of fully paid and excess margin municipal securities, particularly where a "buy-in" is required. Therefore, the Commission finds it necessary and appropriate to provide brokers and dealers effecting transactions solely in municipal securities with a transitional period dur-

[16] A related provision, Rule 8c–1 [17 CFR 240.8c–1], applies only to hypothecation of listed securities. Rule 8c–1 is under review in light of the 1975 Act's amendments to section 8 of the Act.

ing which these brokers and dealers can adjust their practices in order to comply with this provision. Accordingly, the Commission suspends Rule 15c3–3(d) [17 CFR 240.15c3–3(d)], as applied to brokers and dealers effecting transactions solely in municipal securities, until January 15, 1976. The Commission believes that it may be appropriate for the Municipal Securities Rulemaking Board to consider possible solutions to this problem, particularly insofar as buy-in requirements are involved.

Rule 15c3–3(m)—Requirement to Complete Orders on Behalf of Customers. Another consequence of the present structure of the municipals marketplace is the great difficulty experienced in attempting to execute timely "buy-in" pursuant to the provisions of Rule 15c3–3(m) [17 CFR 240.15c3–3(m)]. The Commission had previously suspended by interpretation this provision as applied to municipal securities,[17] and the Commission reaffirms that determination and hereby takes the position that this suspension should continue until suitable buy-in requirements for municipal securities can be devised. The Commission believes that it may be appropriate for the Municipal Securities Rulemaking Board to consider possible solutions to this problem.

Rule 17a–3—Books and Records to be Maintained by Brokers and Dealers. Rule 17a–3 [17 CFR 240.17a–3] essentially requires that registered brokers and dealers shall make and keep current certain specific books and records relating to their business. The Commission is aware that the present bookkeeping and recordkeeping systems of brokers and dealers effecting transactions solely in municipal securities may presently constitute records which are not as comprehensive as those required in Rule 17a–3 [17 CFR 240.17a–3]. Furthermore, the Commission recognizes that those brokers and dealers may be largely unfamiliar with the requirements of this rule and, to the extent that their systems would have to be modified, they might experience great difficulty in digesting and implementing all of the rule's provisions by December 1, 1975. Therefore, the Commission finds it necessary and appropriate to provide a brief transitional period during which brokers and dealers effecting transactions solely in municipal securities can both educate themselves concerning the requirements of Rule 17a–3 [17 CFR 240.17a–3], and make those adjustments in their bookkeeping and recordkeeping systems dictated by the rule's provisions.

Accordingly, the Commission encourages all brokers and dealers effecting transactions solely in municipal securities to contact the local NASD district office or the appropriate Commission regional office, in regard to any questions or problems concerning Rule 17a–3 [17 CFR 240.17a–3]. The NASD or the Commission will be available to assist these brokers and dealers in complying with Rule 17a–3 [17 CFR 240.17a–3]. In addition, for the period beginning December 1, 1975 and expiring January 15, 1976, Rule 17a–3 [17 CFR 240.17a–3] is interpreted to require brokers and dealers effecting transactions solely in municipal securities to make and keep current books and records sufficient to demonstrate their financial condition, to reflect the receipt and delivery of all funds and securities, and to reflect all customer activity.

During this transitional period, the Commission intends to consult and coordinate with the Municipal Securities Rulemaking Board concerning appropriate books and records requirements for brokers and dealers engaging in transactions in municipal securities.

Rule 17a–4—Preservation of Books and Records. Rule 17a–4 [17 CFR 240.17a–4] requires the preservation for specified lengths of time of the books and records maintained pursuant to Rule 17a–3 [17 CFR 240.17a–3], as well as other documents enumerated in Rule 17a–4(b), (c) and (d) [17 CFR 240.17a–4(b), (c), (d)]. For the reasons underlying the Commission's interpretation of Rule 17a–3 [17 CFR 240.17a–3], *supra*, the Commission interprets Rule 17a–4 [17 CFR 240.17a–4], until January 15, 1976, to require brokers and dealers effecting transactions solely in municipal securities to preserve in an easily accessible place those books and records maintained pursuant to Rule 17a–3 [17 CFR 240.17a–3] as interpreted herein and such other business records required to be preserved by Rule 17a–4 [17 CFR 240.17a–4].[18]

Rule 17a–5(a)—Annual Report on Form X–17A–5. Rule 17a–5(a)(2)(i)(*a*) [17 CFR 240.17a–5(a)(2)(i)(*a*)] requires brokers and dealers to file a report of financial condition on Form X–17A–5 [17 CFR 249.617] between one and five months after their registration becomes effective.[19]

The Commission recognizes that brokers and dealers effecting transactions solely in municipal securities have been operating under established fiscal years. The Commission believes it necessary and appropriate, during the period of transition and adjustment to regulation, to avoid the disruptions which might result from the application of this provision. Accordingly, with respect to those brokers and dealers effecting transactions solely in municipal securities, the Commission suspends Rule 17a–5(a)(2)(i)(*a*) [17 CFR 240.17a–5(a)(2)(i)(*a*)]. The Commission notes, however, that these brokers and dealers remain subject to all other provisions of Rule 17a–5 [17 CFR 240.17a–5], including those requiring that a certified audit be filed during calendar year 1976.

Rule 17a–5 (m) and (n)—Statements to be Furnished Customers. These provisions of Rule 17a–5 require brokers and dealers, with certain exceptions, to furnish their customers at specified intervals with data relating to their financial condition, including an unconsolidated balance sheet, a statement of the firm's net capital, and unaudited financial statements. The Commission believes it appropriate that brokers and dealers effecting transactions solely in municipal securities should be afforded a brief transitional period in which to implement these provisions. Accordingly, the Commission by interpretation suspends Rule 17a–5 (m) and (n) [17 CFR 240.17a–5 (m) and (n)] as applied to brokers and dealers effecting transactions solely in municipal securities, until June 1, 1976. However, those firms to whom this interpretation applies shall transmit statements required by Rule 17a–5(n) [17 CFR 240.17a–5(n)] to customers as of a date not later than July 1, 1976.

Rule 17a–10—Report of Income and Expenses. Rule 17a–10 [17 CFR 240.17a–10] requires brokers and dealers to file a report of each calendar year's income and expenses, as well as related information, on Form X–17A–10 [17 CFR 249.618], not later than 180 days after the close of each calendar year.

Since brokers and dealers effecting transactions solely in municipal securities are not required by statute to register with the Commission until relatively late in calendar year 1975, their 1975 filing would not add significant data for calendar year 1975. The burden imposed upon these new registrants by the requirements of Rule 17a–10 [17 CFR 240.17a–10] is, in the opinion of the Commission, inappropriate in light of the limited furtherance of this rule's purposes which would be derived from such filings. Accordingly, the Commission, by interpretation, suspends Rule 17a–10 [17 CFR 240.17a–10] as applied to brokers and dealers effecting transactions solely in municipal securities until January 15, 1976. The Commission notes that this interpretation dispenses with the necessity of a Form X–17A–10 [17 CFR 249.618] filing with respect to calendar year 1975.

Rule 17a–11(c)—Supplemental Financial Reporting Requirements. Rule 17a–11 [17 CFR 240.17a–11] requires brokers or dealers in violation of the net capital rule to which they are subject to file, at specified times and intervals, a telegraphic notice and subsequent follow-up reports containing certain financial and operational data. Rule 17a–11(c) [17 CFR 240.17a–11(c)] further requires brokers or dealers whose books and records do not conform to the standards of Rule 17a–3 [17 CFR 240.17a–3] to transmit to the Commission telegraphic notice of such fact and to take corrective measures within forty-eight hours after tranmittal of such notice.

[17] Securities Exchange Act Release No. 10093 (Apr. 10, 1973), 38 FR 12103 (May 9, 1973).

[18] The Commission calls attention to the proposed amendments to Rules 17a–4, 17a–5, 17a–10, and 17a–20 [17 CFR 240.17a–4, –5, –10, –20] reflecting the proposed adoption of the Focus Report, a program to streamline the financial and operational reporting of brokers and dealers. See Securities Exchange Act Release No. 11748 (Oct. 16, 1975), 40 FR 51060 (Nov. 3, 1975).

[19] Proposals to amend Rule 17a–5 [17 CFR 240.17a–5], in connection with the projected adoption of the Focus Report, would eliminate this requirement. *See* note 18 *supra*.

Rule 17a–11 [17 CFR 240.17a–11] lies at the core of the Commission's program for receiving "early warning" of a broker's or dealer's financial difficulties. The important public policy underlying this rule mandates only limited transitional modifications for new registrants. Accordingly, as applied to those brokers and dealers effecting transactions solely in municipal securities, the Commission interprets Rule 17a–11(c) [17 CFR 240.17a–11(c)] to apply, until January 15, 1976, to violations by such brokers and dealers of Rule 17a–3 [17 CFR 240.17a–3] as interpreted hereinabove. In all other respects, however, such brokers and dealers remain subject to Rule 17a–11 [17 CFR 240.17a–11].

Rule 17a–13—Quarterly Security Counts. Rule 17a–13 [17 CFR 240.17a–13] requires all brokers and dealers, with certain limited exceptions, physically to count all securities held in possession, to account for all securities in the broker's or dealer's control but not in his possession, and to account for all securities which are not in the broker's or dealer's possession or control. Other provisions of the rule specify when and how the results of this security count must be recorded on the books and records of the broker or dealer. The rule requires that such security counts be made at least once every fiscal or calendar quarter.

The Commission is aware that the municipal securities industry has never been required by regulation to make frequent security counts. Brokers and dealers effecting transactions solely in municipal securitis will require a brief transitional period in which to adjust to the procedures required by Rule 17a–13 [17 CFR 240.17a–13]. Accordingly, the Commission by interpretation suspends Rule 17a–13 [17 CFR 240.17a–13], as applied to brokers and dealers effecting transactions solely in municipal securities, until January 15, 1976. The Commission notes that this will delay the first such count under Rule 17a–13 [17 CFR 240.17a–13] to the first fiscal or calendar quarter of 1976.

Effective Date. The Commission finds, in accordance with the provisions of the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), (d)(3) (1970), that notice and public comment procedure respecting these amendments and temporary amendments to Rule 15c3–1 [17 CFR 240.15c3–1] and Rule 15c3–3 [17 CFR 240.15c3–3] would be impractical and contrary to the public interest, and finds further that the public interest requires that these amendments and temporary amendments become effective less than 30 days from the publication of this release, on December 1, 1975. These findings are based on the Commission's determination that the maintenance of orderly markets in municipal securities requires immediate publication and an effective date of these amendments and temporary amendments of December 1, 1975.

Statutory Basis and Competitive Considerations. These amendments and temporary amendments to Rule 15c3–1 [17 CFR 240.15c3–1] and Rule 15c3–3 [17 CFR 240.15c3–3] are adopted pursuant to the Securities Exchange Act of 1934, and particularly sections 10(b), 15(c)(3), 17(a) and 23(a) thereof. The Commission has determined that these amendments and temporary amendments impose no burden on competition not necessary or appropriate in furtherance of the purposes of the Act, and that the amendments and temporary amendments are necessary and appropriate to implement the provisions of the Act, and particularly section 15(c)(3) thereof, to provide for the orderly assumption by the Commission of financial responsibility regulation of all brokers and dealers.

Solicitation of Public Comment. Although the Commission finds, pursuant to the Administrative Procedure Act, that the public interest requires that these amendments and temporary amendments be adopted, effective December 1, 1975, without notice and further public comment, the Commission welcomes the views of the public on these amendments, temporary amendments, and interpretations expressed *in writing* prior to their effective date and, thereafter, until February 29, 1976 in order to assist the Commission in its task of initiating regulation of brokers and dealers effecting transactions in municipal securities particularly with respect to their financial responsibility.

Moreover, the Commission again solicits public comment from interested persons concerning the appropriate capital requirements for brokers and dealers effecting transactions in municipal securities. In particular, the Commission requests public comments, including impact studies and other appropriate statistical compilations, concerning those areas treated by the temporary amendments adopted herein, which will enable the Commission to consider and develop appropriate capital standards for brokers and dealers engaging in municipal securities transactions. In this regard, the Commission emphasizes the importance of public comment and impact studies germane to the issues of what constitutes an undue concentration of municipal securities for purposes of subparagraphs (c)(2)(vi)(M) [17 CFR 240.15c3–1(c)(2)(vi)(M)] and (f)(3)(iii) [17 CFR 240.15c3–1(f)(3)(iii)] of the Rule, the contours of a ready market in municipal securities, for purposes of subparagraphs (c)(2)(vii) [17 CFR 240.15c3–1(c)(2)(vii)], (c)(5) [17 CFR 240.15c3–1(c)(5)] and (c)(11) [17 CFR 240.15c3–1(c)(11)] of the Rule, and the appropriate haircuts on municipal bonds under subparagraph (c)(2)(vi)(B)(2) [17 CFR 240.15c3–1(c)(2)(vi)(B)(2)] of the Rule.

The Commission further invites the comments of all interested persons and self-regulatory organizations, including the Municipal Securities Rulemaking Board, concerning the appropriate financial responsibility and reporting requirements for brokers and dealers effecting transactions in municipal securities.

Interested persons are invited to submit their views to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, no later than February 29, 1976. Reference should be made to File No. S7–603. All comments received will be subject to public inspection.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

NOVEMBER 20, 1975.

[FR Doc.75–33553 Filed 12–11–75;8:45 am]

[Release No. IA–487]

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

Application for Registration of Investment Advisers and Withdrawal From Registration, Technical Rule Changes

The Securities and Exchange Commission has amended Rule 203–1 (17 CFR 275.203–1) under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) ("Act") to delete an unnecessary statutory reference to former section 203(f) (15 U.S.C. 80b–3(f)),[1] and has amended Rule 203–2 (17 CFR 275.203–2) under the Act to correct certain references to former section 203(i) (15 U.S.C. 80b–3(i)) of the Act.

Rule 203–1(a) under the Act provides:

> An application for registration of an investment adviser filed pursuant to section 203(c) or 203(f) of the Act shall be filed on Form ADV in accordance with the instructions contained therein.

Former section 203(f), now section 203(g) (15 U.S.C. 80b–3(g)), in effect permits a successor to a registered investment adviser to continue its investment advisory business if it files an application for registration within thirty days of the succession.[2] However, an application for registration, whether by a successor or otherwise, is filed pursuant to the provisions of section 203(c) (15 U.S.C. 80b–3(c)). Therefore, a reference to section 203(g) in paragraph (a) of Rule 203–1 is unnecessary.

The Securities Acts Amendments of 1975 (Pub. L. 94–29) contained amendments to the Act which, among other things, redesignated former section 203(i) as section 203(h) (15 U.S.C. 80b–3(h)). Therefore, the references in paragraphs (a) and (b) of Rule 203–2 to section 203(i) should be changed to section 203(h) to reflect the redesignation.

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[1] Pursuant to the Investment Company Amendments Act of 1970 (Pub. L. 91–547) section 203(f) was redesignated 203(h) and was subsequently redesignated 203(g) by the Securities Acts Amendments of 1975.

[2] Section 203(g) provides: "Any successor to the business of an investment adviser registered under this section shall be deemed likewise registered hereunder, if within thirty days from its succession to such business it shall file an application for registration under this section, unless and until the Commission, pursuant to subsection (d) of this section, shall deny registration to or revoke or suspend the registration of such successor."

Section 211 (15 U.S.C. 80b–11) of the Act confers authority upon the Commission to make, issue, amend, and rescind such rules, regulations, and orders as are necessary or appropriate to the exercise of its functions and powers under the Act.

Accordingly, paragraph (a) of § 275.203–1 and paragraphs (a) and (b) of § 275.203–2 are hereby amended to read as follows:

§ 275.203–1 Application for registration of investment adviser.

(a) An application for registration of an investment adviser filed pursuant to section 203(c) of the Act shall be filed on Form ADV in accordance with the instructions contained therein.

* * * * *

§ 275.203–2 Withdrawal from registration.

(a) Notice of withdrawal from registration as an investment adviser pursuant to section 203(h) shall be filed on Form ADV–W in accordance with the instructions contained therein.

(b) Except as hereinafter provided, a notice to withdraw from registration filed by an investment adviser pursuant to section 203(h) shall become effective on the 60th day after the filing thereof with the Commission or within such shorter period of time as the Commission may determine. If, prior to the effective date of a notice of withdrawal from registration, the Commission has instituted a proceeding pursuant to section 203(e) to suspend or revoke registration, or a proceeding pursuant to section 203(h) to impose terms or conditions upon withdrawal, the notice of withdrawal shall not become effective except at such time and upon such terms and conditions as the Commission deems necessary or appropriate in the public interest or for the protection of investors.

* * * * *

The Commission finds that, since the amendments are technical in nature and do not involve substantive changes, notice and opportunity for public comments and publication thirty days prior to effectiveness, ordinarily required by section 553, Title 5 of the United States Code, are unnecessary. Accordingly, the amendments shall become effective immediately.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

NOVEMBER 20, 1975.

[FR Doc.75–33552 Filed 12–11–75;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 75–307]

PART 141—ENTRY OF MERCHANDISE

Completion of Entry Papers

On September 4, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 32035), which proposed to amend § 141.61(f)(1) of the Customs Regulations (19 CFR 141.61(f)(1)), to specify where on the entry forms the invoice summary information described in that section should be placed.

After reviewing the comments received in regard to the proposed amendment, it was decided that certain changes should be made in order to provide a degree of flexibility and to allow as much space as possible for the placement of the required information. Accordingly, the wording of § 141.61(f)(1) of the proposed amendment has been changed to specify that the summary value information shall be shown "following" the entry data relating to each invoice rather than "among" the entry data, and the words, "the lower part of", have been deleted from the last sentence. In addition, the amendment now provides the option of attaching a separate worksheet to the entry document in lieu of placing the information on the Customs entry documents.

Inasmuch as the only entry forms referred to in § 141.61(f)(1) are Customs Forms 7501 and 7502, and they are the only entry forms on which the invoice summary data is to be shown, the reference to "other entry forms" in the last sentence of the proposed amendment is unnecessary. Accordingly, the phrase "and in the same location on any other entry forms on which such information is required to be shown pursuant to this paragraph" has been deleted. Furthermore, the word "should" in the last sentence has been changed to "shall" in order to conform to the language used throughout the Customs Regulations.

Accordingly, the proposed amendment, modified to include these changes, is adopted as set forth below.

Effective date. This amendment shall become effective January 12, 1976.

LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: December 4, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

Paragraph (f)(1) of § 141.61 is amended to read as follows:

§ 141.61 Completion of entry papers.

* * * * *

(f) *Value of each invoice*—(1) *Dutiable, taxable, or conditionally free merchandise.* For each invoice of dutiable, taxable, or conditionally free merchandise covered by the entry, there shall be shown following the entry data relating to such invoice the gross amount of such invoice, the deduction of the aggregate amount of any nondutiable charges included in such amount, the further deduction of the aggregate of any deductions from invoice values to make entered values, and the addition of the aggregate of any dutiable charges not included in the gross amount of the invoice and of any other additions to invoice values to make entered values, so that the final amount in the summary computation represents the aggregate of the entered values of all the merchandise on each invoice covered by the entry. All of the foregoing information shall be placed either in column (2) (across columns (2a) and (2b)) on Customs Forms 7501 and 7502, or, in the alternative, on a separate worksheet immediately attached to the entry document.

(R.S. 251, as amended, secs. 481, 484, 624, 46 Stat. 719, 722, as amended, 759 (19 U.S.C. 66, 1481, 1484, 1624))

[FR Doc.75–33458 Filed 12–11–75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER D—DRUGS FOR HUMAN USE

TOBRAMYCIN AND TOBRAMYCIN SULFATE INJECTION

The Commissioner of Food and Drugs has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, regarding approval of the antibiotic drug tobramycin, effective December 12, 1975.

The Commissioner concludes that data supplied by the manufacturer about this antibiotic drug are adequate to establish its safety and efficacy when used as directed in the labeling, and that the regulations should be amended to provide for its certification.

Therefore, under 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 430, 436, and 444 in Subchapter D of Chapter I of Title 21 of the Code of Federal Regulations is amended to provide for the certification of the antibiotic drug products tobramycin and tobramycin sulfate injection:

PART 430—ANTIBIOTIC DRUGS: GENERAL

1. Part 430 is amended:

a. In § 430.4 by adding new paragraph (a)(42), to read as follows:

§ 430.4 Definitions of antibiotic substances.

(a) * * *

(42) *Tobramycin.* A specific one of the antibiotic substances produced by the growth of *Streptomyces tenebrarius*, and the same substance produced by any other means, is tobramycin.

b. In § 430.5 by adding new paragraphs (a)(58) and (b)(58) to read as follows:

§ 430.5 Definitions of master and working standards.

(a) * * *

(58) *Tobramycin.* The term "tobramycin master standard" means a specific lot of tobramycin designed by the Commissioner as the standard of comparison in determining the potency of the tobramycin working standard.

(b) * * *

(58) *Tobramycin.* The term "tobramycin working standard" means a specific

lot of a homogeneous preparation of tobramycin.

c. In § 430.6 by adding new paragraph (b) (60) to read as follows:

§ 430.6 Definitions of the terms "unit" and "microgram" as applied to antibiotic substances.

* * * * *

(b) * * *

(60) *Tobramycin.* The term "microgram" applied to tobramycin means the tobramycin activity (potency) contained in 1.126 micrograms of the tobramycin master standard.

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

2. Part 436 is amended:

a. In § 436.33(b) by alphabetically inserting two new items into the table, as follows:

§ 436.33 Safety test.

* * * * *

(b) * * *

Antibiotic drug	Diluent (diluent number as listed in sec. 436.31)	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
*	*	*	*	*
Tobramycin	4	1 mg	.5	Intravenous.
Tobramycin sulfate	4	do	.5	Do.
*	*	*	*	*

* * * * *

b. In § 436.106(a) and (b) by alphabetically inserting a new item into the tables, as follows:

§ 436.106 Microbiological turbidimetric assay.

* * * * *

(a) * * *

Antibiotic	Working standard stock solutions: Drying conditions (method number as listed in sec. 436.200)	Initial solvent	Diluent (solution number as listed in sec. 436.101(a))	Final concentration, units or milligrams per milliliter	Storage time under refrigeration	Standard response line concentrations: Diluent (solution number as listed in sec. 436.101(a))	Final concentrations, units or micrograms of antibiotic activity per milliliter
*	*	*	*	*	*	*	*
Tobramycin	Not dried		Distilled water.	1 mg	2 weeks	Distilled water.	2.00, 2.236, 2.5, 2.795, 3.125 µg.
*	*	*	*	*	*	*	*

(b) * * *

Antibiotic	Test organism	Medium (nutrient broth)	Suggested volume of standardized inoculum to be added to each 100 ml of medium (nutrient broth)	Incubation temperature
*	*	*	*	*
Tobramycin	A	3	0.15	37
*	*	*	*	*

c. In § 436.213 by alphabetically inserting a new item in the table as follows:

§ 436.213 Nonaqueous titrations.

* * * * *

(c) * * *

Antibiotic	Weight in milligrams of sample	Solvent
*	*	*
Tobramycin-base titration	30	50 ml glacial acetic acid
*	*	*

* * * * *

e. By adding new § 436.318 to Subpart F to read as follows:

§ 436.318 Continuous flow thin layer chromatography identity test.

(a) *Equipment*—(1) *Chromatography tank.* A rectangular tank, approximately 23 centimeters long, 23 centimeters high, and 9 centimeters wide equipped with a glass solvent trough in the bottom.

(2) *Plates.* Use a 20 x 20 centimeter thin-layer chromatography plate coated with Silica Gel G or equivalent to a thickness of 250 micrometers.

(3) *Cover.* A stainless steel cover with a slot, measuring 21 x 0.6 centimeters, cut in the front edge.

(4) *Supporting platform.* A platform that can be placed in the bottom of the chromatography tank so that the solvent trough is elevated about 3.75 centimeters.

(b) *Reagents*—(1) *Developing solvent.* Mix chloroform, redistilled methanol and concentrated ammonium hydroxide in volumetric proportions of 25:60:30, respectively.

(2) *Spray solution.* Dissolve 1 gram of ninhydrin in 100 milliliters of *n*-butanol and add 1 milliliter of pyridine.

(c) *Preparation of spotting solutions.* Prepare solutions of the sample and working standard, each containing 6 milligrams of antibiotic to be tested per milliliter in distilled water.

(d) *Procedure.* Prepare a plate as follows: On a line 2 centimeters from the base of the silica gel plate, and at intervals of 1 centimeter, spot 3 microliters each of the standard solution and the sample solution. In addition, prepare one spot composed of 3 microliters of the sample solution and 3 microliters of the standard solution. Place the supporting platform in the bottom of the tank and place the solvent trough on it, near the front of the tank. Place a piece of Whatman #3 MM filter paper or equivalent, measuring 20x3 centimeters and folded in half, lengthwise, over the front edge of the tank to form a cushion and drying wick for the plate. Place the plate in the solvent trough with the coated side toward the front of the tank and leaning against the filter paper at the top. Pour the developing solvent into the trough and bottom of the tank. Cover the tank. The plate should extend approximately 1 centimeter beyond the top of the tank and through the slot in the cover. Seal all the openings in the tank with masking tape, except where the plate leans against the filter paper. Remove the plate from the tank after 5.5 hours. Allow the plate to air dry and then heat it for 15 minutes at 110° C in an oven. Remove the plate from the oven and immediately spray it with the spray solution. The compound appears as a pink spot.

(e) *Evaluation.* The sample and standard should have traveled the same distance from the origin, and the standard and sample combined should appear as a single spot that has traveled the same distance as the sample and standard individually.

PART 444—OLIGOSACCHARIDE ANTIBIOTIC DRUGS

3. Part 444 is amended:

a. By adding new §§ 444.80 and 444.280 to Subparts A and C respectively, to read as follows:

§ 444.80 Tobramycin.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Tobramycin is 0-3-amino-3-deoxy-α-D-glucopyranosyl-(1-4)-0-[2, 6-diamino-2,3,6-trideoxy-α *D-ribo* - hexopyranosyl - (1-6)]-2-deoxy-L-streptamine. It is so purified and dried that:

(i) Its potency is not less than 900 micrograms of tobramycin per milligram on an anhydrous basis.

(ii) It passes the safety test.

(iii) Its moisture content is not more than 8 percent.

(iv) Its pH in an aqueous solution containing 100 milligrams per milliliter is not less than 9 and not more than 11.

(v) It gives a positive identity test for tobramycin.

(vi) Its residue on ignition is not more than 1.0 percent.

(vii) Its heavy metals content is not more than 30 parts per million.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 431.1 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, moisture, pH, identity, residue on ignition, and heavy

(ii) Samples required: 10 packages, each containing approximately 500 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Use either of the following methods; however, the results obtained from the microbiological turbidimetric assay shall be conclusive:

(i) *Microbiological turbidimetric assay.* Proceed as directed in § 436.106 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed sample in sufficient distilled water to obtain a stock solution of convenient concentration. Further dilute an aliquot of the stock solution with distilled water to the reference concentration of 2.5 micrograms of tobramycin per milliliter (estimated).

(ii) *Nonaqueous titration.* Proceed as directed in § 436.213 of this chapter, using the titration procedure described in paragraph (e) (2) of that section. Calculate the tobramycin content as follows:

$$\text{Micrograms tobramycin per milligram} = \frac{(A-B)\times(\text{normality of perchloric acid reagent})\times 93.4\times 100\times 1{,}000}{\text{Weight of sample in milligrams}\times(100-m)}$$

where:

A = Milliliters of perchloric acid reagent used in titrating the sample;
B = Milliliters of perchloric acid reagent used in titrating the blank;
m = Percent moisture of the sample.

(2) *Safety.* Proceed as directed in § 436.33 of this chapter.

(3) *Moisture.* Proceed as directed in § 436.201 of this chapter.

(4) *pH.* Proceed as directed in § 436.202 of this chapter, using an aqueous solution containing 100 milligrams per milliliter.

(5) *Identity.* Proceed as directed in § 436.318 of this chapter.

(6) *Residue on ignition.* Proceed as directed in § 436.207(a) of this chapter.

(7) *Heavy metals.* Proceed as directed in § 436.208 of this chapter.

§ 444.280 Tobramycin sulfate injection.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Tobramycin sulfate injection is tobramycin solubilized with sulfuric acid in an aqueous solution containing one or more suitable buffers, chelating agents, and preservatives. Each milliliter contains tobramycin sulfate equivalent to either 10 milligrams or 40 milligrams of tobramycin. Its potency is satisfactory if it contains not less than 90 percent and not more than 120 percent of the number of milligrams of tobramycin that it is represented to contain. It is sterile. It is nonpyrogenic. It passes the safety test. Its pH is not less than 3.0 and not more than 6.5. The tobramycin used conforms to the standards prescribed by § 444.80(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

(3) *Requests for certification; samples.* In addition to the requirements of § 431.1 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The tobramycin used in making the batch for potency, moisture, pH, identity, residue on ignition, and heavy metals.

(*b*) The batch for potency, sterility, pyrogens, safety, and pH.

(ii) Samples required:

(*a*) The tobramycin used in making the batch: 10 packages, each containing approximately 500 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 40 vials if each milliliter contains 10 milligrams of tobramycin per milliliter, or a minimum of 12 vials if each milliliter contains the equivalent of 40 milligrams of tobramycin.

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

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 436.106 of this chapter, preparing the sample for assay as follows: If the immediate container is a single-dose vial, use a suitable hypodermic needle and syringe and remove all the withdrawable contents; or, if the labeling specifies the amount of potency in a given volume, remove an accurately measured representative portion from each container. Dilute this portion with sufficient distilled water to give a stock solution of convenient concentration. If the preparation is packaged in a prefilled syringe, eject the entire contents of the syringe and dilute with distilled water to obtain a stock solution of convenient concentration. Further dilute the stock solution to the reference concentration of 2.5 micrograms of tobramycin per milliliter (estimated).

(2) *Sterility.* Proceed as directed in § 436.20 of this chapter, using the method described in paragraph (e) (1) of that section.

(3) *Pyrogens.* Proceed as directed in § 436.32(a) of this chapter, using a solution containing 10 milligrams of tobramycin per milliliter.

(4) *Safety.* Proceed as directed in § 436.33 of this chapter.

(5) *pH.* Proceed as directed in § 436.202 of this chapter, using the undiluted solution.

Because the prerequisite conditions for certifying the subject antibiotic have been complied with and because the matter is noncontroversial, public notice and delayed effective date procedures are unnecessary for this promulgation.

Effective date. This regulation shall be effective December 12, 1975.

(Sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357))

Dated: December 5, 1975.

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

[FR Doc.75-33295 Filed 12-11-75;8:45 am]

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

[Docket No. 75N-0217]

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Carbadox, Pyrantel Tartrate; Correction

In FR Doc. 75-26165 appearing at page 45164 in the FEDERAL REGISTER of October 1, 1975, the stated concentration of pyrantel tartrate in §§ 558.115(e) and 558.485(d) (2) (21 CFR 558.115(e) and 558.485(d) (2)) is corrected to read as set forth below.

1. In § 558.115, paragraph (e) (1) is corrected to read as follows:

§ 558.115 Carbadox.

* * * * *

(e) *Special considerations.* (1) The manufacture of finished feeds processed from feed supplements does not require compliance with the provisions of section 512(m) of the act when they contain:

(i) Up to 0.055 percent (500 grams/ton) carbadox and used as provided in paragraph (f) (1) or (2) of this section.

(ii) Up to 0.055 percent (500 grams/ton) carbadox in combination with up to 0.106 percent (960 grams/ton) pyrantel tartrate and used as provided in paragraph (f) (3) of this section.

* * * * *

2. In § 558.485, paragraph (d) (2) is corrected to read as follows:

§ 558.485 Pyrantel tartrate.

* * * * *

(d) * * *

(2) The manufacture of finished feeds processed from feed supplements does not require compliance with the provisions of section 512(m) of the act when they contain:

(i) Up to 0.106 percent (960 grams/ton) pyrantel tartrate and used as provided in paragraph (e) (1) or (2) of this section.

(ii) Up to 0.106 percent (960 grams/ton) pyrantel tartrate in combination with up to 0.055 percent (500 grams/ton) carbadox and used as provided in paragraph (e) (4) of this section.

* * * * *

Dated: December 4, 1975.

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

[FR Doc.75-33462 Filed 12-11-75;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 450—PLANNING ASSISTANCE AND STANDARDS

Urban Transportation Planning; Amendment

On September 17, 1975, documents were published in the FEDERAL REGISTER (40 FR 42976, 42979) adding a new Part 450, Subparts A and C, to Title 23 CFR. The definition of the term "Governor" in §§ 450.104 and 450.304 inadvertently omitted the Governor of Puerto Rico. Under 23 U.S.C. 101(a) Puerto Rico is included within the definition of "State" and as a result is subject to the urban transportation planning requirements of Title 23, U.S.C. as implemented by Part 450, Subpart A and the transportation improvement requirements under Part 450, Subpart C. Accordingly, the definition of "Governor" in 23 CFR 450.104 and 450.304 is amended to read as follows:

"Governor" means the Governor of any one of the fifty states, or Puerto Rico, and includes the Mayor of the District of Columbia.

This amendment is effective on December 12, 1975.

Issued on December 5, 1975.

NORBERT T. TIEMANN,
Federal Highway Administrator.
ROBERT E. PATRICELLI,
Urban Mass Transportation Administrator.

[FR Doc.75-33436 Filed 12-11-75;8:45 am]

PART 630—PRECONSTRUCTION PROCEDURES

Federal-Aid Programs Approval and Authorization

● Purpose. The purpose of this document is to issue final regulations to prescribe policies and procedures for preparation and submission of programs for utilization of all classes of highway construction funds provided under the provisions of title 23 U.S.C. and Federal highway acts and to set forth procedures establishing the Federal Highway Administration (FHWA) authorization to proceed with work as the point of obligation of Federal funds. ●

In the November 4, 1974, edition of the FEDERAL REGISTER (39 FR 38911), the FHWA published a notice of proposed rulemaking. In addition to comments received as a result of that notice many comments were received through the Advisory Commission on Intergovernmental Relations.

Review of the docket for comments indicated that there were three main areas of concern with respect to the proposed regulation. These included the need for an annual program, loss of flexibility as a result of the elimination of Stage I program, and the requirement for joint approval of urban system projects by the Urban Mass Transportation Administration (UMTA) and the FHWA.

A number of commentors felt that the preparation of an annual program would be time consuming to prepare, review, and approve and alleged that it would not be meaningful since it would disregard (a) the fact that the Federal-aid funds are but a part of the whole, (b) the obligational authority limitation and other variations in Federal-aid financing, and (c) the fluctuations in State financing, and (d) the inability to meet deadlines in the development and approval of the plans, specifications and estimates and other documents. Other commentors supported the concept of an annual program and felt that it would reduce the amount of paperwork and serve as another useful tool in determining the funding of transportation goals and objectives.

These final regulations continue the annual program concept. Clearly, the FHWA has a mission to implement national goals and priorities articulated by Congress, and programing is the last stage in the Federal-aid process during which proposals can be evaluated in the context of the whole. The Federal-aid program for each State should reflect a blend of local, State, and national goals.

Programing represents the merging of plans and priorities with available funding. Since Federal-aid funds are apportioned annually and State budgets are generally prepared annually, the development of an annual program best suits these conditions.

The FHWA evaluation of a State's annual program will include a judgment of the extent to which national goals are being addressed, and permit a review of the overall program to maximize impact on solution of transportation problems while not becoming preoccupied with the relative priority of individual projects. In a particular year, an individual State program may, for a number of reasons, reflect considerable imbalance in Federal-aid legislation. However, over a period of years the State program for the various funding categories should reflect progress in the areas of national emphasis.

These programming procedures should simplify the programming in process and reduce "red tape." The individual State and the FHWA Division Administrator will be able to mutually agree on formats and, within a broad time frame, the schedule for submission of the annual Federal programs, thus, the Federal programs can be tailored to the existing programming procedures of the individual State and the needs of the FHWA Division office. Hopefully, the programs developed by a State for internal use can be used to the maximum extent possible as the basis for the Federal programs, thus, satisfying both Federal and State needs and permitting the elimination of duplication and unnecessary paperwork.

These regulations give the States the flexibility to supplement or revise annual programs as necessary at any time. If a State does not request authorization to proceed with Federal funding of a programmed project by the end of a program period, the project will automatically be dropped from the program. Thus, program changes will need to be made only to add new projects or to supplement information on projects already in a program.

The next major issue raised was with respect to the elimination of Stage I and II programs. Massachusetts was one of several States concerned with the possible loss of flexibility as a result of the elimination of Stage I programming for preliminary engineering (PE) and Right-of-Way (ROW) acquisition. In consideration of the comments received, the regulation has been revised and now permits authorization of work without obligation of funds through the location stage of a project. This modification and the opportunity the States will have under these programming procedures to request authorization of partial phases of work, in addition to existing procedures permitting advance construction projects, pursuant to 23 U.S.C. 115, and advance acquisition or right-of-way, pursuant to 23 U.S.C. 108(c), should provide sufficient flexibility to the States to continue to administer a viable Federal-aid program.

Another concern expressed by the State of Massachusetts and other States involved the obligation of funds for PE and ROW projects presently authorized in Stage I. As a result, the regulation has been revised to permit previously authorized Stage I PE and ROW projects to continue without immediate obligation of Federal funds. Only when additional authorizations are requested for work beyond the location stage will Federal funds also have to be obligated to cover previous authorizations. If a State feels that this method of obligating previously authorized Stage I work will cause a hardship, the State may submit its own conversion schedule for FHWA consideration. The transition to new programming procedures has been further simplified by deleting from the regulation the provision that approved and authorized Stage I projects be included as items in the annual program for the year in which the funds are to be obligated.

The requirements for approval of program (§ 630.112) have been revised substantially. As revised, when a Metropolitan Planning Organization submits an urban system funded nonhighway mass transit project which is in its Transportation Improvement Program annual element (23 CFR Part 450, Subpart C) and the project is not included by the State in a statewide annual program, UMTA concurrence will be required for all urban system funded projects in the urbanized area affected. With the exception of such cases, FHWA acts only on programs or portions of programs for highway projects and UMTA will act only on portions of the urban system program involving nonhighway mass transit projects.

Except for the three major issues discussed above, most of the revisions made to the proposed regulations were editorial changes or minor clarifying revisions rather than substantive revisions. Other revisions which are of interest are discussed in the following commentary.

Definitions of "program period," "allocation," "preliminary engineering," and "project" were added. The proposed definition of "Federal-aid program" was amended to clarify that it is an annual program.

Proposed § 630.103(b) has been revised (see § 630.106(b) of the final regulation) to require an annual program rather than a "detailed program" to be consistent with the definition of "Federal-aid program."

The examples of national goals and objectives in § 630.103(d) of the proposed regulations have been eliminated in the final regulations (§ 630.106(c)) since national goals and objectives are presently described in sufficient detail in title 23.

Section 630.103(e) of the proposed rule has been deleted and incorporated in the definition of a "project" in § 630.104.

Proposed § 630.104 has been expanded (§ 630.108) to include items related to program development which were previously contained in the general requirements of proposed § 630.105.

The provisions in § 630.104(e) permitting programs to be revised is now found in § 630.112(e).

Proposed § 630.104(c) has been substantially revised (§ 630.108 (c) and (d)) to explain clearly the parts of an annual program and to require identification of the classes of funds.

A new § 630.108 (e), (f), and (g) has been added with (1) instructions as to the information to be included in Parts I and II of an annual program, (2) the programing of bond issue projects, advance right-of-way and advance construction projects, and (3) the programing of projects in Alaska funded under 23 U.S.C. 118(b).

Revision has been made to proposed § 630.105(c) to clarify that projects funded with urban system funds shall be selected in accordance with provisions defined in the Transportation Improvement Regulations (23 CFR Part 450, Subpart C). It is possible to have a project on the urban system funded by other than urban system funds which may be selected by other than the appropriate local officials. Specifically, the State may select projects on State routes which are on an urban system for utilization of safety funds and nonhighway public mass transit projects may be initiated by transit officials.

The programing requirements applicable to urbanized areas (§ 630.110(d)) expand the proposed regulation (§ 630.105(d)) to include specific information on exemptions from the 23 U.S.C. 134 planning process and to add for emphasis, the requirement of 23 U.S.C. 134 (a) that responsible local officials of the urban area in which a project is to be located be consulted and their views considered with respect to the corridor, location, and design of the project.

Section 630.110(f) of the regulations (§ 630.105(f) of the proposed regulation) addresses categories of work which may include several locations of activity in one project. Revision has been made to clarify the intent that qualifying work may be combined in a single areawide project per category, but not all categories combined into one areawide project.

One comment pointed out that with regard to the authorization to proceed (§ 630.107 of the proposed regulations; § 630.114 of the final regulations) the regulations failed to mention Federal requirements which must be satisfied prior to authorization of the various phases of work, and further, the regulations lacked instructions on how to submit data concerning fulfillment of the requirements. Section 630.114 now includes a statement that all prerequisite requirements must be satisfied prior to the State requesting authorization to proceed on a phase of work. Instructions on procedures to satisfy prerequisite requirements are not covered in this regulation as these may be found in the appropriate implementing regulations for the specific phase of work. Another comment stated that certification acceptance does not require an official letter of authorization, but could be handled in the program stage. While it is true that authorization to proceed may be given concurrent with program approval, it is not automatic but requires a specific request. This is in accord with the certification acceptance regulations (23 CFR Part 640).

Section 630.114(b) was added to emphasize that urban system funded nonhighway mass transit projects are not authorized by FHWA. Authorization to proceed is an UMTA delegated action pursuant to 23 CFR Part 810.

Section 630.114(c) was added to clarify that the initial authorization to proceed is not automatic with program approval. While not automatic, if prerequisite requirements have been satisfied, a State may request and receive authorization to proceed concurrent with program approval action.

Section 630.114(d) was added to clarify project changes at the authorization request stage. When an authorization is requested for a project phase or work and the project has been materially changed in length or termini from that approved in the annual program, the authorization request shall include a request for program revision.

Section 630.114(e) was added to clarify authorization of portions of a phase of work. One comment expressed concern over exceeding the estimated cost of an authorization and having expenditures cited. Authorization to proceed under this regulation will be similar to current practices. Authorizations will be given for a phase or a portion of a phase of work and an estimated amount of money will be obligated in accordance with § 630.114(f). Should additional funding be required to finish the authorized work, the project agreement may be modified to reflect the increase subject to the availability of funds. No additional authorizations are required by virtue of differences between estimated and actual costs.

In § 630.114(f) (§ 630.106(b) of the proposed regulation), additional information has been added to note the exceptions to contract obligation at time of authorization. These are advance construction projects, bond issue projects, portions of the PE and ROW phases through the project location stage, and special cases. The meaning of "full Federal participation" was questioned in one comment. This means that Federal participation shall be to the full pro rata percentage for the class of funds being utilized (i.e., Interstate—90 percent, primary and secondary—70 percent, etc.).

A new § 630.116 relating to transition with existing programs has been added to the final regulations. In order to provide an orderly transition to full compliance for these outstanding actions, a transition period is provided from the date of issuance of this regulation until October 1, 1976. During this period, the State Highway Department shall phase out the program procedures of superseded PPM 21-1 and institute requirements of this regulation which shall become fully implemented by October 1, 1976.

This regulation will supersede FHWA PPM 21-1.

In consideration of the foregoing and under the authority of 23 U.S.C. 105, 106, 118, 134 and 315, and the delegation of

authority by the Secretary of Transportation at 49 CFR 1.48(b), Chapter I of title 23 of the Code of Federal Regulations is hereby amended by adding a new Part 630, Subpart A, as set forth below.

Effective date. A transition period shall exist from November 14, 1975, the date of issuance of this regulation, until October 1, 1976. The State highway agency shall, during this period, phase out the programing procedures of superseded PPM 21-1 and institute the requirements of this regulation. This regulation shall become fully implemented by October 1, 1976.

Issued on: November 14, 1975.

J. R. COUPAL, JR.,
Deputy Administrator.

Subpart A—Federal-Aid Programs Approval and Authorization

Sec.

630.102 Purpose.
630.104 Definitions.
630.106 Policy.
630.108 Program submissions.
630.110 General requirements.
630.112 Approval of annual programs.
630.114 Authorization to proceed.
630.116 Transition with existing annual programs.

AUTHORITY: 23 U.S.C. 105, 106, 118, 134 and 135; delegation of authority in 49 CFR 1.48(b).

Subpart A—Federal-Aid Programs Approval and Authorization

§ 630.102 Purpose.

The purpose of this regulation is to prescribe policies and procedures for preparation and submission of programs for utilization of all classes of highway construction funds provided under the provisions of title 23, United States Code (U.S.C.), and Federal Highway Acts, and procedures establishing the Federal Highway Administration's (FHWA) authorization to proceed with work as the point of obligation of Federal funds.

§ 630.104 Definitions.

(a) Except as otherwise provided, terms defined in 23 U.S.C. 101(a) are used in this Subpart as so defined.

(b) As used herein: "Allocation" means an administrative distribution of funds among the States.

(c) "Federal-aid Program(s)" means an annual listing of projects proposed by a State highway agency for utilization of apportioned and allocated Federal funds.

(d) "Preliminary Engineering" means work necessary to produce construction plans, specifications, and estimates to the degree of completeness required for undertaking construction thereunder, including locating, surveying, designing and related work.

(e) "Program Period" means a period of 12 consecutive months beginning not later than October 1.

(f) "Project" means an undertaking for highway construction, which may encompass phases of work including preliminary engineering (PE), right-of-way (ROW) and actual construction, individually or any combination thereof, or any other work or activity to carry out the provisions of title 23, U.S.C. and Federal-Aid Highway Acts.

§ 630.106 Policy.

(a) Development of a transportation facility involves a continuing sequence of events spanning several years. It is necessary that transportation programs be prepared to reflect the continuous nature of the project development process starting with determination of a transportation need and followed by location, design, acquisition of ROW and construction or implementation of individual physical or operational improvements.

(b) The State highway agency of any State desiring to avail itself of Federal-aid funds authorized by Federal highway legislation shall submit annually to the Federal Highway Administrator programs of proposed projects for the utilization of the unobligated balance of funds apportioned or allocated to it.

(c) In developing the Federal-aid programs, each State highway agency shall consider national goals, objectives, and emphasis areas as set forth in title 23, U.S.C. or promulgated by the Federal Highway Administrator.

§ 630.108 Program submissions.

(a) The State highway agency shall prepare and submit to the Federal Highway Administrator the Federal-aid programs. The programs shall be submitted, separately or in any combination, as soon as practical after the apportionments or allocations of the Federal-aid funds have been made for a fiscal year. All programs shall be submitted by October 1 of each year at times agreed upon by the State and the Federal Highway Administrator.

(1) For rural areas and urban areas of less than 50,000 population, the State highway agency shall develop a separate program for each class of apportioned and allocated funds. Projects jointly financed with a combination of Federal-aid highway funds should be included in each program for the classes of funds involved.

(2) For urbanized areas, the State highway agency is encouraged to develop a single statewide urbanized areas program containing all proposed Federal-aid projects located within the urbanized areas, regardless of class of funds.

(b) A Federal-aid program shall include only those projects that provide for phases of work which the State highway agency expects to request authorization to proceed with during the program period.

(c) A program shall consist of two parts:

(1) Part I shall contain projects which have not received any previous authorizations. These projects shall include phase(s) of work (i.e., PE, ROW or actual construction or both) that are expected to receive initial authorization during the program period.

(2) Part II shall contain projects, which include phase(s) of work previously approved and authorized, in which additional phase(s) of work are being added that are expected to receive initial authorization during the program period. A phase of work may be added to an existing project only when the termini of the work covered by the phase are the same as the project termini. When not, the additional phase shall be programed in Part I as a new project.

(3) Additional authorizations for work within previously approved and initially authorized phase(s) of work, do not require additional program action.

(d) A program submission shall identify the classes of funds involved with the classes of funds appropriate to the Federal-aid system designations. The program shall be submitted in a form agreed upon by the State and Federal Highway Administrator. For convenient reference and identification, projects in Part I shall be assigned an item number. Projects in Part II shall be identified by the program item number initially assigned. A jointly financed project shall be assigned a single item number used to identify the project in each program for the various classes of funds involved.

(e) The State shall furnish the Federal Highway Administrator all information requested to support program approval action, which may include any or all of the following:

(1) For Part I projects:

(i) The item number;

(ii) A map or maps showing the location of the projects;

(iii) A description of project termini, including city or county location;

(iv) A description of the phase(s) of work;

(v) The project length;

(vi) The estimated total cost of the phase(s) of work and the Federal funds share and if it is anticipated that authorization of less than the total cost of a phase of work will be requested during the program period, the amount of the lesser authorization.

(vii) The comments and statements pertaining to the A-95 clearinghouse review pursuant to 23 CFR Part 420, Subpart C,

(viii) Any additional data as may be necessary to meet specific program requirements, e.g., information on highway and railroad grade crossing protection pursuant to 23 U.S.C. 109(e), and airport coordination pursuant to 23 U.S.C. 318;

(2) Part II projects:

(i) The item number;

(ii) The project number;

(iii) A description of the added phase(s) of work;

(iv) The estimated total cost of the added phase(s) of work, the Federal funds share and the amount of authorization anticipated to be requested during the program period, and;

(v) That information needed to satisfy requirements as in paragraphs (e)(1)(vii) and (viii) of this section for the added phase(s) of work and not furnished in previous program submissions.

(f) Bond Issue projects, under 23 U.S.C. 122, Advance Acquisition of ROW, under 23 U.S.C. 108 and Advance Construction projects, under 23 U.S.C. 115

shall be supported and programed as required by 23 CFR Part 140, Subpart F; 23 CFR Part 712, Subpart G; and 23 CFR Part 630, Subpart G; and shall be generally consistent with this regulation unless the implementing regulation specifically provides otherwise.

(g) Projects in the State of Alaska funded under 23 U.S.C. 104 shall be programed consistent with this regulation. These funds may be transferred from one system category to another without restraint so long as the projects on which the funds are to be authorized provide for the construction of access and development roads on a Federal-aid system that will serve resource development, recreational, residential, commercial, industrial or other like purpose.

(h) Projects involving other special procedures or special fund authorizations, shall be supported and programed as required by the implementing regulation issued to cover such funds and shall be generally consistent with this regulation unless the implementing regulation specifically provides otherwise.

§ 630.110 General requirements.

(a) The Federal-aid program shall consist of projects located upon an approved Federal-aid system except that projects for determining the acceptable location of Federal-aid routes; projects which are legislatively mandated for off-system Federal-aid work such as those under 23 U.S.C. 151, 219 and 405, and non-highway projects under 23 U.S.C. 142 and 103(e)(4) may also be included in the program.

(b) Projects for inclusion in the secondary Federal-aid program (23 U.S.C. 104(b)(2)) shall be selected by the State highway agency and the appropriate local officials in cooperation with each other, except where all public roads and highways are under the control and supervision of the State highway agency. An acceptable evidence of cooperation may be as follows:

(1) A procedure contained in an approved State Certification Acceptance Plan under 23 CFR Part 640 or Action Plan under 23 CFR Part 795; or

(2) A statement from the State highway agency accompanying the program submission, certifying selection by local officials and the State in cooperation with each other.

(c) Projects for utilization of urban system funds shall be selected by appropriate local officials with the concurrence of the State highway agency.

(1) Projects developed in accordance with the planning process pursuant to 23 U.S.C. 134 and included in the Transportation Improvement Program's annual element (23 CFR 450.312) meet the requirement for local officials selection. Inclusion of the projects in a Federal-aid program signifies State highway agency concurrence.

(2) In areas where the Section 134 planning process is not required, selection by local officials may be evidenced by:

(i) A procedure contained in an approved State Certification Acceptance Plan under 23 CFR Part 640 or Action Plan under 23 CFR Part 795, or

(ii) A statement from the State highway agency accompanying the program submission certifying selection by local officials.

(d) Projects in urbanized areas shall:

(1) Be based on a planning process pursuant to 23 U.S.C. 134 and 23 CFR Part 450, Subpart A. Certain types of safety projects may be exempted from this process as permitted by 23 CFR Part 655, Subpart E.

(2) Be selected from the annual element of the Transportation Improvement Program consistent with 23 CFR Part 450, Subpart C.

(3) Be constructed only after the responsible public officials of jurisdictions in which the project is located have been consulted and their views considered with respect to the corridor, the location and the design of the project.

(e) Program(s) of projects to be administered under Certification Acceptance shall indicate experimental features and any known or proposed exceptions to approved standards or procedures under 23 CFR Part 640.

(f) Categories of work such as, but not limited to, spot safety improvements, traffic engineering improvements, billboard removal or other minor items involving work at a number of separate locations, may be included as a single areawide project per category in the appropriate program(s). The size of projects shall be kept reasonable to permit timely completion of work involved.

§ 630.112 Approval of annual programs.

(a) The Federal Highway Administrator will notify the State highway agency in writing of the action taken on each program submission, indicating approval in whole or in part and any qualifications or conditions determined necessary.

(b) Program approval will indicate Federal agreement with the State's selection of projects, which shall then become eligible for apportioned or allocated Federal funds upon authorization to proceed.

(c) Program approval shall not constitute an obligation of funds, nor shall it establish a date of eligibility for Federal funding.

(d) The Federal Highway Administrator will notify the appropriate A-95 clearinghouse(s) of the action taken on projects in accordance with 23 CFR Part 420, Subpart C.

(e) Approved programs may be modified as necessary. Program modifications shall be consistent with procedures established in this regulation for its development.

(f) Federal-aid programs will be approved by the Federal Highway Administrator except as follows:

(1) Programs for projects funded with Federal-aid urban system funds pursuant to 23 U.S.C. 104(b)(6) shall be approved by:

(i) the Federal Highway Administrator with respect to highway projects;

(ii) the Urban Mass Transportation Administrator with respect to nonhighway public mass transit projects; and

(iii) the Federal Highway Administrator and Urban Mass Transit Administrator jointly with respect to both highway and nonhighway public mass transit projects for an urbanized area when the program or applicable portion does not include all Federal-aid urban system nonhighway public mass transit projects contained in the annual element of the Transportation Improvement Program for the urbanized area.

(2) Programs for nonhighway public mass transit projects funded with interstate substitution funds pursuant to 23 U.S.C. 103(e)(4) shall be approved by the Urban Mass Transit Administrator.

(g) In any case where the State does not concur in a nonhighway public mass transit project, a statement describing the reasons for the nonconcurrence shall accompany the Federal-aid program submission.

(h) If a phase(s) of a programed project has not received initial Federal authorization by the end of the program period, the phase(s) of work will automatically be dropped from the program and must be reprogramed when the work is anticipated to be authorized.

§ 630.114 Authorization to proceed.

(a) Authorization to proceed with the work on any phase of a highway project, including those under Certification Acceptance (23 CFR Part 640), shall be issued by the Federal Highway Administrator in response to a request from the State highway agency. Such a request shall be submitted only after appropriate prerequisite requirements pursuant to Title 23, U.S.C., and implementing regulations have been satisfied. Prerequisite requirements are dependent upon the character of work to be authorized.

(b) Authorizations to proceed subsequent to program approval for nonhighway public mass transit projects will be issued by the Urban Mass Transit Administrator under 23 CFR Part 810 or 23 CFR Part 476, Subpart D.

(c) The initial authorization to proceed for a phase of work shall be based on an approved project providing for that phase of work and contained in an approved program for the current program period, except as may be permitted in § 630.108. Authorization to proceed with work may be given concurrent with or subsequent to program approval.

(d) When an authorization is re- for a project phase of work and the project has been materially changed in length or termini from that approved in the annual program, the authorization request shall include a request for program revision.

(e) Authorization to proceed may be given for a complete phase or phases of work, or a portion of a phase of work. Within phases of work the division of work for partial authorization shall

be at logical break points as agreed to by the State and the Federal Highway Administrator, based on the task accomplishment, not on a period of time. Tasks shall be expected to become directly attributable to the development of specific physical construction projects. In all cases, Federal funds shall not participate in costs incurred prior to the date of authorization to proceed.

(f) Authorization to proceed with work shall be deemed a contractual obligation of the Federal Government under 23 U.S.C. 106 and shall require that appropriate funds be available for full Federal participation for the cost of work authorized except as follows:

(1) Advance construction projects under 23 U.S.C. 115;

(2) Bond issue projects under 23 U.S.C. 122;

(3) The preliminary studies portion of the preliminary engineering and right-of-way phases (including hardship acquisition and protective buying) through the location stage (23 CFR Part 795) when a State highway agency requests authorization without obligation of funds. The written notice to a State approving their request will contain the following statement: "Authorization to proceed shall not constitute any commitment of Federal funds nor shall it be construed as creating in any manner any obligation on the part of the Federal Government to provide Federal funds for the undertaking." When a project has received an authorization as permitted above, subsequent authorizations beyond the location stage shall not be given until appropriate available funds have been obligated to cover the previous authorization. Costs incurred after the initial authorization are eligible for Federal reimbursement; and

(4) In special cases where the Federal Highway Administrator determines it to be in the best interests of the Federal-Aid highway program.

(g) A State highway agency's request for authorization shall be by letter or other form mutually acceptable to the State and Federal Highway Administrator. FHWA authorizations will not be issued until all requirements are met relative to the specific work to be authorized.

§ 630.116 Transition with existing annual programs.

A transition period shall exist from the date of issuance of this regulation until October 1, 1976. The State highway agency shall, during this period, phase out the programing procedures of superseded PPM 21-1[1] and institute the requirements of this regulation. This regulation shall become fully implemented by October 1, 1976.

[FR Doc.75-33554 Filed 12-11-75;8:45 am]

[1] See § 1.32(b) (5) (i).

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-807]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

● Purpose. The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128). ●

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186-93). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553 (b) are impracticable and unnecessary.

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 new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
•	•	•	•	•	•	•
Michigan	Calhoun	Burlington, township of	Dec. 2, 1975, emergency	Oct. 10, 1975		
Pennsylvania	Schuylkill	Branch, township of	do	Nov. 15, 1974		
Do	Mifflin	Decatur, township of	do	do		
Do	Greene	Greensboro, borough of	do	Nov. 8, 1974		
Do	Susquehanna	Jackson, township of	do	Feb. 7, 1975		
Do	Greene	Jefferson, township of	do	Dec. 20, 1974		
Do	Westmoreland	Loyalhanna, township of	do	Sept. 13, 1974		
Do	Beaver	New Sewickley, township of	do	Jan. 3, 1975		
Do	Wayne	Oregon, township of	do	Nov. 8, 1974		
Do	Erie	Springfield, township of	do	Nov. 1, 1974		
West Virginia	Ohio	Unincorporated areas	do	Nov. 29, 1974		
Do	Webster	do	do	Dec. 13, 1974		
Massachusetts	Norfolk	Holbrook, town of	July 31, 1970, emergency; Apr. 28, 1972, regular; July 20, 1975, suspended; Nov. 25, 1975, reinstated.	Apr. 23, 1972		
California	Los Angeles	Glendora, city of	Nov. 18, 1975, regular			
Do	do	South El Monte, city of	Nov. 14, 1975, regular			
Do	do	South Pasadena, city of	Nov. 14, 1975			
Idaho	Cassia	Declo, city of	Dec. 3, 1975, emergency	Sept. 6, 1974		
Massachusetts	Middlesex	Hopkinton, town of	do	July 19, 1974		
Minnesota	Carver	Young America, city of	do	Jan. 31, 1975		
Pennsylvania	Cambria	Cambria, township of	do	Dec. 6, 1974		
Do	Greene	Clarksville, borough of	do	Nov. 15, 1974; Oct. 31, 1975		
Do	Chester	East Coventry, township of	do	Oct. 18, 1974		
Do	Schuylkill	Frailey, township of	do	Nov. 8, 1974		
Do	Washington	Hanover, township of	do	Jan. 10, 1975		
Do	Berks	Maxatawny, township of	do	Nov. 22, 1974		
Do	Fayette	Saltlick, township of	do	Nov. 15, 1974		
West Virginia	Gilmer	Unincorporated areas	do	Jan. 3, 1975		
Do	Kanawha	Handley, town of	do	Jan. 17, 1975		
Pennsylvania	Indiana	Burrell, township of	Dec. 4, 1975, emergency	Sept. 13, 1974		
Do	Adams	Carroll Valley, borough of	do			
Do	do	Conewago, township of	do	Nov. 22, 1974		
Do	Susquehanna	Franklin, township of	do	Dec. 20, 1974		
Do	Westmoreland	Hyde Park, borough of	do	Nov. 1, 1974		
Do	Crawford	North Shenango, township of	do			
Do	Adams	McSherrystown, borough of	do	Nov. 22, 1974		
Do	Fulton	Wells, township of	do	Dec. 13, 1974		
Massachusetts	Middlesex	Holliston, town of	Dec. 5, 1975, emergency	Aug. 2, 1974		
Michigan	Calhoun	Convis, township of	do			
Do	do	Emmett, township of	do	Sept. 26, 1975		
Do	do	Homer, village of	do			
New York	Herkimer	Poland, village of	do	Mar. 8, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 1, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.75-33388 Filed 12-11-75;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1953—CHANGES FOR STATE PLANS FOR THE DEVELOPMENT AND ENFORCEMENT OF STATE STANDARDS

Oregon State Standards

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the FEDERAL REGISTER (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision. The notice of Approval of Revised Developmental Schedule was further published on April 1, 1974, in the FEDERAL REGISTER (39 FR 11881).

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act.

Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated July 28, 1975 from M. Keith Wilson, Chairman, Workmen's Compensation Board to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning Subpart H of Part 1910, Title 29, Code of Federal Regulations. These standards, which are contained in Oregon Administrative Rules Chapter 437, section 22–050 through 22–059 and section 22–018(A)(c) and Oregon Administrative Rules Chapter 837, Sections 11–005 through 11–030 were promulgated by the State after an Order Adopting Rules was published in the Department of the State's Administrative Rules Bulletins Vol. XIV, No. 12, dated December 15, 1974; Vol. XIV, No. 13, dated January 1, 1975; and Vol. XV, No. 1, dated July 1, 1975. No request for public hearing was received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, 909 First Avenue, Federal Office Building, Seattle, Washington 98174; Workmen's Compensation Board, Labor and Industries Building, Room 204, Salem, Oregon 97310; and the Technical Data Center, Room N3620, 200 Constitution Avenue NW., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which provide for public comment and therefore further opportunity for public participation would be repetitious.

This decision is effective December 12, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington this third day of November, 1975.

JOHN A. GRANCHI,
Acting Assistant Regional Director.

[FR Doc.75-33591 Filed 12-11-75;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 17—MEDICAL

Extensions of Community Nursing Home Care Beyond 6 Months

The Administrator of Veterans Affairs amends Part 17 of Title 38, Code of Federal Regulations, to authorize Directors of health care facilities to approve extensions of community nursing home care at the expense of the United States beyond 6 months.

Section 620(a) provides that nursing home care at the expense of the United States for more than 6 months in the aggregate in connection with any one transfer may not be furnished except in the case of the veteran whose hospitalization was primarily for a service-connected disability or where in the judgment of the Administrator a longer period is warranted in the case of any other veteran.

The authority given to the Administrator by law for extensions was previously delegated in § 17.51a to the Chief Medical Director, his deputy, Associate Deputy Chief Medical Director for Operations or the Director, Field Operations. The delegation to Directors of health care facilities, who will exercise this authority only within the terms of this section, will provide for more expeditious action on these requests since direct knowledge regarding each case would be more readily available to those officials.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date is unnecessary in this instance and would serve no useful purpose because the change consists of internal practice and procedure.

Section 17.51a is revised to read as follows:

§ 17.51a Extensions of community nursing home care beyond 6 months.

Directors of health care facilities may authorize, for any veteran whose hospitalization was not primarily for service-connected disability, an extension of nursing care in a public or private nursing home care facility at Veterans Administration expense beyond 6 months for circumstances of an unusual nature such as when a medical and economic need continues to exist, additional time is required to complete other arrangements for care, or when readmission to a hospital is not deemed professionally advisable despite terminal deterioration of the veteran's medical condition.

Effective date. This VA Regulation is effective October 31, 1975.

Approved: December 5, 1975.

[SEAL] R. L. ROUDEBUSH,
Administrator.

[FR Doc.75-33542 Filed 12-11-75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 50—PUBLIC CONTRACTS, DEPARTMENT OF LABOR

PART 50-201—GENERAL REGULATIONS

Public Utility, Regular Dealer in Uranium Concentrates, Uranium Hexafluoride or Enriched Uranium, Walsh-Healey Public Contracts Act

On June 20, 1975, there was published in the FEDERAL REGISTER (40 FR 26405) a notice of proposed rulemaking to exempt contracts with public utilities from the manufacturer and regular dealer requirements of Section 1(a) of the Walsh-Healey Public Contracts Act to permit Government agencies, including the TVA to procure uranium concentrates, uranium hexafluoride and enriched uranium from public utilities.

Interested parties were given the opportunity to submit, not later than July 21, 1975, data, views, and recommendations concerning the proposed exemption. No unfavorable comments have been received, but one comment was received from the TVA pointing out an error in the formula for uranium concentrates.

Accordingly, the proposed exemption is hereby adopted without change, except for the correction of the uranium formula, and the justification for this exemption set out in the proposal is hereby adopted as my finding.

I find that the justification for this exemption is as follows:

1. Under current Energy Resources Development Administration regulations, enrichment customers, such as TVA, may include 10 percent foreign uranium in feed material supplied ERDA for enrichment in 1977, 15 percent in 1978, and an increasing percentage each following year until all restrictions on use of foreign materials are removed in 1984.

2. Recent efforts by TVA to procure domestic uranium presumably from firms meeting the requirements of regular dealer or manufacturer by negotiation or invitations to bid have not been satisfactory in meeting TVA's domestic uranium requirements.

3. Some public utilities whose nuclear programs have been curtailed or cancelled have indicated that they will be selling their supplies of uranium in the near future. Both foreign and domestic buyers are competing for these supplies. Because public utilities may not be considered to be manufacturers or regular dealers in uranium within the meaning of the Public Contracts Act, this additional needed source of domestic uranium would not be available to TVA without an exemption from the manufacturer or regular dealer requirements of the Act.

Accordingly, § 50-201.604 is amended by adding a new paragraph (e) reading as follows:

§ 50-201.604 Partial administrative exemptions.

* * * * *

(e) Contracts with a public utility for the procurement of uranium concentrates (U_3O_8), uranium hexafluoride (UF_6), or enriched uranium are exempt from the requirement of Section 1(a) of the Act and § 50-201.1 that the contractor be a manufacturer or regular dealer in the materials, supplies, articles, or equipment to be manufactured or used in the performance of the contract. For purposes of this exemption, a public utility is defined to be an enterprise engaged in the transmission and sale of electric power and energy and whose rates therefor are regulated under State, local, or Federal laws governing operations of public utility enterprises.

As this amendment grants an exemption, it shall be effective December 12, 1975.

Signed at Washington, D.C., on this 5th day of December 1975.

ROBERT C. CHASE,
Deputy Assistant Secretary for Employment Standards.

[FR Doc.75-33590 Filed 12-11-75;8:45 am]

PART 50-201—GENERAL REGULATIONS

Regular Dealer for Used Automatic Data Processing Equipment, Walsh-Healey Public Contracts Act

On June 13, 1975, there was published in the FEDERAL REGISTER (40 FR 25219) a notice of proposed rulemaking setting forth the definition of a regular dealer for used automatic data processing equipment. Interested parties were given the opportunity to submit, not later than July 14, 1975, data, views, or arguments regarding this proposal.

No unfavorable comments have been received and the proposed definition of regular dealer is hereby adopted without change.

The proposed findings justifying the change as published in the proposal are hereby adopted as my finding and are as follows:

1. The market place for automatic data processing equipment is unique in that the Government's requirements may be satisfied through the use of new equipment provided by manufacturers or through the use of used equipment made available through a system of used ADPE suppliers.

2. Original equipment manufacturers supply equipment without differentiating between new, used, or recycled equipment with a uniform price applying to all categories.

3. Suppliers of used equipment acquired by the General Services Administration during FY 74 yielded a savings of 9.75 million dollars from the original equipment manufacturers' price of 30.03 million dollars. Comparable savings have been achieved when other agencies have obtained services from the suppliers of used computer equipment.

4. Regular dealers as defined in 41 CFR 50–201.101(b) and the Federal Procurement Regulations, 41 CFR 1–12.603–2, do not exist for automatic data processing equipment. There are no known sources of supply who stock or warehouse automatic data processing equipment for future sale as is customary in many industries. Even manufacturers do not stock or warehouse automatic data processing equipment. Rather, their general practice is to build to order. Some suppliers do own quantities of equipment which have been on lease. This equipment may be warehoused on a temporary basis after a lease has expired until a new user is found for the equipment. No supplier, however, maintains an inventory of this commodity in anticipation of future sales.

5. Approximately 75 percent of the equipment obtained for use by Federal agencies from this used computer marketplace is leased since the method of acquisition is controlled by the type of funds available to the user community, *i.e.*, fiscal year monies. In the remaining cases where purchase funds are available, outright purchase is the preferred method of acquisition.

6. The third party marketplace is almost exclusively a brokerage type of operation where the dealers in this industry will locate computer systems which no longer satisfy the initial user's needs and then find new users who have a need for a comparable data processing capability. These firms generally do not operate on a commission or percentage of sale basis but rather are free agents operating in a highly competitive marketplace. This industry provides an essential service to the United States Government as evidenced by the amount of dollars saved. Their service is unique since their network is able to bring about the exchange of used equipment obtained from numerous individual owners who would not otherwise be in a position to offer their products at a savings to the Government.

As this amendment relieves the restriction, it shall be effective December 12, 1975.

Accordingly, § 50–201.101 is amended by adding a new paragraph (b)(10) as follows:

§ 50–201.101 Manufacturer or regular dealer.

* * * * *

(b) * * *

(10) A regular dealer in used automatic data processing equipment may be a person who owns or controls previously owned or used items, materials, supplies, articles, or equipment of the general character described in the specifications and required under the contract and who offers such items for sale to the public in the usual course of business and whose principal business is the purchase and sale of such items, materials, supplies, articles, or equipment.

* * * * *

Signed at Washington, D.C. on this 5th day of December, 1975.

ROBERT C. CHASE,
Deputy Assistant Secretary for Employment Standards.

[FR Doc.75–33589 Filed 12–11–75;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 25; Notice 20]

PART 575—CONSUMER INFORMATION REGULATIONS

Uniform Tire Quality Grading Standards; Response to Petitions for Reconsideration

The NHTSA has received nine petitions for reconsideration of 49 CFR 575.104, *Uniform Tire Quality Grading Standards*, which was published in Notice 17 (40 FR 23073; May 28, 1975) and amended by Notice 18 (40 FR 28071; July 3, 1975).

On August 14, 1975, the United States Court of Appeals for the Sixth Circuit granted a motion to stay the enforcement and postpone the effective dates of the regulation, pending review of its validity in "B. F. Goodrich Co. v. Department of Transportation" (No. 75–1568). In view of the stay, the NHTSA considers that it would be inappropriate to take action at this time with respect to the issues raised in the petitions for reconsideration. The agency will respond in detail to these petitions after the stay is lifted.

(Sec. 103, 112, 119, 201, 203; Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1407, 1421, 1423); delegation of authority at 49 CFR 1.51)

Issued on December 3, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75–33544 Filed 12–11–75;8:45 am]

Title 9—Animals and Animal Products

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

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments

● **Purpose. To Amend the test procedures used to evaluate Anthrax Spore Vaccine.** ●

On June 17, 1975, a notice of proposed amendments to Part 113 was published in the FEDERAL REGISTER at 40 FR 25599. On September 5, 1975, an extension of time to submit written data, views, or arguments was published in the FEDERAL REGISTER at 40 FR 41139.

The purity test in the present Standard Requirements for Anthrax Spore Vaccine includes an alternate choice of medium. Neither has been found acceptable for detection of all possible bacterial contaminants. These amendments would add the requirement that the vaccine be tested with both mediums.

The safety test in the present Standard Requirement for Anthrax Spore Vaccine is not sufficiently critical to assure safety of every serial unless deaths in guinea pigs in the potency test necessitates the use of sheep or goats. These amendments would change the safety requirement to the use of sheep or goats as the initial test.

These amendments would also change the potency test to a two-stage test to provide additional testing in event vaccinated guinea pigs are lost for reasons other than lack of potency in the vaccine.

Comments received from the producers of the vaccine included suggestions to relax the severity of the proposed potency test.

After due consideration of all relevant matters, including the proposal set forth in the aforesaid notice of rulemaking, and the suggestions received from the comments, and pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158), the amendments of Part 113, Subchapter E, Chapter I, Title 9 of the Code of Federal Regulations, as contained in the aforesaid notice are hereby adopted and are set forth herein subject to the following noted modifications:

The conditions of the proposed test for potency have been changed to relax the requirements while retaining the desirable features of the two-stage test. The prechallenge period has been changed from "14 to 21 days" to "14 to 15 days" to eliminate unnecessary variable results.

The designated injection site in paragraph (c)(2)(i) has been reworded to make it less restrictive and an editorial change has been made in paragraph (c)(2)(ii).

Section 113.66 is amended by revising paragraphs (a)(2)(i), (b), and (c) to read:

§ 113.66 Anthrax Spore Vaccine—Non-encapsulated.

* * * * *

(a) * * *

(2) * * *

(i) One ml shall be inoculated into one tube of thioglycollate broth and one tube of nutrient broth, incubated at 35 to 37° C for seven days and examined for microorganisms other than *Bacillus anthracis*. If micro-organisms other than *Bacillus anthracis* are detected, the serial or subserial is unsatisfactory.

* * * * *

(b) *Safety test.* Bulk or final container samples of completed product shall be tested for safety. Each of two healthy young sheep or goats shall be injected subcutaneously with two cattle doses and observed for 14 days. If either sheep or goat shows evidence of persistent or progressive edema which does not subside in 4 or 5 days, or does not survive the observation period, the serial or subserial is unsatisfactory.

(c) *Potency tests.* The spore count provided in paragraph (c) (1) of this section shall be conducted on each serial and each subserial. The two-stage vaccination challenge test provided in paragraph (c) (2) of this section shall be conducted on each serial.

(1) *Spore count.* Final container samples of completed product shall be diluted in tenfold steps. Each dilution that may be significant shall be plated in triplicate on nutrient or tryptose agar, inverted, and incubated at 35 to 37° C for 24 to 28 hours. The plates showing proper dispersion of colonies shall be counted and averaged. If the spore count average is less than 2,000,000 spores per cattle dose, the serial or subserial is unsatisfactory.

(2) Bulk or final container samples of completed product shall be tested for potency in healthy guinea pigs weighing 400 to 500 grams each.

(i) Twelve guinea pigs (vaccinates), shall be injected subcutaneously on the abdomen with ½ of a cattle dose and observed for 14 to 15 days. If at least 10 of the vaccinates do not survive the pre-challenge observation period, the test is inconclusive and may be repeated.

(ii) *Bacillus anthracis* challenge material, available upon request from Veterinary Services, shall be used to challenge each of the surviving vaccinates and each of six nonvaccinated guinea pigs (controls). Each guinea pig shall be injected with approximately 4500 LD_{50} of the challenge material and observed for 10 days. The challenge dose shall be determined by statistical analysis of results of titrations of the challenge material.

(iii) If at least 5 of the 6 controls do not die within the 10 day post-challenge observation period, the test is invalid and may be repeated. If the test is valid, the results of the potency test shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative: Deaths for satisfactory test	Cumulative: Deaths for unsatisfactory test
1	10 to 12	1 or less	3 or more.
2	20 to 24	2 or less	3 or more.

(iv) The second stage shall be required only when exactly two animals die in the first stage. The second stage shall be conducted in a manner identical to the first stage.

(37 Stat. 832–833; 21 U.S.C. 151–158).

Effective date: These amendments take effect January 13, 1976.

Done at Washington, DC, this 8th day of December 1975.

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

[FR Doc.75-33596 Filed 12-11-75;8:45 am]

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPECTION), DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—MANDATORY MEAT INSPECTION

PART 331—SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES; AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGER PUBLIC HEALTH AND FOR SUCH DESIGNATED ESTABLISHMENTS

SUBCHAPTER C—MANDATORY POULTRY PRODUCTS INSPECTION

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Designation of Massachusetts Under Federal Meat and Poultry Products Inspection Acts for Special Purposes

● Purpose. The purpose of this document is to notify the public that the Secretary of Agriculture hereby designates the State of Massachusetts under section 205 of the Federal Meat Inspection Act and section 11(e) of the Poultry Products Inspection Act. ●

Statement of considerations. Sections 202, 203, and 204 of the Federal Meat Inspection Act (21 U.S.C. 642, 643, 644) provide for recordkeeping, access, and related requirements; registration requirements; and regulation of transactions involving dead, dying, disabled, or diseased livestock of specified kinds, or parts of the carcasses of such animals that died otherwise than by slaughter, with respect to operators engaged in specified classes of business in or for "commerce" as defined in the Act. Similar provisions with respect to poultry and poultry products are contained in section 11 of the Poultry Products Inspection Act (21 U.S.C. 460). Section 205 of the Federal Meat Inspection Act and section 11(e) of the Poultry Products Inspection Act (21 U.S.C. 645, 460(e)) authorize the Secretary of Agriculture to exercise the authorities under the aforesaid sections with respect to persons, firms, and corporations engaged in the specified kinds of business but not in or for "commerce" in any State or organized Territory when he determines, after consultation with an appropriate advisory committee, that the State or Territory does not have at least equal authority under its laws or is not exercising such authority in a manner to effectuate the purposes of the Acts.

Officials of the State of Massachusetts have advised this Department that effective January 12, 1976, the State of Massachusetts will no longer be in a position to continue administering authorities under the aforesaid sections with respect to persons, firms, and corporations engaged in the specified kinds of business but not in or for "commerce."

The Secretary heretofore determined that the State of Massachusetts had developed and activated requirements at least equal to the requirements under sections 202, 203, and 204 of the Federal Meat Inspection Act and section 11 (b) and (c) of the Poultry Products Inspection Act. However, such sections contemplate continuous ongoing programs, and in view of the termination date now applicable to the Massachusetts programs, the Secretary, after consultation with the apporopriate advisory committee, has now determined that Massachusetts is not exercising, in a manner ot effectuate the purposes of said Acts, with respect to intrastate businesses, authorities at least equal to those under sections 202, 203, and 204 of the Federal Meat Inspection Act and section 11 (b) and (c) of the Poultry Products Inspection Act, including the Secretary or his representative being afforded access to such places of business and the facilities, inventories, and records thereof. Therefore, Massachusetts is hereby designated under section 205 of the Federal Meat Inspection Act and section 11(e) of the Poultry Products Inspection Act for the exercise of the specified authorities with respect to intrastate businesses, and hereafter sections 202, 203, and 204 of the Federal Meat Inspection Act and section 11 (b) and (c) of the Poultry Products Inspection Act shall apply as hereinafter provided, to persons, firms, and corporations engaged in the kinds of business specified in said sections, but not in or for commerce, to the same extent and in the same manner as if they were engaged in such business in or for commerce and the transactions involved were in commerce.

Accordingly, the table in § 331.6 of the meat inspection regulations (9 CFR 331.6) is amended as follows:

1. In the "State" column, "Massachusetts" is added immediately below "Kentucky" in all three places.

2. In the "Effective date of designation" column, "January 12, 1976" is added on the line with "Massachusetts" in all three places.

(Secs. 21 and 205, 34 Stat. 1260, as amended, 81 Stat. 584 (21 U.S.C. 621, 645); 37 FR 28464, 28477)

Further, the table in § 381.224 of the poultry products inspection regulations (9 CFR 381.224) is amended as follows:

1. In the "State" column, "Massachusetts" is added immediately below "Kentucky" in both places.

2. In the "Effective date" column, "January 12, 1976" is added on the line with "Massachusetts" in both places.

(Secs. 11(e) and 14, 71 Stat. 441, as amended, 82 Stat. 791 (21 U.S.C. 460(e), 463); 37 FR 28464, 28477)

These amendments of the regulations are necessary to reflect the determinations of the Secretary of Agriculture under section 205 of the Federal Meat Inspection Act and section 11(e) of the Poultry Products Inspection Act, and to effectuate the purposes of the Acts by affording representatives of the Secretary of Agriculture access to places of business engaged in intrastate activities and otherwise facilitate the enforcement of the Acts. It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Secretary. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such public procedure is impracticable and unnecessary and good cause is found for making these amendments effective less than 30 days after publication in the FEDERAL REGISTER.

These amendments and the notice given hereby shall become effective December 13, 1975.

Done at Washington, D.C., on December 10, 1975.

HARRY C. MUSSMAN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.75-33755 Filed 12-11-75;9:29 am]

PART 331—SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES; AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGERED PUBLIC HEALTH AND FOR SUCH DESIGNATED ESTABLISHMENTS

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Designation of the State of Massachusetts

● **Purpose. The purpose of this document is to notify the public that the Secretary of Agriculture hereby designates the State of Massachusetts under section 301 (c)(3) of the Federal Meat Inspection Act and section 5(c)(3) of the Poultry Products Inspection Act.** ●

Statement of considerations. A representative of the Governor of the State of Massachusetts has advised this Department that the State of Massachusetts is no longer in a position to continue administering the State meat inspection program after January 11, 1976, and has requested the Department to assume the responsibility for carrying out the provisions of titles I and IV of the Federal Meat Inspection Act, with respect to establishments within the State at which cattle, sheep, swine, goats, or equines are slaughtered or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning meat products and other articles and animals subject to the Federal Meat Inspection Act, and persons, firms, and corporations engaged therein.

Also, a representative of the Governor of the State of Massachusetts has advised this Department that the State of Massachusetts is no longer in a position to continue administering the State poultry inspection program after January 11, 1976, and has requested the Department to assume the responsibility for carrying out the provisions of sections 1–4, 6–10, and 12–22 of the Poultry Products Inspection Act with respect to establishments within the State at which poultry are slaughtered or poultry products are processed for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning products and other articles and animals subject to the Poultry Products Inspection Act, and persons, firms, and corporations engaged therein.

The Secretary heretofore determined that the State of Massachusetts had developed and activated requirements at least equal to the requirements under titles I and IV of the Federal Meat Inspection Act and sections 1–4, 6–10, and 12–22 of the Poultry Products Inspection Act. However, such titles and sections contemplate continuous, ongoing programs, and in view of the termination date now applicable to the Massachusetts programs, it is hereby determined that Massachusetts is not effectively enforcing requirements at least equal to those imposed under titles I and IV of the Federal Meat Inspection Act and sections 1–4, 6–10, and 12–22 of the Poultry Products Inspection Act. Therefore, notice is hereby given that the Secretary of Agriculture designates said State under section 301(c)(3) of the Federal Meat Inspection Act and section 5(c)(3) of the Poultry Products Inspection Act.

On January 12, 1976, the provisions of titles I and IV of the Federal Meat Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Federal Meat Inspection Act, and any establishment in the State of Massachusetts which conducts any slaughtering or preparation of carcasses or parts or products thereof of cattle, sheep, swine, goats, horses, mules, or other equines, must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 23(a) or 301(c) of the Federal Meat Inspection Act.

Also, on January 12, 1976, the provisions of sections 1–4, 6–10, and 12–22 of the Poultry Products Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Poultry Products Inspection Act, and any establishment in the State of Massachusetts which conducts any slaughtering or processing of poultry or poultry products must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 15 or 5(c)(2) of the Poultry Products Inspection Act.

Therefore, the operator of each such establishment who desires to continue any such operations after January 11, 1976, should immediately communicate with the Regional Director for Meat and Poultry Inspection, as listed below, for information concerning the requirements and exemptions under the Acts and application for inspection and survey of the establishment:

Dr. M. J. Hatter, Director, Northeastern Region, Meat and Poultry Inspection Program, Seventh Floor, 1421 Cherry Street, Philadelphia, Pennsylvania 19102 (Telephone: 215/597-4219).

Accordingly, the table in § 331.2 of the federal meat inspection regulations (9 CFR 331.2) is amended as follows:

1. In the "State" column, "Massachusetts" is added immediately below "Kentucky."

2. In the "Effective date of application of Federal provisions" column, "January 12, 1976" is added on the line with "Massachusetts."

(Secs. 21 and 301(c), 34 Stat. 1260, as amended; (21 U.S.C. 621, 661(c)); 37 F.R. 28464, 28477)

Further, the table in § 381.221 of the poultry products inspection regulations (9 CFR 381.221) is amended as follows:

1. In the "State" column, "Massachusetts" is added immediately below "Maine."

2. In the "Effective date of application of Federal provisions" column, "January 12, 1976" is added on the line with "Massachusetts."

(Secs. 5(c) and 14, 71 Stat. 441, as amended (21 U.S.C. 454(c), 463); 37 FR 28464, 28477)

These amendments of the federal meat inspection regulations and the poultry products inspection regulations are necessary to reflect the determination of the Secretary of Agriculture under section 301(c) of the Federal Meat Inspection Act and section 5(c) of the Poultry Products Inspection Act. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Secretary. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such public procedure is impracticable and unnecessary.

The amendments and the notice given hereby shall become effective December 13, 1975.

Done at Washington, D.C., on December 10, 1975.

HARRY C. MUSSMAN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.75-33756 Filed 12-11-75;9:30 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 724]

OTHER TOBACCO

Proposed Determinations on Marketing Quotas for the 1976–77, 1977–78 and 1978–79 Marketing Years

Pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 *et seq.*, hereinafter referred to as the "Act"), the Secretary is preparing (1) with respect to fire-cured (type 21), fire-cured (types 22–24), and dark air-cured tobacco, to proclaim national marketing quotas for the 1976–77, 1977–78, and 1978–79 marketing years and to conduct, within 30 days after the proclamation of such national marketing quotas, referendums of farmers engaged in the 1975 production of each of such kinds of tobacco to determine whether they favor or oppose marketing quotas for such years; and (2) with respect to fire-cured (type 21), fire-cured (types 22–24), dark air-cured, Virginia sun-cured, cigar-binder (types 51 and 52, and cigar filler and binder (types 42–44 and 53–55) tobacco, to determine and announce the amounts of the national marketing quotas for each of such kinds of tobacco for the 1976–77 marketing year; to convert such marketing quotas into national acreage allotments and announce the allotments; to apportion such allotments, less reserves of not to exceed 1 per centum of each respectively, through the local committees among old farms and to apportion the reserves for use in (a) establishing acreage allotments for new farms and (b) making corrections and adjusting inequities in old farm allotments.

Sec. 312(a) of the Act (7 U.S.C. 1312 (a)) requires the Secretary to proclaim marketing quotas, not later than February 1, 1976, for fire-cured and dark air-cured tobacco for the three marketing years beginning October 1, 1976, because the 1975–76 marketing year is the last year of the three consecutive years for which marketing quotas previously proclaimed will be in effect.

Quotas were previously proclaimed, referendums conducted, and quotas approved by growers as follows: fire-cured and dark air-cured for the 1973–74, 1974–75, and 1975–76 marketing years (38 F.R. 9219); Virginia sun-cured for the 1974–75, 1975–76, and 1976–77 marketing years (39 F.R. 23985); and cigar binder (types 51 and 52) and cigar-filler and binder (types 42–44 and 53–55) for the 1975–76, 1976–77, and 1977–78 marketing years (40 F.R. 14737).

Section 301(b) (15) of the Act (7 U.S.C. 1301(b) (15)) defines "tobacco" as each one of the kinds of tobacco listed below comprising the types specified as classified in Service and Regulatory Announcement Numbered 118 (Part 30 of this title) of the former Bureau of Agricultural Economics of the Department:

Flue-cured tobacco, comprising types 11, 12, 13, and 14;
Fire-cured tobacco, comprising type 21;
Fire-cured tobacco, comprising types 22, 23, and 24;
Dark air-cured tobacco, comprising types 35 and 36;
Virginia sun-cured tobacco, comprising type 37;
Burley tobacco, comprising type 31;
Maryland tobacco, comprising type 32;
Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 45, 46, 51, 52, 53, 54, and 55; and
Cigar-filler tobacco, comprising type 41.

Section 301(b) (15) also provides that any one or more of the types comprising any such kind of tobacco shall be treated as a "kind of tobacco" for the purpose of the Act if the Secretary finds that there is a difference in supply and demand conditions as among such types of tobacco which results in a difference in the adjustments needed in the marketings thereof in order to maintain supplies in line with demand. Pursuant to this authority, the Secretary has determined (15 F.R. 8214) that type 46 tobacco shall be treated as a separate kind of tobacco for purposes of marketing quotas and price supports. Pursuant to such authority, the Secretary has also determined (22 F.R. 367) that cigar-binder (types 51 and 52) tobacco, beginning with the 1957–58 marketing year, shall be treated as a separate kind of tobacco for purposes of marketing quotas and price supports. Type 45 tobacco is no longer grown. No further action under this section is contemplated at this time.

Section 312(b) of the Act (7 U.S.C. 1312(b)) provides that the Secretary shall determine and announce, not later than the first day of February 1976 with respect to kinds other than flue-cured tobacco, the amount of the national marketing quota which will be in effect for the 1976–77 marketing year in terms of the total quantity of tobacco which may be marketed which will make available during such marketing year a supply of each kind of tobacco equal to the reserve supply level. Section 312(b) provides further that the amount of the 1976–77 national marketing quota so announced may, not later than March 1, 1976, be increased by not more than 20 per centum if the Secretary determines that such increase is necessary in order to meet market demands or to avoid undue restrictions of marketings in adjusting the total supply to the reserve supply level.

Section 301(b) of the Act (7 U.S.C. 1301(b)) defines the "total supply" of any kind of tobacco (except type 46) for any marketing year as the carry-over at the beginning of the marketing year (on January 1 of such marketing year in the case of Maryland tobacco) plus the estimated production in the United States during the calendar year in which such marketing year begins. "Reserve supply level" is defined as the normal supply plus 5 per centum thereof. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption and 65 per centum of a normal year's exports. A "normal year's domestic consumption" is defined as the yearly average quantity produced in the United States and consumed in the United States during the 10 marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the 10 marketing years immediately preceding the marking year in which such exports are determined, adjusted for current trends in such exports.

Section 312(c) of the Act (7 U.S.C. 1312 (c)) requires that within 30 days after a national marketing quota is proclaimed under section 312(a) of the Act for a kind of tobacco, the Secretary shall conduct a referendum of farmers engaged in the production of the crop of such kind of tobacco harvested immediately prior to the holding of the referendum to determine whether such farmers are in favor of or opposed to quotas for the next three succeeding marketing years. If more than one-third of the farmers voting in a referendum for a kind of tobacco oppose the quotas, such results shall be proclaimed by the Secretary and the national marketing quotas so proclaimed shall not be in effect but such results shall in no way affect or limit the subsequent proclamation and submission to a referendum, as otherwise provided in section 312, of a national marketing quota.

Section 313(g) of the Act (7 U.S.C. 1313 (g)) authorizes the Secretary to convert the national marketing quota into a national acreage allotment on the basis of the national average yield for the five years immediately preceding the year in which the national marketing quota is proclaimed and to apportion the national acreage allotment (less a reserve of not

to exceed 1 per centum thereof for new farms and for making corrections and adjusting inequities in old farm allotments) among old farms.

The subjects and issues involved in making the determinations described in this notice are:

1. The amount of the reserve supply level for fire-cured (type 21), fire-cures (types 22–24), dark air-cured, Virginia sun-cured, cigar binder (types 51 and 52) and cigar filler and binder (types 42–44 and 53–55) tobacco.
2. The amount of the national marketing quota for each of these kinds of tobacco for the 1976–77 marketing year.
3. The national factors for apportioning national acreage allotments to old farms.
4. The amounts of the national acreage allotments to be reserved for new farms and for making corrections and adjusting inequities in old farm allotments.
5. The date(s) or period(s) of the two referendums on quotas for the 1976–77, 1977–78, and 1978–79 marketing years for fire-cured and dark air-cured tobacco, and whether either or both of the referendums should be conducted at polling places rather than by mail ballot (31 F.R. 12011).

Consideration will be given to data, views and recommendations pertaining to the proposed determinations covered by this notice which are submitted in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to the notice will be made available for public inspection from 8:15 a.m. to 5:45 p.m., Monday through Friday, in Room 3744-South Building, 14th and Independence Avenue SW., Washington, D.C. All submissions must, in order to be sure of consideration, be received no later than January 12, 1976.

Signed at Washington, D.C. on: December 9, 1975.

E. J. PERSON,
Acting Administrator Agricultural Stabilization and Conservation Service.

[FR Doc.75-33598 Filed 12-11-75;8:45 am]

[7 CFR Part 726]

BURLEY TOBACCO

Proposed Determinations on Marketing Quotas for the 1976–77 Marketing Year

Pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq., hereinafter referred to as the "Act"), the Secretary is preparing to determine and announce the amount of the national marketing quota, the national reserve and the national factor for burley tobacco for the 1976–77 marketing year.

Section 319(b) of the Act (7 U.S.C. 1319(b)) provides that the national marketing quota for the 1976–77 marketing year shall be determined and announced not later than February 1, 1976. ing quotas on a poundC3z$eg__bt3s-§5 Burley tobacco farmers approved marketing quotas on a poundage basis for the 1974–75, 1975–76 and 1976–77 marketing years (39 FR 23985).

Section 319(c) provides that the national marketing quota shall be the amount produced in the United States which the Secretary estimates will be utilized in the United States and will be exported during such marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 5 per centum of such estimated utilization and exports. For each marketing year for which marketing quotas are in effect under this section, the Secretary in his discretion may establish a reserve (hereinafter referred to as the "national reserve") from the national marketing quota in an amount not in excess of 1 per centum of the national marketing quota to be available for making corrections and adjusting inequities in farm marketing quotas, and for establishing marketing quotas for new farms (that is, farms for which farm marketing quotas are not otherwise established.) A reserve of 2,800,000 pounds was established for the 1975–76 marketing year (40 FR 4633).

Section 301(b) of the Act (7 U.S.C. 1301(b)) defines "Total supply" of burley tobacco as the carry-over at the beginning of the marketing year (October 1) plus the estimated production in the United States during the calendar year in which the marketing year begins. The total supply for the 1975–76 marketing year is 1,731 million pounds, composed of carry-over of 1,094 million pounds and estimated production of 637 million pounds.

Section 301(b) of the Act defines "Reserve supply level" as normal supply plus 5 percent. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 percent of a normal year's domestic consumption and 65 percent of a normal year's exports as an allowance for a normal carry-over. A "Normal year's domestic consumption" is defined as the yearly average quantity produced in the United States and consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "Normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the ten marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports. The reserve supply level used in determining the national marketing quota for the 1975–76 marketing year was 1,701 million pounds, calculated from a normal year's domestic consumption of 538 million pounds and a normal year's exports of 85 million pounds (40 F.R. 4633). The proposed reserve supply level for use in determining the national marketing quota for the 1976–77 marketing year is 1,646 million pounds, calculated from a normal year's domestic consumption of 525 million pounds and a normal year's exports of 75 million pounds.

The amount of burley tobacco produced in the United States and estimated to have been (1) utilized in the United States during the 1974–75 marketing year was 519 million pounds and (2) exported during the 1974–75 marketing year was 68 million pounds, farm-sales weight basis. The amount of the national marketing quota for the 1975–76 marketing year is 670 million pounds based upon estimated utilization in the United States of 555 million and estimated exports of 95 million pounds, with an upward adjustment of 20 million pounds (40 F.R. 4633). For the 1976–77 marketing year, utilization in the United States is estimated to be about 555 million pounds and exports are estimated to be about 75 million pounds. The total supply for the 1975–76 marketing year is 86 million pounds greater than the proposed reserve supply level, but the amount of the downward adjustment, if any, desirable for an orderly reduction in the total supply is still being considered.

Section 319(e) of the Act provides, in part, that each farm marketing quota shall be determined by multiplying the previous year's farm marketing quota by a national factor obtained by dividing the national marketing quota determined under subsection 319(c) (less the national reserve) by the sum of the farm marketing quotas for the immediately preceding year for all farms for which burley tobacco marketing quotas will be determined: *Provided*, That such national factor shall not be less than 95 per centum.

Section 319(i) of the Act provides, in part, that if the Secretary, in his discretion, determines it is desirable to encourage additional marketings of any grades of burley tobacco during any marketing year to insure traditional market patterns to meet the normal demands of export and domestic markets, he may authorize the marketing of such grades without the payment of penalty or deduction from subsequent quotas to the extent of 5 per centum of the farm marketing quota for the farm on which the tobacco was produced and such marketings shall be eligible for price support.

Section 319(h) of the Act provides that effective with the marketing year beginning October 1, 1976, no marketing quota, other than a new farm marketing quota, shall be established for a farm on which no burley tobacco was planted or considered planted in any of the five years immediately preceding the year for which farm marketing quotas are being established.

The subjects and issues involved in the proposed determinations with respect to burley tobacco for the 1976–77 marketing year are:

1. The amount of the national marketing quota.
2. The amount of the reserve supply level.

3. The amount of the national reserve.
4. Whether the Secretary should implement the provision in section 319(i) of the Act to encourage additional marketings of any grades to insure traditional market patterns.

The national factor is not considered an issue in these determinations because it results from a mathematical computation under section 319(e) of the Act.

Consideration will be given to data, views and recommendations pertaining to the proposed determinations, rules and regulations covered by this notice which are submitted in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. All written submissions will be made available for public inspection from 8:15 a.m. to 4:45 p.m., Monday through Friday, in room 3744-South Building, 14th and Independence Avenue SW., Washington, D.C. All submissions must, in order to be sure of consideration, be received not later than January 12, 1976.

Signed at Washington, D.C. on: December 9, 1975.

E. J. PERSON,
Acting Administrator Agricultural Stabilization and Conservation Service.

[FR Doc.75-33597 Filed 12-11-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 1, 10, 27, 51, 53]

[Docket No. 75P-0166]

DRAINED WEIGHTS FOR PROCESSED FRUITS AND VEGETABLES

Standards of Fill of Container and Label Statement

Correction

On page 54587 in the issue of Tuesday, November 25, 1975, the correction for FR Doc. 75-28786 (40 FR 52172; November 7, 1975) should be disregarded. Doc. 75-28783 was correct as originally published.

[21 CFR Parts 310, 330]

[Docket No. 75N-0345]

MARKETING STATUS OF INGREDIENTS RECOMMENDED FOR OVER-THE-COUNTER USE

Proposed Rulemaking and Enforcement Policy

Correction

In FR Doc. 75-32645 appearing at page 56675 in the issue of Thursday, December 4, 1975, in the middle column on page 56675 the date "February 6, 1975" appearing in the seventh line from the bottom of the incomplete paragraph should read "February 2, 1976".

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 75-NW-41-AD]

BOEING MODEL 747 SERIES AIRPLANES

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Boeing Model 747 series airplanes. There have been several reported instances of cracks developing in the trailing edge flap tracks that could result in loss of the trailing edge flap assembly. Three cracks had been reported prior to 1975. Eight cracks were reported during 1975. The increase in frequency and size of reported cracks has prompted the agency to require inspection and replacement of the tracks if necessary. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require inspection of the trailing edge flap track.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Northwest Region, Office of Regional Counsel, Attention: Airworthiness Rules Docket, 9010 East Marginal Way South, Seattle, Washington 98108. All communications received on or before January 15, 1976, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BOEING: Applies to all Model 747 series airplanes certificated in all categories. Compliance required as indicated.

To prevent failures of flap tracks accomplish the following:

Within the next 300 flights after the effective date of this AD, unless accomplished within the last 900 flights and at intervals thereafter not to exceed 1200 flights visually inspect the following trailing edge flap tracks for cracks emanating from all fastener holes (no disassembly necessary):

Track position numbers 1 and 8, part numbers 65B08012-4, 65B08011-7 and 65B080-13. Track position numbers 2 and 7, part numbers 65B08006-3, 65B08005-5, and -9. Track position numbers 3 and 6, part numbers 65B07791-7, -8, 65B07789-23, -24, -27, and -28. Track position numbers 4 and 5, part numbers 65B07790-13, -14, -15, -16, -17, -18, 65B16624 all dash numbers.

If cracks are found, replace the flap track before further flight.

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

Issued in Seattle, Wash., December 5, 1975.

C. B. WALK, Jr.,
Director,
Northwest Region.

[FR Doc.75-33449 Filed 12-11-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-AL-12]

CONTROLLED AIRSPACE

Proposed Alteration and Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would (1) add a west extension to the Nome, Alaska, control zone (2) realign the east extension of the Nome, Alaska, control zone (3) reconfigure the lateral limits of the 700-foot Nome, Alaska, transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received on or before January 12, 1976, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform con-

ditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involved, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The proposed amendment would amend the Nome, Alaska, control zone by (1) adding a west extension, 17 miles west of the Nome localizer and 3 miles north and 3 miles south of the west course of the Nome localizer, (2) reducing the east control zone extension width to within 3 miles north and 4 miles south of the Nome VOR 107° T (090° M) and 287° T (270° M) radials. It would also amend the Nome, Alaska, transition area, by changing the configuration of the lateral limits of that airspace extending upward from 700-foot above the surface, to within 4.5 miles north and 9.5 miles south of the Nome VOR 107° T (090° M) and 287° T (270° M) radials extending from 18.5 miles east to 32 miles west of the Nome VOR. The relocation of Fort Davis NDB and 5° change in the Nome NDB runway 27 instrument approach procedure required an alternation of sufficient dimension to encompass the airspace to be protected, and the existing Nome, Alaska, terminal airspace structure needed to be readjusted to accommodate prescribed instrument approach procedures.

This amendment is proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 FR 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on December 5, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-33450 Filed 12-11-75;8:45 am]

MARINE MAMMAL COMMISSION

[50 CFR Part 510]

FEDERAL ADVISORY COMMITTEE ACT

Proposed Implementation

Correction

In FR Doc. 75-32192 appearing at page 55679 in the issue of Monday, December 1, 1975, the fourth line of § 510.7(a) on page 55680 should be corrected to read "tion provided in 5 U.S.C. 552(b), the Chair-".

notices

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

DEPARTMENT OF STATE

[Public Notice CM-51129]

ADVISORY COMMITTEE ON THE LAW OF THE SEA

Partially Closed Meeting

In accordance with section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the Advisory Committee on the Law of the Sea will meet in closed session on Friday, January 23 and in both open and closed sessions on Saturday, January 24, 1976. The open session of the meeting will convene on Saturday at 2 p.m. in Room 1107, U.S. Department of State, 21st and C Street, NW., Washington, D.C.

The purpose of the closed meeting is to discuss specific conference issues and formal planning and policy preparations for the U.S. Delegation to the 1976 New York Session of the Third United Nations Conference on the Law of the Sea. During these closed sessions, documents classified under the provisions of Executive Order 11652 will be discussed.

These documents, which contain new substantive proposals as well as revisions of earlier policy statements, relate to the issues which the United States will be negotiating at the Conference. The documents are exempt under 5 U.S.C. 552 (b)(1), and are required to be withheld from disclosure in the public interest.

The issues cover such subjects as freedom of navigation on the high seas and in international straits, the establishment of a deep seabeds mining regime, the breadth of the continental margin, the juridical content of the economic zone, and other related topics involving U.S. national security matters. Premature disclosure of the contents of these documents could adversely affect our foreign relations interests and jeopardize the chances of obtaining a timely and satisfactory Law of the Sea Treaty.

The open session of the Advisory Committee meeting will discuss all principal agenda issues to be considered during the Third United Nations Conference on the Law of the Sea, including those issues stated above, but will not examine the classified items discussed during the closed session.

The Advisory Committee on the Law of the Sea represents a broad cross-section of industries, professions, academic disciplines and other public groups. As such, it will comprehensively review the proposals which will come before the Conference.

At the open session, beginning at 2 p.m. on January 24, the general public attending may participate in the discussion subject to instructions of the Chairman.

As entrance to the State Department is controlled, members of the public who wish to attend the open session should contact Mr. Peter Bernhardt by January 21 and provide their name and affiliation to facilitate their attendance. Mr. Bernhardt's telephone number is (area code 202) 632-9616.

Dated: November 20, 1975.

OTHO E. ESKIN,
Staff Director, MSC Interagency Task Force on the Law of the Sea.

[FR Doc.75-33536 Filed 12-11-75;8:45 am]

[Public Notice CM-5/130]

SHIPPING COORDINATING COMMITTEE; SUBCOMMITTEE ON SAFETY OF LIFE AT SEA

Meeting

The working group on ship design and equipment of the Subcommittee on Safety of Life at Sea, a subcommittee of the Shipping Coordinating Committee, will hold open meetings at 9 on Monday, January 5, 1976 and at 10 on Tuesday, January 6, 1976 in Rooms 8236 and 8238 of the Department of Transportation, 400 Seventh Street, SW., Washington, D.C.

The purpose of the meetings is to prepare position documents for the Fifteenth Session of the Subcommittee on Ship Design and Equipment of the Intergovernmental Maritime Consultative Organization (IMCO), to be held in London in April 1976. The working group will discuss the following topics on the 5th of January:

Definitions for mobile offshore units;
Relevance of SOLAS 1974 (International Convention for Safety of Life at Sea, 1974) requirements and other appropriate requirements for mobile offshore units;
Contents and scope of regulations for mobile offshore units.

On the 6th of January the working group will discuss the above topics as necessary and the following topics in addition:

Draft requirements for segregated ballast tankers less than 150 meters in length;
Code for novel craft;
Shipborne barges and barge carriers;
Safety measures for special purpose ships;
Training and research vessels;
Mobile offshore units;
Offshore supply vessels including pipelaying vessels.

Requests for further information on the meeting should be directed to Captain D. J. Linde, United States Coast Guard. He may be reached by telephone on (area code 202) 426-2167.

The Chairman will entertain comments from the public as time permits.

RICHARD K. BANK,
Chairman,
Shipping Coordinating Committee.

DECEMBER 8, 1975.

[FR Doc.75-33537 Filed 12-11-75;8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

OXYGEN SENSING PROBES FROM CANADA

Termination of Countervailing Duty Investigation

On June 30, 1975, a "Notice of Tentative Termination of Countervailing Duty Investigation" was published in the FEDERAL REGISTER (40 FR 27500) with respect to oxygen sensing probes from Canada.

The notice stated that on the basis of an investigation conducted pursuant to § 159.47(c), Customs Regulations (19 CFR 159.47(c)), a tentative decision had been made to terminate the investigation as to whether any bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of secton 303, Tariff Act of 1930, as amended (19 U.S.C. 1303) upon the manufacture, production, or exportation of oxygen sensing probes from Canada.

The notice stated further that before a final decision would be made to terminate the investigation, consideration would be given to any relevant data, views or arguments submitted in writing 30 days from the date of the notice with respect to the tentative decision.

No written submissions having been received, it is hereby announced that the investigation is terminated on the basis that there have been no imports of oxygen sensing probes during the recent past and that production of this item will be discontinued. Should imports of oxygen sensing probes from Canada resume at any time, the Treasury Department will reopen its investigation as to the existence of bounties or grants under section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

This notice is published pursuant to section 303(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(a)).

VERNON D. ACREE,
Commissioner of Customs.

Approved: November 26, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-33439 Filed 12-11-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFFSHORE, GULF OF MEXICO

Availability of Final Environmental Impact Statement Regarding Proposed Oil and Gas Lease Sale

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental impact statement relating to a proposed Outer Continental Shelf general oil and gas lease sale of 135 tracts of submerged lands on the Outer Continental Shelf offshore Texas, Mississippi, Louisiana, Alabama, and Florida.

Single copies of the final environmental statement can be obtained from the Manager, New Orleans Outer Continental Shelf Office, Bureau of Land Management, 1001 Howard Avenue, New Orleans, Louisiana 70113, and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Copies of the final environmental statement will also be available for public review in the main libraries in various coastal communities in the sale area.

CURT BERKLUND,
Director, Bureau of Land Management.

Approved:

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

[FR Doc.75-33391 Filed 12-11-75;8:45 am]

Geological Survey

DISPOSAL OF PRODUCED WATER

Lessees and Operators of Federal and Indian Oil and Gas Leases

On August 15, 1975, the Geological Survey published in the FEDERAL REGISTER (Vol. 40, No. 93, pp. 34425–34427), a proposed notice which prescribed the requirements applying to the disposal of water produced from wells on Federal and Indiaan oil and gas leases and those on fee and State leases committed to federally approved cooperative agreements.

Written and oral comments, suggestions, and objections received by the Geological Survey have been carefully considered in the preparation of the final Notice to Lessees and Operators, NTL–2B. All written comments are on file with the Geological Survey. Certain of these comments have been incorporated or essentially satisfied and the Geological Survey has made other changes on its own motion. The principal changes are discussed below:

Definition. The approval authority of the Geological Survey is better defined.

Disposal requirements and application. Provides that approval must be obtained regardless of the physical location of the disposal facility. Also warns that applications for approval of existing facilities filed after July 1, 1977, may not be approved in time to prevent the shut-in facility for noncompliance. Adds authority for the District Engineer to require modification of facilities prior to October 1, 1977, when warranted. Changes data requirements for applications from general to specific under each category. Provides that previous applications not meeting the requirements of this Notice must be refiled or supplemented and for the filing of a single application for multiple facilities.

Disposal in subsurface. Adds injection wells in pressure maintenance projects; a specific project description; quantity, source, and analysis data for produced water; indigenous water data; a bond log in some cases; a contingency plan in the event of a system failure; and, a general provision that injection may be approved in zones containing unusable water even though it is of better quality than the produced water.

Disposal in line pits. Adds a map requirement; data about quantity and source of produced water; and, a contingency plan in the event of a system failure.

Disposal in unlined pits. Deletes the reference to total pounds of dissolved solids. Adds a provision for disposing of water where the indigenous water is not unsable even though it is of better quality than the produced water; analysis data for produced water; a map requirement; indigenous water data; State permits granted as a result of public hearings; and a fencing requirement. The Notice also provides that pits will be located away from drainage and clarifies the submittal of data regarding percolation rate.

Temporary use of surface pits. Adds a provision that fluids contained in such pits may not be drained on the surface of the land at clean-up without prior approval and a fencing requirement.

Disposal facilities for new wells. Provides for 90 days temporary use instead of 30 and for 60 days in which to correct the disposal method unless District Engineer determines a danger to the environment.

Unavoidable delay. Provides for a six-month extension in arctic and subarctic areas.

Reports. Provides that no annual water analysis will be required when the volume is less than five barrels per day; for the submittal of the latest monitoring report in lieu of annual reports where a NPDES permit is in effect; and, for single annual report for multiple facilities which have been approved by a single application.

Compliance. Adds Safe Drinking Water Act regulations to this provision.

NOTE: It is hereby certified that the economic impacts of Notice to Lessees and Operators, NTL–2B, have been carefully evaluated in accordance with OMB Circular A–107.

W. H. RADLINSKI,
Acting Director.

[NTL–2B]

DISPOSAL OF PRODUCED WATER

NOTICE TO LESSEES AND OPERATORS OF FEDERAL AND INDIAN OIL AND GAS LEASES

This notice supersedes NTL–2 and 2A and is issued pursuant to the authority prescribed in 30 CFR 221.4 and 221.32. Lessees and operators of onshore Federal and Indian oil and gas leases or fee and State leases committed to federally supervised unitized or communitized areas shall comply with the following requirements for the handling, storing, or disposing of water produced from oil and gas wells on such leases.

As used in this notice, the term "District Engineer" means the District Engineer, U.S. Geological Survey. However, in the State of Alaska, the requirements of this Notice will be administered by the Area Oil and Gas Supervisor.

I. Disposal requirements and applications for approval of disposal methods. By October 1, 1977, all produced water from the above said leases must be disposed of by (1) injection into the subsurface; (2) lined pits; or, (3) by other acceptable methods. All such disposal method must be approved in writing by the District Engineer regardless of the physical location of the disposal facility. Any method of disposal which has not been approved as of October 1, 1977, will be considered as an incident of noncompliance and will be grounds for issuing a shut-in order until an acceptable manner for disposing of said water is provided and approved by the District Engineer. Lessees and operators are encouraged to file applications in this regard as promptly as possible and are forewarned that applications for approval of existing disposal facilities which are filed after July 1, 1977, may not be timely approved.

No additional approval is required for facilities previously approved by the Geological Survey which involve the disposal of produced water into the subsurface or in lined surface pits. Likewise, no further approval is necessary for existing injection facilities utilized for pressure maintenance or secondary recovery operations.

Lesses and operators who are presently disposing of water in unlined surface pits must timely file applications with the District Engineer for approval of present or proposed disposal methods. Likewise, lessees and operators who are presently disposing of produced water in the subsurface or in lined surface pits without approval of the Geological Survey must also file applications for approval thereof by the District Engineer.

The District Engineer may require modification of any disposal facility prior to October 1, 1977, whenever it is determined that continued use of such facility is endangering the fresh water in the area or is otherwise adversely affecting the environment.

Any application to dispose of produced water must specify the proposed method of disposal and provide the information necessary to justify the method. Required information which must be included in applications for approval of produced water disposal in the subsurface, in lined pits, or in unlined pits is set forth in sections II, III, and IV, respectively, of this notice. Additional information may be required by the District Engineer in individual cases. Previous applications filed in response to NTL–2 and NTL–2A which do not met the data requirements of this Notice must be supplemented or resubmitted.

A single application may be submitted for several leases or facilities: *Provided*, That (1) the leases or facilities are located in the same field; (2) the produced water is from the same formation or is of similar quality; (3) the volume and source of the water is shown separately for each disposal facility; and, (4) the method of disposal is the same in every case.

II. *Disposal in the subsurface.* If approval is requested for subsurface water injection in connection with secondary recovery operations or for disposal purposes, the lessee or operator must furnish information which includes:

1. The designated name and number of the proposed disposal well and its location in feet and direction from the nearest section lines of an established survey. The applicable Federal or Indian oil and gas lease number or other permit and/or the ownership of the surface and minerals if other than Federal or Indian.

2. The daily quantity and sources of the produced water and a water analysis which includes total dissolved solids, pH, and the concentrations of chlorides and sulfates.

3. The injection formation and interval.

4. The quality of the fluids in the injection interval, i.e., total dissolved solids.

5. The depth and areal extent of all usable water (i.e., less than 10,000 ppm total dissolved solids) aquifers in the area.

6. The size, weight, grade and casing points of all casing strings, the size hole drilled to accommodate each string, the amount and type of cement, including additives used in cementing each string, and the top of the cement behind each casing string. In addition, bond logs may be required in certain instances.

7. The total and plugged back depth of the well.

8. The present or proposed method of completing the well for injection including the type and size of tubing and packer to be utilized, the setting depth of the packer, anticipated injection pressure, and information concerning any corrosion inhibitor fluid which is to be placed in the tubing-casing annulus.

9. Plans for monitoring the system to assure that injection is confined to the injection interval and measures to be taken should it be necessary to shut-in the disposal system.

In order to be approved, subsurface disposal must be confined (1) to formations which contain water of similar or poorer quality than the injected water or (2) to formations that contain water of such poor quality as to eliminate any practical use thereof.

In general, it will be required that subsurface disposal be accomplished through tubing utilizing a packer which is designed to hold pressure from above and below. The packer should be set at a depth where the casing is protected by competent cement but normally not more than 50 feet above the injection interval. Other procedures or methods of subsurface disposal may be approved by the District Engineer when justified by the lessee or operator.

III. *Disposal in lined pits.* Where approval is requested for surface disposal in a lined pit, the lessee or operator must supply information which includes:

1. A topographic map of suitable scale which shows the size and location of pit.

2. The daily quantity, sources of the produced water, and a water analysis which includes the concentrations of chlorides, sulfates, and other constituents which are toxic to animal, plant, or aquatic life.

3. The evaporation rate for the area compensated for annual rainfall.

4. The method for periodic disposal of precipitated solids.

5. The type of material to be used for lining the pit and the method of installation.

6. The method to be employed for the detection of leaks and plans for corrective action should a leak occur in the liner.

The material used in lining pits must be impervious, weather-resistant, and not subject to deterioration when contacted by hydrocarbons, aqueous acids, alkalies, fungi, or other substances likely to be contained in the produced water. Lined pits constructed after the issuance of this Notice must have an underlying gravel-filled sump and lateral system or other suitable devices for the detection of leaks. The District Engineer shall be provided an opportunity to inspect the leak detection system prior to the installation of the pit liner.

IV. *Disposal in unlined pits.* Surface disposal into unlined pits will not be considered for approval by the District Engineer unless the lessee or operator can show by application that such disposal meets any one or more of the following criteria:

1. The water to be disposed of has an annual weighted average concentration of not more than 5,000 ppm of total dissolved solids: *Provided,* That such water does not contain objectionable levels of any constituent toxic to animal, plant, or aquatic life.

2. That all, or a substantial part, of the produced water is being used for beneficial purposes. For example, produced water used for purposes such as irrigation and livestock or wildlife watering shall be considered as being beneficially used.

3. The water to be disposed of is not of poorer quality than the surface or subsurface waters in the area which reasonably might be affected by such disposal or the surface and subsurface waters are of such poor quality as to eliminate any practical use thereof.

4. The volume of water to be disposed of per facility does not exceed five barrels per day on a monthly basis.

5. The specific method of disposal has been granted a surface discharge permit under the National Pollutant Discharge Elimination System (NPDES).

Applications for approval of unlined surface pits pursuant to exception Nos. 1, 2, 3, or 4, above, must include:

1. The daily quantity and sources of the produced water and for exception Nos. 1 through 3, a water analysis which includes total dissolved solids, pH, and the concentrations of chlorides and sulfates.

2. A topographic map of suitable scale which shows the size and location of the pit.

3. The evaporation rate for the area compensated for annual rainfall.

4. The estimated percolation rate based on the soil characteristics under and adjacent to the pit.

5. The depth and areal extent of all usable water (i.e., less than 10,000 ppm total dissolved solids) aquifers in the area.

Where beneficial use is the basis for the application, the justification submitted must contain written confirmation from the user(s) and the water analysis must also include the oil and grease content, temperature, and the concentration of other constituents which are toxic to animal, plant, or aquatic life.

If the application is made on the basis that surface and subsurface fresh waters will not be affected by disposal in an unlined pit, the justification must also include:

1. Analyses of all surface and subsurface waters in the area which might reasonably be affected by the proposed disposal.

2. Maps or plats showing the location of surface waters, fresh water wells, and existing water disposal facilities within two miles of the proposed disposal facility.

3. Reasonable geologic and hydrologic evidence showing that the proposed disposal method will not adversely impact on existing water quality or major uses of such waters; the depth of the shallowest fresh water aquifer in the area and the presence of any impermeable barrier(s).

4. A copy of any State order or other authorization granted as a result of a public hearing which is pertinent to the District Engineer's consideration of the application.

If the application is for disposal pursuant to an NPDES permit, only a topographic map showing the size and location of the pit together with a copy of the approved permit and the most recent "Discharge Monitoring Report" will be required.

V. *General requirements for permanent surface pits.* Lined and unlined pits approved for water disposal shall:

1. Have adequate storage capacity to safely contain all produced water even in those months when evaporation rates are at a minimum.

2. Be constructed, maintained, and operated to prevent unauthorized surface discharges of water. Unless surface discharge is authorized, no siphon, except between pits, will be permitted.

3. Be fenced to prevent livestock or wildlife entry to the pit, when required by the District Engineer.

4. Be kept reasonably free from surface accumulations of liquid hydrocarbons by use of approved skimmer pits, settling tanks, or other suitable equipment.

5. Be located away from the established drainage patterns in the area and be constructed so as to prevent the entrance of surface water.

VI. *Temporary use of surface pits.* Unlined surface pits may be used for handling or storage of fluids used in drilling, redrilling, reworking, deepening, or plugging of a well provided that such facilities are promptly and properly emptied and restored upon completion of the operations. Mud or other fluids contained in such pits shall not be disposed of by cutting the pit walls without the prior authorization of the District Engineer. Until finally restored, unattended pits must be fenced to prevent access by livestock and wildlife. Unless otherwise specified by the District Engineer, unlined pits may be used for well evaluation purposes for a period of 30 days.

Unlined pits may also be retained as temporary containment pits for use only in an emergency provided such pits have been approved by the District Engineer. Any emergency use of such pits shall be reported to the District Engineer as soon as possible and the pit shall be emptied and the liquids disposed of in an approved manner within 48 hours following its use, unless such time is extended by the District Engineer.

VII. *Disposal facilities for new wells.* With the approval of the District Engineer, produced water from wells completed after the issuance date of this Notice may be temporarily disposed of into unlined pits for a period up to 90 days. During the period so authorized, an application for approval of the permanent disposal method, along with the required water analysis and other information, must be submitted to the District Engineer. Failure to timely file an application within the time allowed will be considered an incident of noncompliance and will be grounds for issuing a shut-in order until the application is submitted. With the approval of the District Engineer, the disposal method may be continued pending his final determination. Once the District Engineer has determined the proper method of disposal, the lessee or operator will have until October 1, 1977, or 60 days following receipt of the District Engineer's determination, whichever is the longer, in which to make any changes necessary to bring the disposal method into compliance. However, if the disposal method then employed is endangering the fresh water in the area or otherwise constitutes a hazard to the quality of the environment, the District Engineer will direct prompt compliance with the requirements of this Notice.

VIII. *Unavoidable delay.* A single extension of time not to exceed three months (six months in arctic and subarctic areas) may be granted by the District Engineer where the lessee or operator conclusively shows by

application that, despite the exercise of due care and diligence, he has been unable to timely comply with the requirements of the notice: *Provided,* That such delay will not adversely affect the environment.

IX. *Reports.* All unauthorized discharges or spills from disposal facilities must be reported to the District Engineer in accordance with the provisions of NTL–3.

Beginning October 1, 1976, and thereafter on an annual basis, lessees and operators must submit a report for each facility which includes the total volume disposed of during the reporting period and a current water analysis which provides the same type of information required for approval of the original application: *Provided however,* That:

1. Where disposal is approved pursuant to section IV (4), no annual water analysis will be required.

2. Where disposal is approved pursuant to a NPDES permit, a copy of the required discharge monitoring report may be submitted in lieu of the above annual report.

3. Where a single application was approved for several leases and/or facilities, a composite annual report covering all such leases and facilities may be submitted.

X. *Compliance.* Compliance with this notice does not relieve a lessee or operator of the responsibility for complying with more stringent applicable Federal or State water quality laws and regulations, including those which are subsequently promulgated pursuant to the Safe Drinking Water Act (Pub. L. 93–523), or with other written orders of the Geological Survey.

Date

Area Oil and Gas Supervisor

Approved:

RUSSELL G. WAYLAND,
Chief, Conservation Division.

[FR Doc.75–33432 Filed 12–11–75;8:45 am]

GEOTHERMAL RESOURCES OPERATIONAL (GRO) ORDER NO. 4

Central and Western Regions; Correction

In FR Doc. 75–21476, appearing at page 34427 in the issue for Friday, August 15, 1975, the second sentence of section 6 (Biota), which appears on page 34428 in the second and third columns is hereby corrected to read as follows: "The lessee shall take such measures as are necessary for the conservation of endangered and threatened species of flora and fauna as set forth in applicable executive orders, regulations, and State and Federal legislation such as the Endangered Species Act of 1973 and the Fish and Wildlife Coordination Act."

V. E. MCKELVEY,
Director.

[FR Doc.75–33347 Filed 12–11–75;8:45 am]

Bureau of Reclamation

NARROWS UNIT, COLORADO

Public Hearing on Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the Narrows Unit, Colorado. This statement (INT DES 75–59, dated December 8, 1975) was made available to the public on December 10, 1975.

The draft environmental statement deals with the construction and operation of a multipurpose dam and reservoir, relocation of railroads, a State highway, the Union Pacific Railroad, and various utility lines. It also discusses the inundation of approximately 7,000 acres of irrigated agricultural land, the townsites of Weldona, Goodrich, and Orchard, and the relocation of the residents and facilities of these towns.

Public hearings will be held in Fort Morgan, Colorado, at the Morgan County REA office building, 20169 Highway 34, on January 13–14, 1976, to receive views and comments from interested organizations and individuals relating to the environmental impacts of this proposed project. Oral statements at the hearings will be limited to a period of 10 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearings may allow any speaker to provide additional oral comment after all persons wishing to comment have been heard. Speakers will be scheduled according to their time preference, if any, requested by letter or telephone. Any scheduled speaker not present when called will lose his privilege in the scheduled order, and his name will be recalled at the end of the scheduled speakers. Requests for scheduled presentations will be accepted until 4 p.m., January 12, 1976, and any subsequent requests will be handled on a first-come-first-served basis following the scheduled presentations.

Organizations or individuals desiring to present statements at the hearings should contact the Lower Missouri Regional Office, Bureau of Reclamation, Building 20, Denver Federal Center, Denver, Colorado 80225, telephone (303) 234–3779, by letter or telephone, and announce their intentions to participate. Written comments from those unable to attend and from those wishing to supplement their oral presentations at the hearings should be received by January 26, 1976, to be included in the hearings record.

Dated: December 9, 1975.

E. F. SULLIVAN,
Acting Commissioner of Reclamation.

[FR Doc.75–33600 Filed 12–11–75;8:45 am]

Office of the Secretary

[INT DES 75–59]

AUTHORIZED NARROWS UNIT, COLORADO

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 on a proposed water resource project for the purpose of supplying supplemental irrigation water supply, applying flood control, and providing recreation and fish and wildlife preservation and development in the South Platte River Basin in eastern Colorado. Potential reservoir use includes supplying municipal and industrial water. Written comments may be submitted to the Regional Director (address below) on or before January 26, 1976.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Department of the Interior, Bureau of Reclamation, Room 7620, Interior Building, Washington, D.C. 20240, Telephone (202) 343–4991

Division of Engineering Support, Technical Services and Publications Branch, Engineering and Research Center, Denver Federal Center, Denver, Colorado 80225, Telephone (303) 234–3022

Office of the Regional Director, Bureau of Reclamation, Lower Missouri Region, Building 20, Denver Federal Center, Denver, Colorado 80225, Telephone (303) 234–3779

Central Colorado Water Conservancy District, 135 Denver Avenue, Fort Lupton, Colorado 80621

Lower South Platte Water Conservancy District, P.O. Box 1725, Sterling, Colorado 80751

Fort Morgan Carnegie Public Library, City Park, Fort Morgan, Colorado 80701

Greeley Public Library, City Complex Building, Greeley, Colorado 80631

Weld County Library, 2227 23rd Avenue, Greeley, Colorado 80631

Brush Carnegie Library, Brush, Colorado 80723

Sterling Public Library, Fourth and Ash Streets, Sterling, Colorado 80751

Julesburg Public Library, 320 Cedar Street, Julesburg, Colorado 80737

University of Colorado Library, Boulder, Campus, Boulder, Colorado 80302

Penrose Library, University of Denver, 2150 E. Evans Avenue, Denver, Colorado 80210

William E. Morgan Library, Colorado State University, Fort Collins, Colorado 80521

Northeastern Junior College Library, 100 College Drive, Sterling, Colorado 80751

University of Northern Colorado Library, Greeley, Colorado 80631

Morgan Community College, 300 Main Street, Fort Morgan, Colorado 80701

Single copies of the draft statement may be obtained upon request to the Commissioner of Reclamation or the Regional Director at the addresses listed above.

Dated: December 8, 1975.

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

[FR Doc.75–33437 Filed 12–11–75;8:45 am]

[INT–FES–75–100]

LYMAN PROJECT, WYOMING-UTAH

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement concerning completion of the Lyman Project with project service area in

southwestern Wyoming. The statement analyzes environmental impacts from proposed construction of Stateline Dam in Utah or other alternatives to provide regulated water supply for supplementary irrigation and municipal use in Bridger Valley.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, telepone (202) 343-4991

Division of Engineering Support, Technical Services and Publications Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225, telephone (303) 234-3006

Office of the Regional Director, Bureau of Reclamation, Federal Building, 125 South State Street, Salt Lake City, Utah 84111, telephone (801) 524-5404

Single copies of the final environmental statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. Please refer to the statement number above.

Dated: December 8, 1975.

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

[FR Doc.75-33438 Filed 12-11-75;8:45 am]

National Oceanic and Atmospheric Administration

COASTAL ZONE MANAGEMENT ADVISORY COMMITTEE

Public Meeting

Pursuant to section 10(a)(2) of 5 U.S.C. App. I, notice is hereby given of the meeting of the Coastal Zone Management Advisory Committee (the "Committee") on Wednesday and Thursday, January 14 and 15, 1976. The meeting will commence at 8 a.m. on each day at the Meeting House, Bluebeard's Castle Hotel, St. Thomas, Virgin Islands 00801.

The meeting will be open to public observation and approximately 50 seats will be available. Interested persons are invited to attend and participate in the meeting, subject to the procedures which follow. From approximately 11:45 a.m. until 12 noon on January 14, interested persons will be permitted to make oral statements to the Committee which are relevant to topics on the agenda. Depending on the level of interest expressed in making oral statements, the number of persons permitted to make oral statements may be limited to three, the length of oral statements may be limited to no more than five minutes, and preference may be given based upon the relevance of statements to items on the agenda; such decisions will be made by the Chairman in consultation with the Committee. Interested persons wishing to make oral statements must register on January 14 with the Executive Secretary between 7:30 a.m. and 8 a.m. in the meeting room and must provide their topic(s). A written version of an oral statement or a written statement may be submitted to the Executive Secretary before or after the meeting, or may be mailed within five days to: Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, NW., Washington, D.C. 20235 (Attn: Richard J. Keating, Executive Secretary, CZM Advisory Committee). All statements received in typewritten form will be distributed to the Committee for consideration with the minutes of the meeting. Inquiries may be directed to Richard Keating at 634-4245.

Copies of the minutes will be available on request approximately 30 days after the meeting.

The items for Committee discussion at the meeting will include the following:

	WEDNESDAY, JANUARY 14
8 a.m.	Call to order and announcements: Welcome to new members, report on resolution passed at Washington, D.C. meeting, approval of minutes, brief progress report on CZM program.
8:30 a.m.	Report on items requested by committee: coastal water planning and management, State seaward boundary determination.
9:45 a.m.	Discussion of excluded Federal lands policy issue.
10:45 a.m.	Review of 306 approval criteria (using State of Washington as example).
11:45 a.m.	Oral statements (if any) by interested persons.
12 m.	Lunch.
1:15 p.m.	Legislative panel on CZM amendments and OCS legislation.
3 p.m.	Adjourn (will reconvene in the evening—time to be announced).
	THURSDAY, JANUARY 15
8 a.m.	Call to order.
8:15 a.m.	Options for assisting States in program adoption: Technical assistance, tailored assistance, coastal awareness program, State legislative assistance.
10:30 a.m.	Presentation on principles and processes of insular coastal zone management.
12 m.	Lunch.
1 p.m.	Discussion of island CZM programs: Virgin Islands, Puerto Rico, Culebra.
2 p.m.	Slide presentation on insular coastal zone areas by Island Resources Foundation, Inc.
3 p.m.	Adjourn.
Evening session.	Discussion on future activities of committee: (Time to be announced).

Dated: December 5, 1975.

THEODORE P. GLEITER,
Assistant Administrator for Administration, National Oceanic and Atmospheric Administration.

[FR Doc.75-33535 Filed 12-11-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON THEATER NUCLEAR FORCES R&D REQUIREMENTS

Advisory Committee Meeting

The Defense Science Board Task Force on Theater Nuclear Forces R&D Requirements will meet in closed session on January 13 and 14, 1976 in the Pentagon, Washington, D.C.

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

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

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

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

DECEMBER 9, 1975.

[FR Doc.75-33459 Filed 12-11-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

NUMERICALLY CONTROLLED MACHINE TOOL TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), notice is hereby given that a meeting of the Numerically Controlled Machine Tool Technical Advisory Committee will be held on Wednesday, January 14, 1976, at 9:30 a.m. in Room 1851, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

The Numerically Controlled Machine Tool Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. sec. 2404(c)(1) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of

production and technology, and licensing procedures which may affect the level of export controls applicable to numerically controlled machine tools, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has five parts:

GENERAL SESSION

(1) Call to order, approval of minutes of July 15, and October 10, 1975 meetings.

(2) Presentation of papers or comments by the public.

(3) Discussion of work program of the Committee.

(4) Reports of Subcommittees:

(a) New Technology,

(b) Foreign Availability,

(c) Definitions.

EXCUTIVE SESSION

(5) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (5), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on November 25, 1975 pursuant to section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Committee during the Executive Session of the meeting have been properly classified under the Executive Order. All Committee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Domestic and International Business Administration, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al., September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Numerically Controlled Machine Tool Technical Advisory Committee and of any subcommittees thereof is hereby published.

Dated: December 9, 1975.

LAWRENCE J. BRADY,
Acting Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

NUMERICALLY CONTROLLED MACHINE TOOL TECHNICAL ADVISORY COMMITTEE

NOTICE OF DETERMINATION

In response to written requests of representatives of a substantial segment of the numerically controlled machine tool industry, the Numerically Controlled Machine Tool Technical Advisory Committee was established by the Secretary of Commerce pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. section 2404(c)(1), to advise the Department of Commerce with respect to questions involving technical matters, worldwide availability, and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to numerically controlled machine tools, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee which currently has six members representing industry and ten members representing government agencies, will terminate no later than January 3, 1977, unless extended by the Secretary of Commerce. All members of the Committee have the appropriate security clearance.

The Committee's activities are conducted in accordance with the provisions of section 5(c)(1) of the Export Administration Act of 1969, as amended, the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), and the Office of Management and Budget Circular A-63 (Revised), Advisory Committee Management, effective May 1, 1974. Section 10 of the Federal Advisory Committee Act provides, among other things, that the meetings of advisory committees are to be open to the public, and to public participation, unless the head of the agency (or his delegate) to which the committee reports determines in writing that all, or some portion, of the agenda of the meeting of the committee is concerned with matters listed in section 552(b) of Title 5 of the United States Code.

Section 552(b)(1) of Title 5, United States Code, provides that information may be withheld from the public if it concerns matters specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy, and are in fact properly classified pursuant to such Executive Order.

In order to provide advice to the Department under the terms of its charter, the Committee and formal subcommittees thereof will continue to hold a series of meetings dealing with the matters set forth in the first paragraph of this Determination. These meetings will include discussions of the COCOM control list as it relates to the commodities and technical data under its purview, and with the foreign availability of these commodities and technical data. In addition, the Committee and its formal subcommittees will be preparing recommendations for the Department's consideration relating to the U.S. Government's negotiating position on COCOM-related matters. Much of the information relating to the COCOM control list, as well as intelligence relating to foreign availability, is now or will be security classified for national security or foreign policy reasons, pursuant to Executve Order No. 11652, 3 CFR 339 (1974). In order for the Committee and its formal subcommittees to provide required advice to the U.S. Government, it will be necessary to provide the Committee and its formal subcommittees with such classified material. Therefore, the portions of the series of meetings of the Committee and of subcommittees thereof that will involve discussions of matters specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, must be closed to the public. The remaining portions of the series of meetings will be open to the public.

Accordingly, I hereby determine, pursuant to Section 10(d) of the Federal Advisory Committee Act that those portions of the series of meetings of the Committee and of any subcommittees thereof, dealing with the aforementioned classified materials shall be exempt, for the period January 4, 1976, to January 3, 197, from the provisions of section 10(a)(1) and (a)(3), relating to open meetings and public participation therein, because the Committee and subcommittee discussions will be concerned with matters listed in section 552(b)(1) of Title 5, United States Code. The remaining portions of the meetings will be open to the public.

Dated: November 25, 1975.

GUY W. CHAMBERLIN, Jr.,
Acting, Assistant Secretary for Administration.

Dated: November 21, 1975.

ALFRED MEISNER,
ALFERD MEISNER,
Acting General Counsel.

[FR Doc.75-33682 Filed 12-11-75;8:45 am]

TECHNOLOGY TRANSFER SUBCOMMITTEE OF THE COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), notice is hereby given that a meeting of the Technology Transfer Subcommittee of the Computer Systems Technical Advisory Committee will be held on Wednesday, January 14, 1976, at 1:30 p.m. in Room 5230, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Technology Transfer Subcommittee of the Computer Systems Technical Advisory

Committee was initially established on April 10, 1974. On July 8, 1975, the Director, Office of Export Administration, approved the reestablishment of this Subcommittee pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Technology Transfer Subcommittee was formed to examine the impact of transferring Automatic Data Processing technology to Communist destinations.

The Subcommittee meeting agenda has five parts:

GENERAL SESSION

(1) Opening remarks by the Subcommittee Chairman.

(2) Presentation of papers or comments by the public.

(3) Review of previous Subcommittee meeting.

(4) Further discussion of Office of Export Administration Regulations pertaining to published technical data.

EXECUTIVE SESSION

(5) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (5), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on November 25, 1975, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under the Executive Order. All Subcommittee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Domestic and International Business Administration, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in "Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al.," September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof was published in the FEDERAL REGISTER (40 FR 56960 appearing in the issue of December 5, 1975.)

Dated: December 1, 1975.

LAWRENCE J. BRADY,
Acting Director, Office of Export Administration Bureau of East-West Trade U.S. Department of Commerce.

[FR Doc.75-33810 Filed 12-11-75;11:43 am]

Economic Development Administration

COLUMBIAKNIT, INC.

Petition for Determination

A petition by Columbiaknit, Inc., 1847 E. Burnside, Portland, Oregon 97214, a producer of men's sweaters and shirts, was accepted for filing on December 3, 1975, under section 251 of the Trade Act of 1974 (Pub. L. 93-618). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, on or before December 22, 1975.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.75-33539 Filed 12-11-75;8:45 am]

INTERNATIONAL ELECTRONICS CORP.

Petition for Determination

A petition by International Electronics Corporation, 316 South Service Road, Melville, New York 17746, was accepted for filing on December 3, 1975, under Section 251 of the Trade Act of 1974 Pub. L. 93-618). Consequently, the United States Department of Commerce instituted an investigation to determine whether increased imports into the United States of electrical capacitors contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm, and its producing subsidiary, Electro Motive Corporation, 316 South Service Road, Melville, New York 11746.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, on or before December 22, 1975.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.75-33538 Filed 12-11-75;8:45 am]

SOOWAL KNITTING MILLS

Petition for Determination

A petition by Soowal Knitting Mills, 187 West Allegheny Avenue, Philadelphia, Pennsylvania 19133, a producer of men's and boys' sweaters and shirts, was accepted for filing on November 26, 1975, under section 251 of the Trade Act of 1974 (Pub. L. 93-618). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, on or before December 22, 1975.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.75-33540 Filed 12-11-75;8:45 am]

Office of the Secretary

CLOTHES DRYERS, REGULAR OR STANDARD MODELS

Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation

Notice is hereby given that the Department of Commerce proposes to issue a Voluntary Energy Conservation Specification for clothes dryers in accordance with section 9.4 of the Procedures for a Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation, 15 CFR Part 9.

The proposed Specification describes procedures for testing and labeling clothes dryers in compliance with the above mentioned procedures and contains instructions for participation by manufacturers in the Voluntary Labeling Program with regard to these products.

It is intended that Appendix A to the Specification shall contain values for the ranges of cost of energy for all regular or standard models of clothes dryers now on the market. Such information is not yet available. Therefore, the cost of energy range values contained in Appendix A of the proposed Specification are hypothetical and are used for the purpose of example only. The final version of the Specification will also be issued with the hypothetical cost of energy range values. At the time the final Specification is published, manufacturers wishing to participate in the initial period of clothes dryer labeling will be requested to provide, within 60 days, the data and calculations necessary to complete Appendix A. Upon receipt of the information from manufacturers, the Department of Commerce will prepare a completed Appendix A and publish it in the FEDERAL REGISTER in final form, under the provisions of 2.3 and 10.0 of the Specification. This procedure will not prevent other manufacturers, who may not wish to participate in the initial period of labeling, from becoming participants in the Program at a later date.

When the completed Appendix A is prepared, gas and electric utility rates used to calculate cost of energy may be changed from the values now shown in Appendix A. Such changes will be based on actual changes in average utility rates that might occur before that time.

On this date, as a convenience for persons desiring to study the proposed Specification, the Department of Commerce has published in the FEDERAL REGISTER a copy of the standard referred to in 4.1 of the proposed Specification, the notice of which appears immediately following this notice. This new standard is in the process of being issued by the Association of Home Appliance Manufacturers (20 North Wacker Drive, Chicago, Illinois 60606).

The proposed Specification applies to clothes dryers generally known in the industry as "regular" or "standard" models that are tested with a 7-pound (dry weight) load. The Department of Commerce also plans to add by separate specification "compact" or "portable" models that are tested with a 3-pound (dry weight) load when a suitable classification system has been established. The Department is particularly interested in receiving comments regarding the plans for a classification that will identify "compact" or "portable" models with suggestions for definitions that will distinguish the two product lines.

Cost of energy values, energy consumption values, and the cost estimating tables shown in Figures 1, 3, and 5 through 8 of the proposed Specification are shown as yearly values. The Department has also considered the use of monthly values and is interested in receiving comments relating to which of the two methods is the most useful to consumers, retailers, and others.

Interested persons are invited to participate in development of a final Specification covering clothes dryers, or comment on the intended procedure for completion of Appendix A, by submitting written comments or suggestions in four copies to the Assistant Secretary for Science and Technology, U.S. Department of Commerce, Room 3862, Washington, D.C. 20230, on or before January 26, 1976.

Persons desiring to express their views in an informal hearing may do so if, on or before December 29, 1975, they submit a request to the Assistant Secretary for Science and Technology that such a hearing be held.

A public docket of correspondence and transcripts of hearings will be available for examination by interested persons at the Central Reference and Records Inspection Facility of the Department of Commerce, Room 7068, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230.

Issued: December 5, 1975.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

The following is the proposed Specification under consideration for clothes dryers, regular or standard models:

VOLUNTARY ENERGY CONSERVATION SPECIFICATION NO. 6–75, FOR CLOTHES DRYERS, REGULAR OR STANDARD MODELS

Sec.

1.0 Purpose.
2.0 Scope.
3.0 Definitions.
4.0 Product testing and rating.
5.0 Product labeling.
6.0 Use of program information in sales representations.
7.0 Participation in the program.
8.0 Termination of participation.
9.0 Use of program information by other than manufacturers.
10.0 Amendment.

Figures 1, 2, 5, and 7—Natural Gas Clothes Dryer Label.
Figures 3, 4, 6, and 8—Electric Clothes Dryer Label.
Appendix A—Cost of Energy Ranges.
Appendix B—Form for Manufacturer's Notice of the Intent to Participate in the Program with Respect to Clothes Dryers, Regular or Standard Models.

1.0 *Purpose.* The purpose of this Voluntary Energy Conservation Specification, hereinafter refered to as "Specification," is to establish procedures for testing and labeling clothes dryers in compliance with the Procedures for a Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation (15 CFR Part 9) and to define requirements for participation by manufacturers in the Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation with regard to that product class.

2.0 *Scope.*

2.1 This Specification shall apply to the product class consisting of all clothes dryers as defined in 3.4.

2.2 Clothes dryers covered by this Specification shall be rated with respect to the following characteristics: 2.2.1 Energy consumption as described in 4.2.1 or 4.2.2. 2.2.2 Cost of energy as described in 4.2.3 or 4.2.4.

2.3 Values for cost of energy ranges for all clothes dryers for which data are available are contained in Appendix A to this Specification. This appendix shall be updated and published in the FEDERAL REGISTER on an annual basis. Copies of this appendix or updated versions thereof shall be provided by the Secretary to any interested party upon request.

3.0 *Definitions.*

3.1 The term "Secretary" means the Secretary of Commerce.

3.2 The term "manufacturer" means any person engaged in the manufacturing or assembling of clothes dryers in the United States, or in the importing of such products for sale or resale, or any person whose brand or trademark appears on such products who owns such brand or trademark and has authorized its use on such products, if the brand or trademark of the person actually manufacturing or assembling the products does not appear on the products.

3.3 The term "Procedures" means Procedures for a Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation (15 CFR Part 9).

3.4 The term "clothes dryer" means a regular or standard model of a power driven machine for household use for drying fabrics by evaporation through use of various combinations of gas or electric heat, air flow, and tumbling.

3.5 The terms "regular" or "standard" mean a full size, household clothes dryer that is tested with a 7-pound (dry weight) load.

3.6 The term "basic model group" means all clothes dryers actually manufactured or assembled by one manufacturer and having the identical energy consumption characteristics. A basic model group may contain one or more members. Members of a basic model group may differ in details that do not affect energy consumption as measured by the methods described in 4.0. Subject to the foregoing, acceptable differences include, but are not limited to, variations in trim, color, sales model number, or brand name, or the presence of some special features.

3.7 The term "sales representation" means any printed advertising, offering, catalog, or the like that pertains to the retail sale of a clothes dryer.

3.8 The term "cost of energy" means the approximate cost of the energy used in a year as determined under 4.2.3 or 4.2.4.

3.9 The term "clothes load" means the standard 7-pound (dry weight) test load as described in the energy consumption test called for in 4.1.

3.10 The term "therm" equals 100,000 Btu (1055.06×10^5 joules) or 100 cubic feet ($ft.^3$) of gas at 1000 Btu/$ft.^3$.

4.0 *Product testing and rating.*

4.1 Samples of clothes dryers shall be tested by manufacturers or their agents in accordance with Association of Home Appliance Manufacturers Standard HLD-2EC-1975 and with the following requirements:

4.1.1 Unless otherwise required by the Secretary under 4.1.5, test results obtained in the testing of one member of a basic model group of clothes dryers may be accepted as applicable to all members of that basic model group.

4.1.2 Sufficient units from each basic model group that are representative of units to be produced shall be tested according to the methods and procedures specified in 4.1 to provide a valid basis for determining ratings. Results of tests and calculations shall be retained as required in 7.5.

4.1.3 Manufacturers shall maintain such quality control programs, including testing, as are necessary to insure that the performance of units shipped is within the tolerance specified in 4.4. Results of tests and calculations shall be retained as required in 7.5.

4.1.4 Certification programs that are open to all manufacturers and that pertain to the performance characteristics listed on the label may be used by manufacturers as a means of verifying that the performance of the units shipped is within the tolerance specified in 4.4. Results of tests and calculations shall be retained as required in 7.5.

4.1.5 In addition to the testing required under 4.1.2. and 4.1.3, the Secretary may, upon acquisition of evidence of possible mislabeling, require that one or more units of any specified model, selected at random from among recent production units, be tested by the manufacturer or his agent according to the methods and conditions specified in 4.1. Such testing shall be performed at the manufacturer's expense and the resulting test data and calculations shall be provided to the Secretary within 30 days following the date of receipt by the manufacturer of such a requirement from the Secretary, unless the Secretary grants an extension of this time pursuant to a written application from the manufacturer. This requirement does not preclude the Department of Commerce from testing or having tested at its own expense any clothes dryer.

4.2 Clothes dryers shall be rated as follows:

4.2.1. For electric clothes dryers, energy consumption shall be expressed in kilowatt-hours (kWh) per year and shall be based on the results of the energy consumption test called for in 4.1, which for electric clothes dryers provides a result expressed in kWh per month. The test result in kWh per months shall be multiplied by 12 months per year and rounded to the nearest 10 kWh per year to obtain the energy consumption rating in kWh per year.

4.2.2. For natural gas clothes dryers, energy consumption shall be in therms per year and shall be based on the results of the energy consumption test called for in 4.1, which for natural gas clothes dryers provides results expressed in Btu of gas energy per month (including pilot gas usage) and kWh per month. The test result in Btu of gas energy per month shall be divided by 100 000 Btu per therm, multiplied by 12 months per year and rounded to the nearest therm of gas per year to obtain the energy consumption in therms per year. The test result in kWh per month shall be multiplied by 12 months per year and rounded to the nearest 10 kWh per year to obtain the energy consumption in kWh per year.

4.2.3 For electric clothes dryers, cost of energy shall be expressed in dollars per year and shall equal the energy consumption rating in kWh per year from 4.2.1 before rounding off, divided by 8 clothes loads per week and multiplied by values of 4, 6, 8, 10, 12, and 14 clothes loads per week, each product then being multiplied by electric rates of 0.02, 0.04, 0.06, 0.08, and 0.10 dollars per kWh and rounded to the nearest dollar. A hypothetical set of 30 cost of energy ratings is shown on the label in Figures 3, 6, and 8.

4.2.4 For natural gas clothes dryers, cost of energy shall be expressed in dollars per year and shall equal the sum of the two sets of products resulting from the operations described in 4.2.4.1 and 4.2.4.2, each of the 24 sums rounded to the nearest dollar per year. A hypothetical set of 24 cost of energy ratings is shown on the label in Figure 1.

4.2.4.1 The natural gas energy consumption rating in therms per year shall be divided by 8 clothes loads per week and multiplied by values of 4, 6, 8, 10, 12, and 14 clothes loads per week, each product then being multiplied by natural gas rates of 0.10, 0.15, 0.20, and 0.25 dollars per therm.

4.2.4.2 The electric energy consumption rating in kWh per year shall be divided by 8 clothes loads per week and multiplied by values of 4, 6, 8, 10, 12, and 14 clothes loads per week, each product then being multiplied by an electric rate of 0.04 dollars per kWh. No other electric rates are used in this calculation, so the electrical energy cost for a given number of clothes loads per week will remain the same, regardless of the variation in the gas energy cost.

4.3 The ranges of cost of energy for use on labels shall be taken from the version of Appendix A in effect at the time the labels are applied, except that labels applied within a 90 day period following a revision of Appendix A need not be replaced with labels showing the new ranges.

4.4 All membres of a basic model group shall be held to be improperly rated and labeled if two units of that group, randomly selected, are tested under 4.1.4 or 4.1.5 and for both units, the ratings based on the results of such tests fall outside the following limits:

4.4.1 The value for energy consumption shall not be greater than 110 percent of the value shown on the label.

4.4.2 The value for cost of energy shall be accurate to the nearest dollar per year.

5.0 *Product labeling.*

5.1 The design of labels shall be as follows:

5.1.1 The design of labels shall be as shown in Figures 1 through 8. Except as provided in 5.1.2 through 5.1.4, no marks or information other than that indicated in Figures 1 through 8 shall be placed within the border of the label. The size of labels and sizes of type shall be as shown.

5.1.2 Minor variations in the appearance of labels that may be required for computerized printing techniques may be requested by application to the Assistant Secretary for Science and Technology, U.S. Department of Commerce, Room 3862, Washington, D.C. 20230. Such variations shall be limited to changes in the type style or type size used to indicate values of ratings or ranges, model numbers, or other label elements that change from model to model. Applications for change shall include an example of the proposed change.

5.1.3 When two or more models having the same brand name have identical ratings, more than one model number may be shown on the label. The size of the label may be increased to accommodate such additional model number listings.

5.1.4 Labels shall be printed on white stock. The areas so indicated in Figures 1 through 8 shall be printed in "Pantone Super Warm Red". The seal or logotype of the certifying agency shall be printed in any legible color or colors. All other printing shall be in black.

5.1.5 Camera-ready art suitable for printing the labels, but not including numerical ratings, model numbers, or the seal, logotype, or other designation of the certifying agency, shall be provided by the Secretary to any manufacturer upon request. Actual labels shall be accurate reproductions of this art.

5.2 Clothes dryers shall be labeled as follows:

5.2.1 Labels shall be either folded as indicated in Figures 1 and 3 or pasted on units as indicated herein. Labels to be folded shall be hung as a tag at the top of the clothes dryer, from a convenient point on the control console, or from a control knob at the top front of the cabinet. Labels to be pasted shall be affixed to the top surface of the cabinet or to the front or top surface of the control console. Labels shall be hung or affixed in such a manner as to insure that they can be read in their entirety.

5.2.2 When labels are shown with other information, they shall appear clearly distinct from any other information supplied or displayed by the manufacturer so that the Department of Commerce Energy Conservation Mark on the label cannot reasonably be associated with such other information.

5.2.3 If any model of a given brand of clothes dryer is labeled, then every model of that brand shall be labeled. However, these requirements shall not apply to units intended for export or units manu-

factured prior to the manufacturer's entry into the Program.

5.2.4 For individual units manufactured and packaged prior to a manufacturer's entry into this Program, manufacturers are encouraged to attach appropriate labels, distribute appropriate labels to retailers to be attached to floor display models or other models, or provide point-of-purchase displays as described in 6.4. Manufacturers shall encourage retention of labels on labeled units until such units are delivered to consumers. Manufacturers shall also encourage the use of any point-of-purchase displays that will enhance the usefulness of the labels to consumers.

6.0 *Use of program information in sales representations.*

6.1 For each labeled model for which sales representations are made that present quantitative energy consumption or cost of energy information, the listing shall either include a reproduction of the label for that model or shall in some other format indicate the energy consumption, cost of energy, and ranges of cost of energy appropirate to the listed model. The required information for one or more models may be presented in a table or tables.

6.2 For each labeled model for which sales representations are made that present quantitative energy consumption or cost of energy information, the range of cost of energy shown in the representation shall be taken from the version of Appendix A in effect 90 days before the press date of the sales representation or from a later version of Appendix A if it can be utilized before the press date of such sales representation.

6.3 When labeled models with accompanying quantitative energy consumption or cost of energy information are listed in sales representations, the section in which the models are listed may contain a reproduction of the Department of Commerce Energy Conservation Mark accompanied by the words "Tested in accordance with."

6.4 Legible reproductions of the label shown in Figures 5 through 8, in any size, may be used on the product, on packaging, in point-of-purchase displays, or in other advertising applications, but such use shall not be a substitute for required labeling.

6.5 When, for a given model, the cost of energy rating as determined in 4.2.3 and 4.2.4 is less than the lower limit of the appropriate cost of energy range as determined under 4.3 for use on labels or as determined under 6.2 for use in sales representations, manufacturers are encouraged to utilize this fact in their advertising of that model. This condition could result from introduction of a new or improved model or the late entry of a manufacturer into the Program and in such cases would persist until new cost of energy ranges had been issued.

7.0 *Participation in the program.*

7.1 Manufacturers wishing to participate in the Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation with respect to clothes dryers shall notify the Department of Commerce of intended participation. Unless otherwise ruled by the Secretary, approval for participation by any manufacturer shall automatically be granted upon this notification to the Department. Receipt of such notification shall be acknowledged.

7.2 A manufacturer's notice of intent to participate in the Program with respect to clothes dryers shall be in a form substantially like that shown in Appendix B and shall include all points addresed in the form shown in Appendix B.

7.3 Manufacturers shall provide the Department of Commerce, not later than their stated effective date of entry into the Program with respect to clothes dryers, a listing of all models to be labeled. Such listing shall include the sales model designation, energy consumption, and cost of energy for each model, and an indication of the grouping of sales models into basic model groups. All appropriate sales models as defined in 5.2.3 shall be included. This listing may be included with the notice of intended participation, and shall be addressed to the Assistant Secretary for Science and Technology, U.S. Department of Commerce, Room 3862, Washington, D.C. 20230. This requirement for a listing of models to be labeled may be met by reference to a publicly available directory or listing of clothes dryers if such directory or listing contains the required information.

7.4 When a manufacturer's listing of clothes dryer models to be labeled, or his listing of energy consumption ratings and cost of energy ratings as required under 7.3 is changed by the addition of models or by changes in model designations or ratings, the manufacturer or his agent shall notify the Secretary no later than 30 days after the first shipment of the newly listed or rated production models from his factory. When models are deleted or if the manufacturer terminates his participation in the Program with respect to clothes dryers of a given brand name, the manufacturer or his agent shall notify the Secretary no later than 30 days after such a decision is effective. Such notification shall be addressed to the Secretary of Commerce, U.S. Department of Commerce, Room 5851, Washington, D.C. 20230.

7.5 Manufacturers or their agents shall maintain files of test results and calculations on which ratings are based and files of test results and calculations used to verify that the performance of manufactured units is within the tolerance specified in 4.4. Data relating to a given model shall be preserved for a period of two years after production of that model has been terminated, and if requested for the sole purpose of verifying the accuracy of this data, it shall be provided to the Secretary within 30 days of such request.

7.6 Manufacturers or their agents shall transmit required information to the Secretary in concise and readily understandable form. For this purpose, copies of appropriate lists and reports used for other purposes, as for example reports submitted by a manufacturer to the sponsor of a nationally recognized certification program or reports submitted by an independent testing laboratory to such a sponsor or a manufacturer, shall be acceptable.

7.7 Should any labeled clothes dryer be tested and found to be improperly rated and labeled as described in 4.4, the manufacturer shall, within 30 days of such a finding, give notice of non-compliance and a statement of revised ratings in writing to the Secretary and to all distributors or others in the line of distribution who are responsible for sales to dealers or other retail outlets. He shall also, within 60 days after such a finding, arrange to have corrected labels available for substitution on models currently on display at retail outlets and for those placed on display at a later date, and shall see that such outlets are notified through his normal channels of distribution.

8.0 *Termination of participation.*

8.1 A manufacturer may, at any time, terminate his participation and responsibilities under the Program with respect to clothes dryers of a given brand name by giving written notice to the Secretary that he will discontinue or has discontinued use of the labels on all clothes dryers of that brand name. Such notice shall state the effective date of the manufacturer's termination of participation.

8.2 The Department of Commerce, upon finding that a manufacturer is not complying with the conditions for participation set forth in this Specification and in the Procedures, may upon 30 days notice terminate the manufacturer's participation in the Program: *Provided,* That the manufacturer shall first be given an opportunity to show cause why the participation should not be terminated.

8.3 Upon receipt of a notice of termination, a manufacturer may within 30 days request a hearing under the provisions of 5 U.S.C. 558.

9.0 *Use of program information by other than manufacturers.*

9.1 Retail sales organizations that are not manufacturers as defined in 3.2, that sell clothes dryers labeled under this Program and have received appropriate and accurate Program-related information from manufacturers or the Secretary, are specifically encouraged to utilize Program information in their sales efforts in the manner prescribed in 9.2.

9.2 Appropriate activities for non-manufacturers include the following:

9.2.1 Use of energy consumption ratings, cost of energy ratings and ranges, and reproduction of the Department of Commerce Energy Conservation Mark, under the guidelines described in 6.1, 6.2, and 6.3 in sales representations.

9.2.2 Affixing of labels or appropriate use of point-of-purchase displays, provided by manufacturers under 5.2.4, in sales areas.

9.2.3 Use of reproductions of labels, in the manner described in 6.4, in sales representations.

9.2.4 Advertising of instances where the cost of energy rating of a given model is less than the lower limit of the cost of energy range, as described in 6.5.

9.2.5 Distribution of Program information provided by the Department of Commerce. Program information may be obtained from the National Bureau of Standards, 441.01, Washington, D.C. 20234.

10.0 *Amendment.* This Specification is subject to amendment as provided in section 9.8 of the Procedures, except that Appendix A to this Specification may be updated and published in the FEDERAL REGISTER annually as described in 2.3 without first publishing notice of the proposed change in the FEDERAL REGISTER.

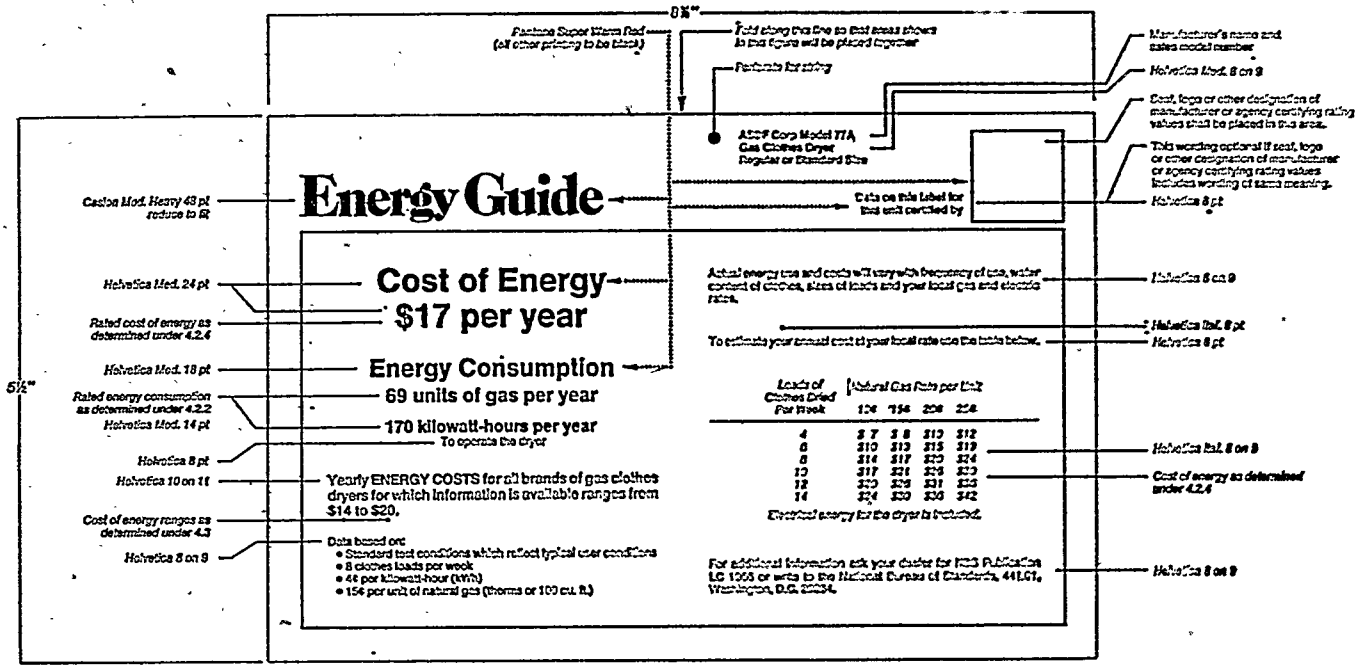

FIGURE 1
Gas Clothes Dryer

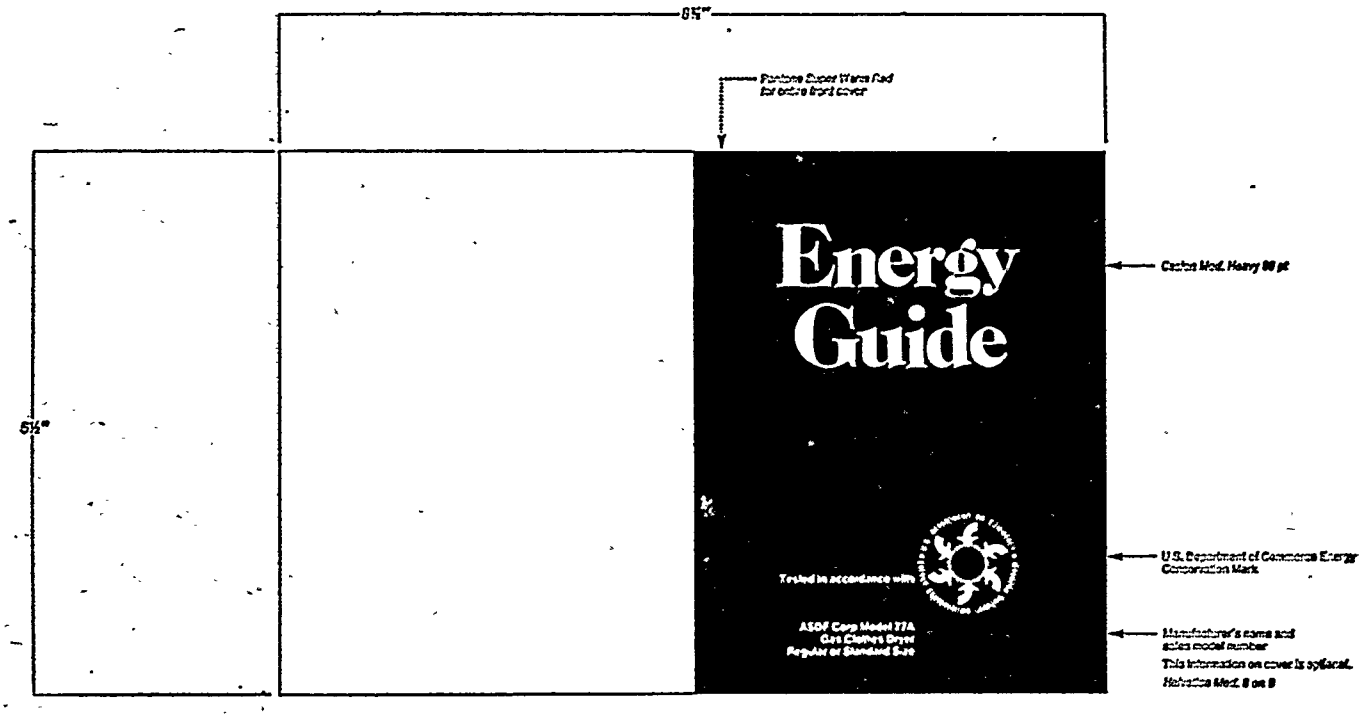

FIGURE 2
Gas Clothes Dryer

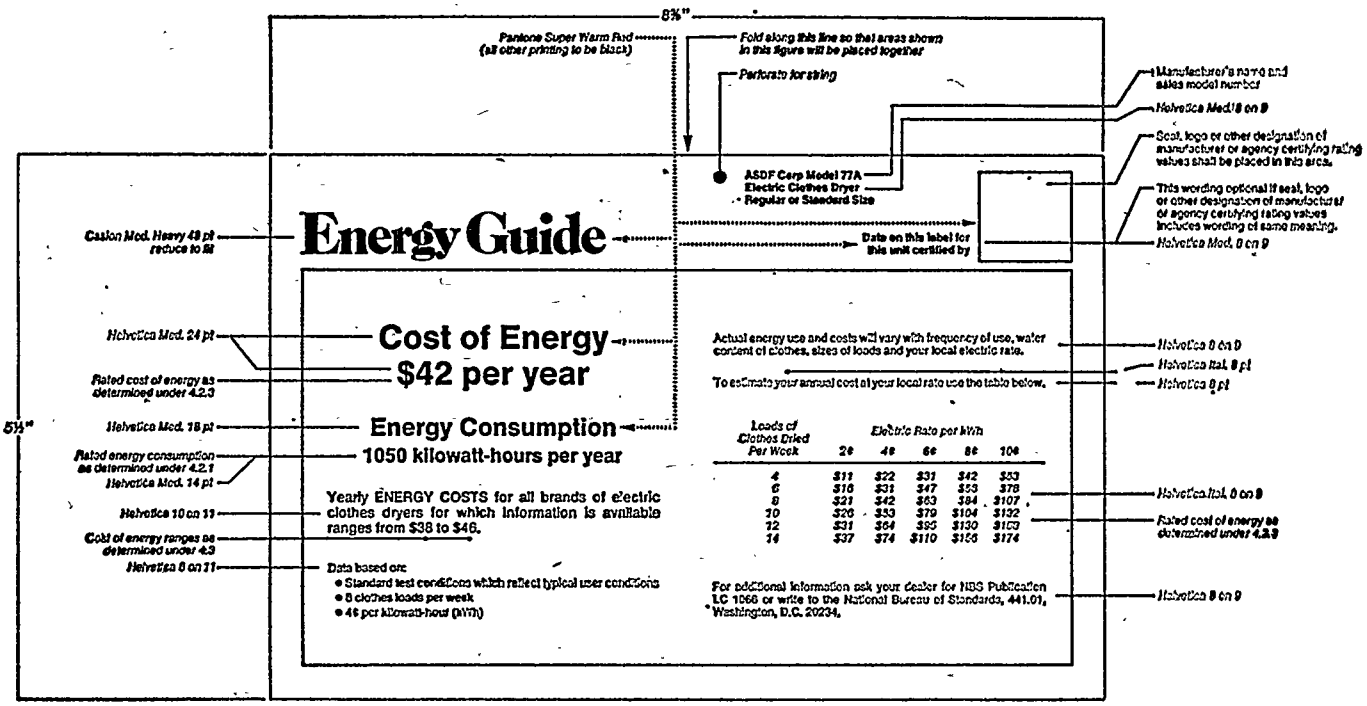

FIGURE 3
Electric Clothes Dryer

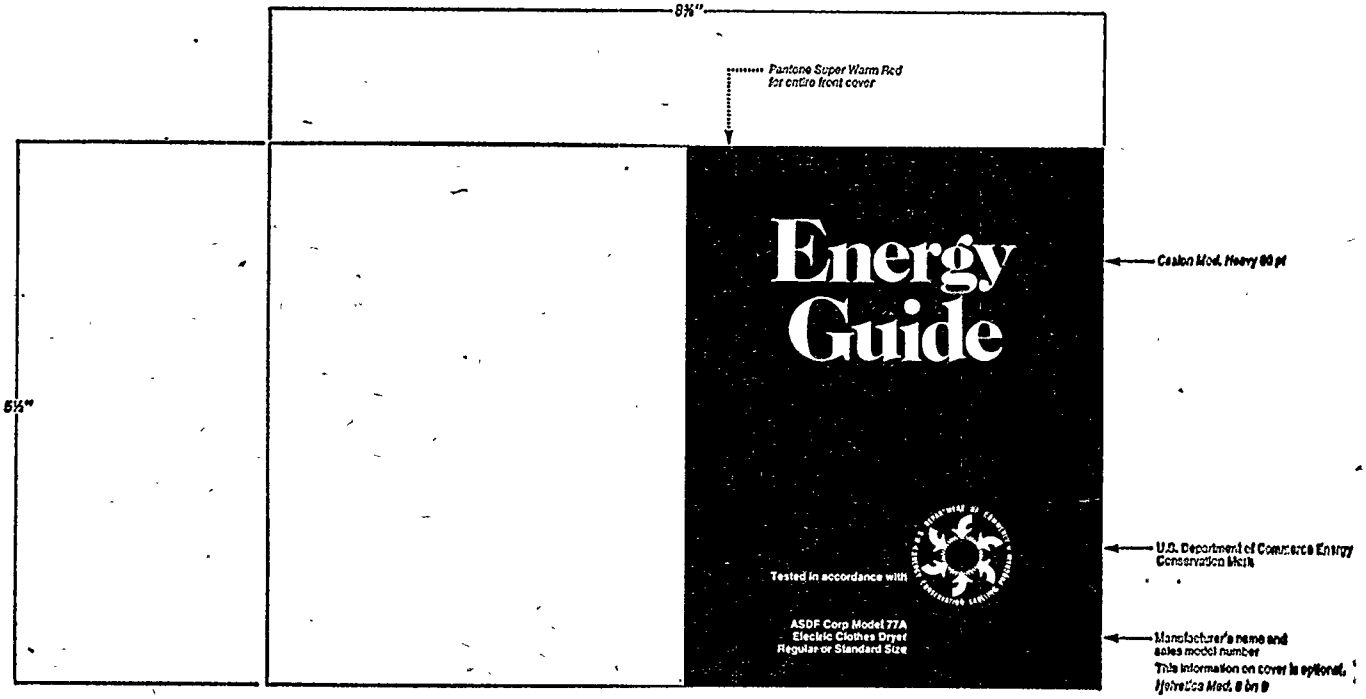

FIGURE 4
Electric Clothes Dryer

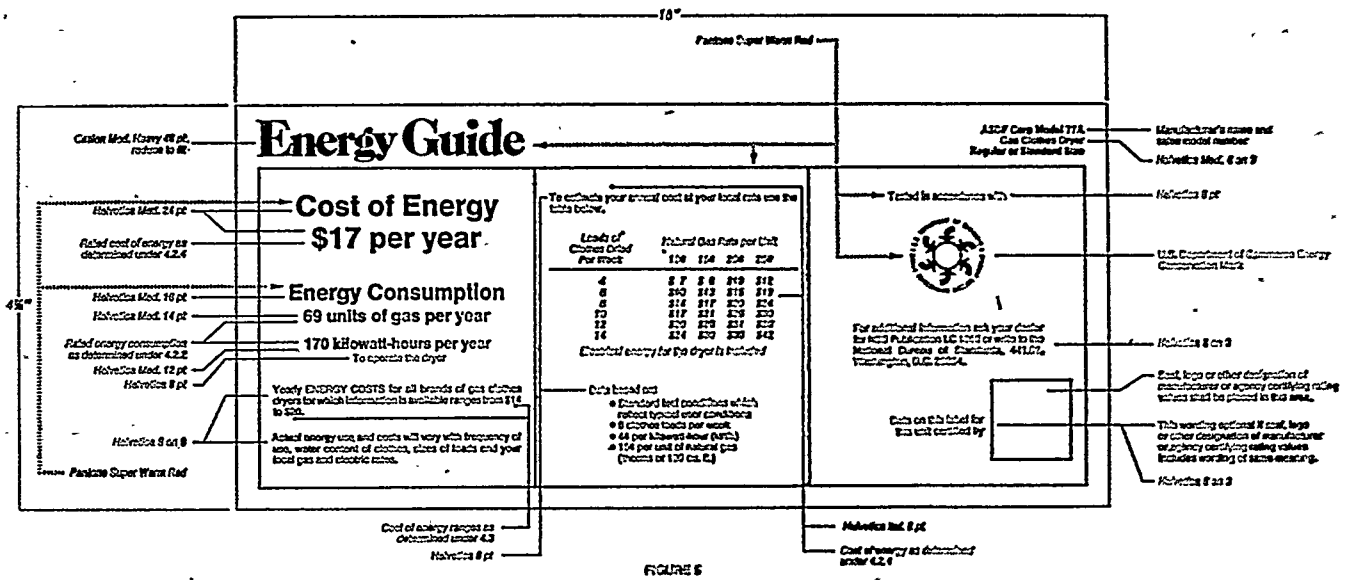

FIGURE 6
Gas Clothes Dryer

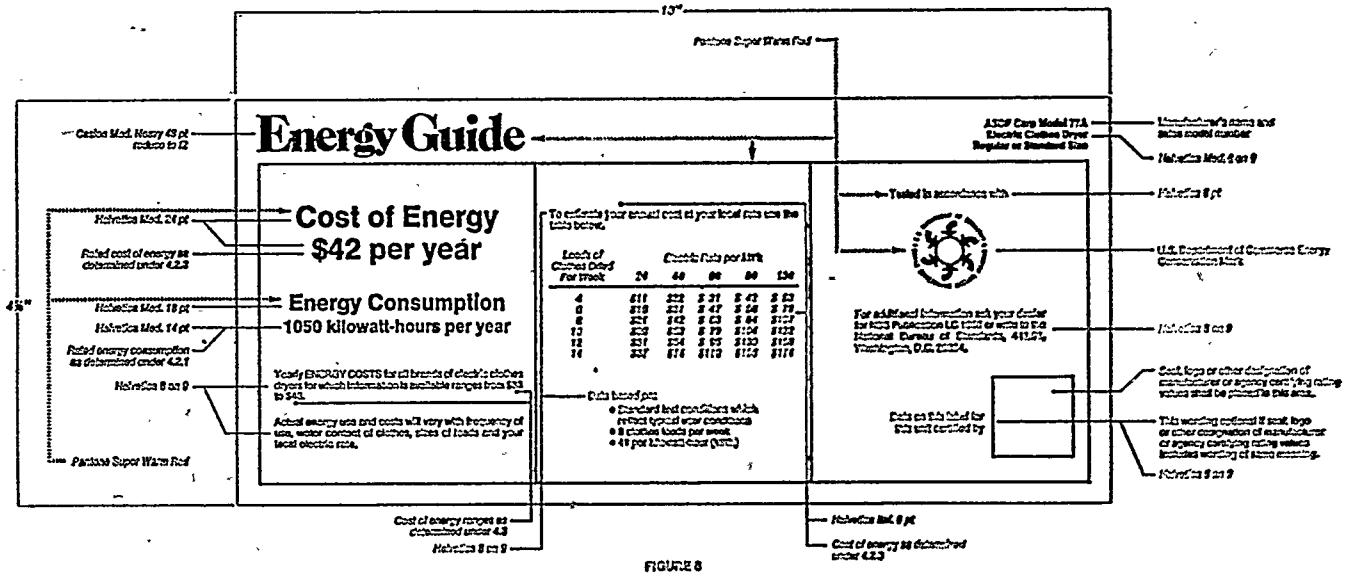

FIGURE 8
Electric Clothes Dryer

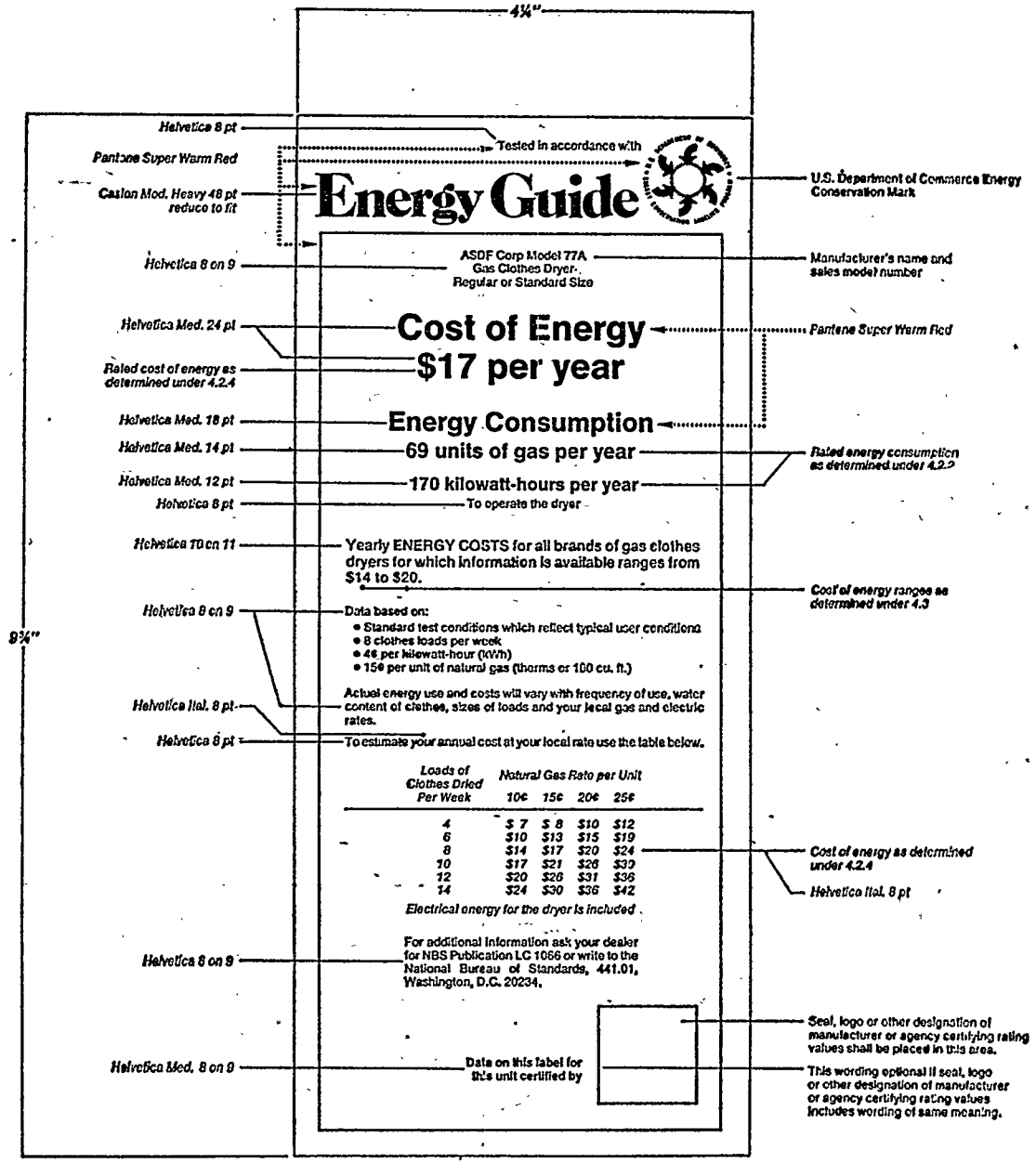

FIGURE 7
Gas Clothes Dryer

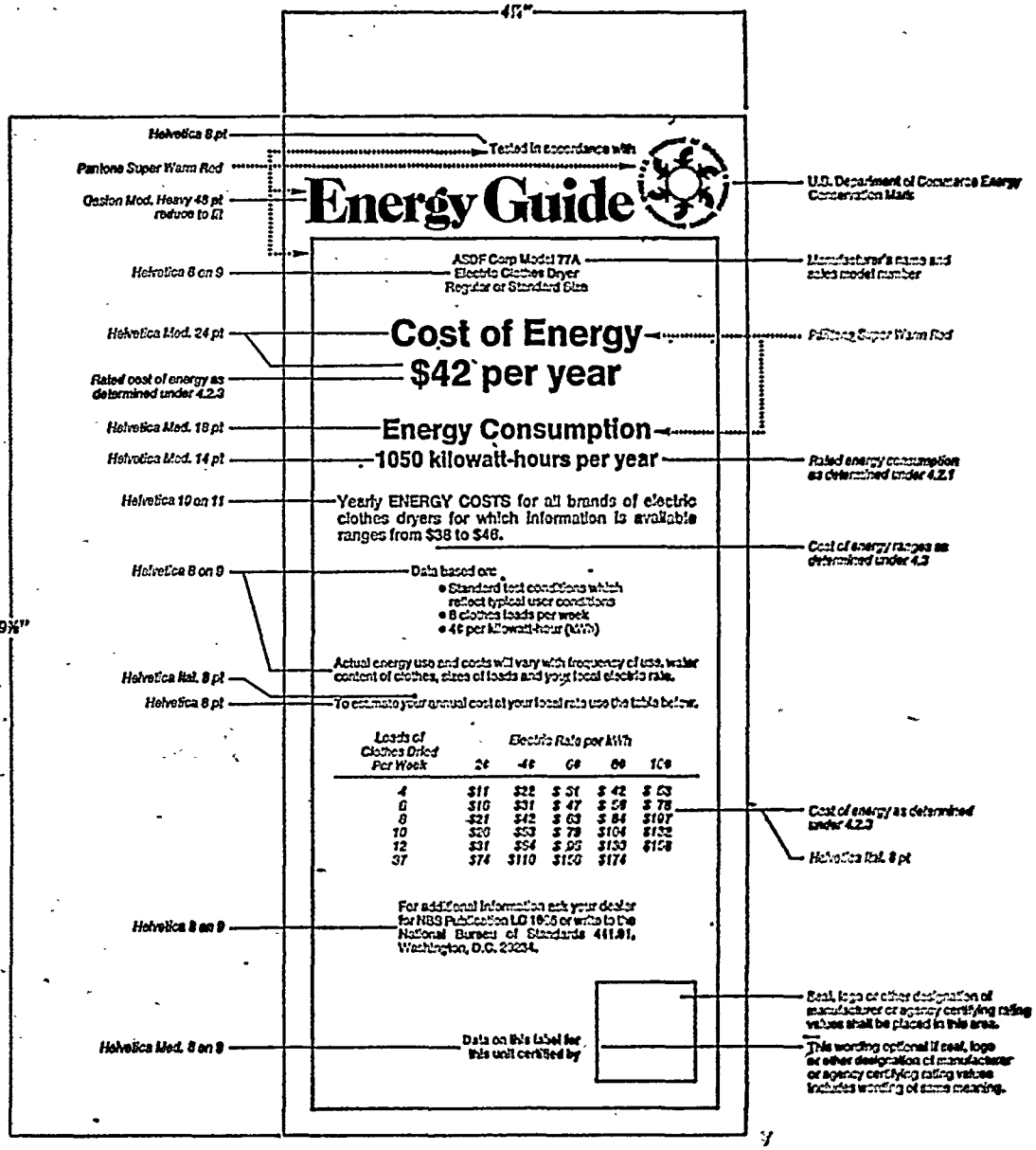

FIGURE 8
Electric Clothes Dryer

VOLUNTARY ENERGY CONSERVATION SPECIFICATION No. 6–75, FOR CLOTHES DRYERS, REGULAR OR STANDARD MODELS

APPENDIX A—COST OF ENERGY RANGES

For Natural Gas Clothes Dryers: At 4¢ per kWh and 15¢ per therm, the currently specified cost of energy rates, $14.00 to $20.00 per year.

For Electric Clothes Dryers: At 4¢ per kWh, the currently specified cost of energy rate $38.00 to $46.00 per year.

The numbers shown above are hypothetical and are used for purpose of example only.

VOLUNTARY ENERGY CONSERVATION SPECIFICATION No. 6–75, FOR CLOTHES DRYERS, REGULAR OR STANDARD MODELS

APPENDIX B—FORM FOR MANUFACTURER'S NOTICE OF THE INTENT TO PARTICIPATE IN THE PROGRAM WITH RESPECT TO CLOTHES DRYERS, REGULAR OR STANDARD MODELS

Assistant Secretary for Science and Technology, U.S. Department of Commerce, Room 3862, Washington, D.C. 20230:

(NAME OF CORPORATION) intends to participate in the Department of Commerce Voluntary Labeling Program with respect to clothes dryers. Accordingly, (NAME OF CORPORATION) agrees to abide by all conditions for participation as set forth in the Procedures for a Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation, 15 CFR Part 9, and Voluntary Energy Conservation Labeling Specification No. 6–75, for Clothes Dryers, Regular or Standard Models, including:

1. Conduct required tests (4.0).
2. Provide required labels (5.0).
3. Provide required information in sales representations (6.0).
4. Provide list of models to be labeled (7.3).
5. Provide notice of model changes (7.4).
6. Maintain required files (7.5).
7. Submit test data on request (7.6).
8. Notify appropriate parties in cases of incorrect labeling (7.7).
9. Provide corrected labels when required (7.7).

(Numbers in parentheses refer to sections of labeling Specification.)

The effective date for participation of (NAME OF CORPORATION) in the Program, after which all newly manufactured clothes dryers will be labeled, is _____.

(Date)

(Signature)

(Corporate Title)

[FR Doc.75-33288 Filed 12-11-75;8:45 am]

CLOTHES DRYERS, REGULAR OR STANDARD MODELS

HLD–2EC–1975; Standard Method of Measuring Energy Consumption of Household Clothes Dryers, Regular or Standard Models

On this date, the Department of Commerce has published in the FEDERAL REGISTER the proposed Voluntary Energy Conservation Specification for Clothes Dryers, Regular or Standard Models, the notice of which appears immediately preceding this notice.

The standard (HLD–2EC–1975) referred to in 4.1 of the proposed Specification is in the process of being issued by the Association of Home Appliance Manufacturers and is being published as a convenience for persons desiring to study the proposed Specification who may wish to refer to the standard.

The older AHAM standard, which is supplemented by and referred to in section 2.2 of this standard, is widely distributed and thought to be reasonably available already to interested parties.

The standard is set forth below.

Issued: December 5, 1975.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

[HLD–2EC–1975]

STANDARD METHOD OF MEASURING ENERGY CONSUMPTION OF HOUSEHOLD CLOTHES DRYERS

ASSOCIATION OF HOME APPLIANCE MANUFACTURERS (AHAM)

SEC. 1—*Purpose.*

1.1 The purpose of this standard is to establish a uniform procedure for measuring the energy consumption of household tumble type clothes dryers as indicated in 2.1.

1.2 Through this standard it is intended that dryers can be evaluated with respect to the energy consumed to dry a standard load under standard conditions.

SEC. 2—*Scope.*

2.1 This standard applies to automatic tumble type dryers.

2.2 This standard is supplementary to AHAM Standard Performance Evaluation Procedure for Household Tumble Type Clothes Dryers (AHAM HLD–1) and only those test conditions which vary from that Standard will be shown. Specific references to HLD–1 will be shown where applicable.

SEC. 3—*General conditions for test.*

3.1 *Test loads.* Two test loads are specified for these tests.

3.1.1 *Energy Test cloth.* Permalex Pure Finished Bleached Momie Cloth, 50 percent Cotton and 50 percent Polyester, 5.75 ounces per square yard, Maximum shrinkage after 5 washings is 4 percent on both length and width, 65 ends on the warp, 57 picks on the fill, Material will be hemmed 22" x 34" before washing.

3.1.2 *Energy stuffer cloth.* Double hemmed 10" x 10" cloths made from 12" x 12"—50 percent polyester/50 percent cotton material.

3.1.3 A three-pound load used for testing compact dryers is to be composed of energy test cloths. A compact dryer is one so designated and tested accordingly by the manufacturer.

3.1.4 A seven-pound load used for testing regular and large capacity dryers is to be composed of energy test cloths. A regular or large capacity dryer is one so designated and tested accordingly by the manufacturer.

3.1.5 Discrepancies in load weight from three pounds or seven pounds are to be made by adding or subtracting energy stuffer cloths. Variations in load weight are to be reported.

3.1.6 *Drying procedure for weighing.* See 3.3.1 of HLD–1.

3.1.7 Dampen load until moisture content is 65 percent of "bone dry" weight (use procedure shown in 3.3.2 of HLD–1).

3.2 *Power source, test room conditions, exhausting, lint trap, and control of test.* See 3.3.3 through 3.3.7 of HLD–1.

3.3 *Method of loading.* Load energy test cloths by grasping them in the center, shaking them to hang loosely and drop them in at random.

SEC. 4—*Test procedure.*

4.1 *Equipment.* Refer to 4.2 in HLD–1

4.2 *Material.* Standard loads as defined in 3.1 above.

4.3 *Procedure.*

4.3.1 Power source, test room conditions, load preparation and exhausting as in section 3, except as noted below: 1. Room Ambient Temperature held to 75±3° F. 2. End Retention is to be 5 percent ± 0.5 oz. of water.

4.3.2 Refer to 4.4.2 in HLD–1.

4.3.3 Refer to 4.4.3 in HLD–1.

4.3.4 *Platform scale method.* Refer to 4.4.5 in HLD–1.

4.3.5 *Table scale method.* Refer to 4.4.6 in HLD–1.

4.3.6 *Standing pilot consumption measurement.* On gas dryers using a standing pilot, measure gas consumption for one hour and multiply by 24 hours (see Appendix E of HLD–1).

SEC. 5—Data recording and analysis.

5.1 Record for each run:

5.1.1 Test load "bone dry" weight.

5.1.2 Weight of wet test load, before test.

5.1.3 Energy required to dry test load to 5% ± 0.5 oz. moisture retention.

5.1.3.1 For electric dryers—total kWh of energy consumed.

5.1.3.2 For gas dryers—a. KWh of energy consumed to operate electrical components;

b. Cubic feet of gas consumed to dry load;

c. Cubic feet of gas consumed by standing pilot in 24 hours (if applicable).

5.1.4 Weight of dry test load, after test.

5.1.5 Test room conditions, temperature and percent relative humidity.

5.1.6 Btu per cubic foot rating of test gas corrected to standard conditions (see Appendix E of HLD–1).

5.1.7 Total Btu used corrected to standard conditions.

5.2 Average results for the five runs.

SEC. 6—Energy calculations.

6.1 *Energy consumption.* Use the average energy (5 runs) from 5.2.

6.2 *Monthly dryer usage.* 34 cycles/month for electrical and gas consumption, 30 days/month for standing pilot gas consumption.

6.3 *Electric dryer.*

Monthly Energy Consumption (kWh) = 34 (Energy Consumed-kWh/Composite Cycle)

6.4 *Gas dryer.*

$E_m = 34(E_e)$ (3415 Btu/kWh) + $34(E_g \times G_{ef}) + 30(G_{sp} \times G_{ef})$.

E_m = Monthly Energy Consumption (kWh and Btu).

E_e = Electrical Operating Energy (kWh/cycle).

E_g=Gas Consumption (Cubic feet).
G_{cf}=Corrected Gas Heat Value (Btu/cubic feet).
G_{sp}=Standing Pilot Gas Consumption (cubic feet).

[FR Doc.75-33289 Filed 12-11-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 75F-0350]

AMERICAN CYANAMID CO.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 6B3120) has been filed by American Cyanamid Co., Wayne, NJ 07470, proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended to provide for the safe use of dimethylamine-epichlorohydrin copolymer, in which up to 5 mole-percent of dimethylamine may be replaced by an equimolar amount of ethylenediamine, as a component of paper and paperboard for food-contact use.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: December 4, 1975.

HOWARD R. ROBERTS,
Acting Director,
Bureau of Foods.

[FR Doc.75-33461 Filed 12-11-75;8:45 am]

[Docket No. 75F-0343]

HUBINGER CO.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 5A3048) has been filed by The Hubinger Co., 601 Main St., Keokuk, IA 52632, proposing that § 121.1031 *Food starch-modified* (21 CFR 121.1031) be amended to provide for safe use of food starch-modified by esterification and etherification by treatment with acrolein, phosphorus oxychloride, and propylene oxide and by bleaching with potassium permanganate.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: December 4, 1975.

HOWARD R. ROBERTS,
Acting Director,
Bureau of Foods.

[FR Doc.75-33460 Filed 12-11-75;8:45 am]

Office of Education

STATE STUDENT INCENTIVE GRANT PROGRAM

Proposed Allotment and Application Procedures for Fiscal Year 1976

Notice is hereby given that pursuant to the authority contained in section 415B of the Higher Education Act of 1965, as amended (20 U.S.C. 1070c-1), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to allot funds appropriated for the State Student Incentive Grant Program for academic year 1976-1977 in the manner set forth below. The purpose of the State Student Incentive Grant (SSIG) Program is to make incentive grants to States, to assist them in providing awards to eligible students with substantial financial need, thereby enabling such students to attend or to continue to attend institutions of higher education.

A. *Background.* Currently applicable regulations governing the SSIG Program are set forth in 45 CFR Part 192. These regulations and the authorizing legislation are founded on separate appropriations for the purpose of initial awards to eligible students who have not previously received SSIG awards, and on separate annual applications from the States for these two purposes. The statute also provides a formula for allotting the appropriation for initial awards among the States, but gives the Commissioner discretion in allotting the appropriation for continuing awards. However, the Fiscal Year 1976 appropriation act (Pub. L. 94-347), like the corresponding appropriation act for Fiscal Year 1975, did not make such separate appropriations for initial and continuing awards. Consequently, the Commissioner must once again provide a procedure for distributing the appropriation between initial and continuation awards.

The proposed procedures set forth below are identical with those approved for Fiscal Year 1975. They provide that the entire appropriation will be allotted according to the statutory formula for initial awards and further provide the States with discretion to make determinations, based on their individual circumstances, for the distribution of such allotments between initial and continuing awards. The Commissioner recognizes that students who have formerly received awards under the SSIG Program may reasonably expect continued financial support, and that some priority should therefore be given for continuing awards; however, he also believes that, in this instance, the State should be given the flexibility to make judgments regarding the student's relative access to the various forms of financial assistance which might be available.

B. *Applicability.* The proposed procedures would, for Fiscal Year 1976, supersede 45 CFR 192.3(e) but would otherwise incorporate all published provisions of SSIG regulations. Furthermore, the proposed procedures set forth below apply only to those States which are eligible, on the basis of having previously received grants under the SSIG Program, to apply for funds under the Fiscal Year 1976 appropriation for both continuation and initial awards. The remaining States (Alaska, Arizona, Nevada, New Hampshire, New Mexico, and Guam) may apply for grants for initial awards only, under the allotment formula and application procedures set forth in currently applicable regulations.

C. *Allotment and Application Procedures.* (1) From the sum appropriated for the SSIG Program for Fiscal Year 1976, the Commissioner will allot to each State that applies for such funds an amount which bears the same ratio to such sum as the number of students in attendance as at least half-time students at institutions of higher education in such State bears to the total number of such students in such attendance in all such States. (A table containing a distribution among all States according to this formula has been appended to the Fiscal Year 1976 State application form as a guide for the States in developing their applications.)

(2) Each State wishing to obtain a grant under this Program shall apply for such grant in accordance with the provisions of the program regulations (45 CFR 192.5). In such application, each State will specify what proportion of its allotment it intends to use for continuing awards and what proportion for initial awards.

(3) The Commissioner will review all State applications for conformity with the program statute and regulations, and will approve all requests for continuation awards where the amount applied for does not exceed the amount of the State's allotment established under paragraph (1) above. The difference between the amount of each State's allotment and the amount approved for continuation awards by that State may be used by the State for making initial awards.

(4) The Commissioner may require each State receiving an allotment under this Program to submit a report prior to September 30, 1976, projecting the portion, if any, of such allotment that will not be needed to make SSIG awards for the academic year 1976-77. Such unused funds may be redistributed among the other States in proportion to the original allotments.

D. *Public Comment.* Interested persons are invited to submit written com-

ments, suggestions, or objections regarding these proposed allocation and application procedures to the State Student Incentive Grant Program, Bureau of Postsecondary Education, U.S. Office of Education, Seventh and D Streets, SW, Room 4525, Washington, D.C. 20202. Comments received in response to this notice will be available for public inspection at the above office on Mondays through Fridays between 8:30 a.m. and 4:30 p.m.

All relevant material must be received on or before January 12, 1976.

(20 U.S.C. 1070c-1)

(Catalog of Federal Domestic Assistance Number 13.548; State Student Incentive Grant Program)

Dated: October 28, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: December 5, 1975.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

[FR Doc.75-33563 Filed 12-11-75;8:45 am]

Office of the Secretary

REVIEW PANEL ON NEW DRUG REGULATION

Request for Comment

Notice is hereby given that the Review Panel on New Drug Regulation, established pursuant to 42 U.S.C. 217 a. by the Secretary of Health, Education, and Welfare, on February 21, 1975, invites interested parties to submit written comments concerning the Report of the Commissioner of Food and Drugs on his investigation of the allegations regarding the internal management of the Food and Drug Administration made on August 15 and September 25, 1974, before a Joint Hearing of the Senate Subcommittees on Health and on Administrative Practice and Procedure. The comments will be considered by the Review Panel in its analysis of the Commissioner's Report. Comments should be submitted to the Executive Secretary, Review Panel on New Drug Regulation, by close of business Friday, January 2, 1976. Copies of the Commissioner' Report can be obtained from the Public Records and Document Center, Food and Drug Administration, Room 4-62, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852. All background material pertinent to the Commissioner's Report is on display in the Public Records and Document Center, where it may be examined on working days from 8 a.m. to 4:30 p.m.

Further information on the Review Panel may be obtained from Dr. Lionel M. Bernstein, Executive Secretary, Review Panel on New Drug Regulation, Room 4617, HEW North Building, 330 Independence Avenue, SW., Washington, D.C. 20201, telephone (202) 245-7510.

LIONEL M. BERNSTEIN,
Executive Secretary, Review Panel on New Drug Regulation.

DECEMBER 2, 1975.

[FR Doc.75-33564 Filed 12-11-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-75-414; Docket No. N-75-415]

ENTERPRISE HEIGHTS TIMBER RIDGE MOSS BRAE FALLS TRACT

Orders of Suspension; Correction

1. On August 26, 1975, the Department published an Order of Suspension on Enterprise Heights Timber Ridge (40 FR 37246). The following change should be made to that Order: Correct the signature and issuance lines to read as follows:

Issued in Washington, D.C., August 13, 1975.

JOHN R. MCDOWELL,
Interstate Land Sales Administrator (Acting).

2. On August 26, 1975, the Department published an Order of Suspension on Moss Brae Falls Tract (40 FR 37247). The following change should be made to that Order: Correct the signature and issuance lines to read as follows:

Issued in Washington, D.C. August 13, 1975.

JOHN R. MCDOWELL,
Interstate Land Sales Administrator (Acting).

Issued in Washington, D.C., December 8, 1975.

JOHN R. MCDOWELL,
Acting Interstate Land Sales Administrator.

[FR Doc.75-33534 Filed 12-11-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RADIO TECHNICAL COMMISSION FOR AERONAUTICS (UTILIZED AS AN ADVISORY COMMITTEE)

Renewal

Notice is hereby given of the renewal of the Charter for the Radio Technical Commission for Aeronautics (RTCA) as an advisory committee utilized by the Federal Aviation Administration (FAA) and other Government agencies. RTCA has been sponsored by the Federal Communications Commission and will be sponsored by FAA, effective January 2, 1976.

The membership of RTCA comprises over 100 Government and industry organizations. At this time, nine Government agencies, the Departments of State, Commerce, Army, Navy, and Air Force; the FAA and U.S. Coast Guard of the Department of Transportation; the National Aeronautics and Space Administration (NASA); and the Federal Communications Commission (FCC), participate in RTCA. Private sector members include Aeronautical Radio, Incorporated (ARINC); Air Line Pilots Association (ALPA); Air Transport Association of America (ATA); Aircraft Owners and Pilots Association (AOPA); Electronics Industries Association Members; and Affiliated Independent Members.

RTCA's objective is to advance the art and science of aeronautics through the investigation of all available or potential applications of the telecommunication art, their coordination with allied arts, and the adaptation thereof to recognized operational requirements. To achieve this objective, RTCA and its special committees seek solutions to problems involving the application of electronics and telecommunications to aeronautical operations and frequently recommend technical performance standards and common operational requirements for consideration by Government, industry and aviation users.

The Secretary of Transportation has determined that the utilization of RTCA is necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Except as provided in section 10(d) of the Federal Advisory Committee Act (86 Stat. 770), meetings of an RTCA committee, when utilized as an advisory committee, will be open to the public.

Issued in Washington, D.C., on December 8, 1975.

J. W. COCHRAN,
Associate Administrator for Engineering and Development.

[FR Doc.75-33463 Filed 12-11-75;8:45 am]

National Highway Traffic Safety Administration

DONEL CORP. ET AL.

Denials of Petitions to Commence Rulemaking

This notice sets forth the reasons for denial of four petitions for rulemaking to initiate or amend Federal motor vehicle safety standards promulgated under authority of section 103 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1391 et seq.). This notice is published in accordance with section 124 of the Act, which provides that the National Highway Traffic Safety Administration must grant or deny such petitions within 120 days, and "If the Secretary denies such petition he shall publish in the FEDERAL REGISTER his reasons for such denial" (section 124(d)).

Donel Corporation (September 10, 1975). Petition to amend Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment,* "to set forth stand-

ards for panic stop signals as optional equipment". Donel's petition was denied because initial NHTSA research on deceleration warning signals did not indicate any significant safety benefit in their use. Also the NHTSA intends to rely in part on the results of a follow-on research program in this area for any future action, and that program has not been completed.

White Motor Corporation (July 8, 1975). Petition to amend Standard No. 121, *Air Brake Systems*, to reduce the equivalent wheel load in dynamometer testing by 15 percent and to delay the effective date for full compliance with the standard in the case of certain trucks with heavy or specialized front axles. White's petition was denied in the case of 15-percent reduction of equivalent wheel load in dynamometer testing because the NHTSA has decided instead to propose a more flexible method to permit the tailoring of brake torque between the front and rear axles of trucks. In the case of delay of full requirements for trucks with certain specialized axles, the NHTSA determined that no new data were furnished to show that the axles were not in fact available or would not be made available in time for full compliance with the standard.

PACCAR Corporation (July 3, 1975). Petition to amend Standard No. 121, *Air Brake Systems*, to reduce the severity of the parking brake grade-holding requirement from 20 percent to 17 percent for all vehicles; and petition to reduce or eliminate brake power requirements for the drive axle on trucks. PACCAR's petition on the grade-holding requirement was denied in part, because the NHTSA concluded that the requirement might be too stringent only in the case of truck-tractors and trailers. PACCAR's request for elimination of brake power requirements on the drive axle was denied because the NHTSA has concluded that a method of averaging brake power values over all axles of the vehicle would be a more satisfactory means to increase design flexibility in this area.

Freightliner Corporation (July 9, 1975). Petition to amend Standard No. 121, *Air Brake Systems*, to reduce the severity of the parking brake grade-holding requirement from 20 percent to 16 percent for all vehicles and elimination of the requirement for truck-tractors in the unloaded condition. Freightliner also petitioned for elimination of the dynamometer requirements for the steering axle on trucks and of all brake actuation requirements. Freightliner's parking brake petition was denied in part, because the NHTSA concluded that the requirement might be too stringent only in the case of truck-tractors and trailers. Freightliner's request for elimination of dynamometer requirements on the steering axle of trucks was denied because the NHTSA has concluded that a method of averaging dynamometer values on all axles of the vehicle would be a more satisfactory means to increase design flexibility in this area. The company's petition to eliminate the brake actuation time requirement was denied, based on tentative agreement with the position of the American Trucking Associations that truck operators must rely on brake timing restrictions in the standard to ensure that vehicles are not designed with extremely fast or slow timing that could reduce compatibility between towed and towing vehicles.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); Sec. 106, Pub. L. 93-492, 88 Stat. 1482 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on December 8, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.75-33543 Filed 12-11-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Order 75-12-40; Docket 26494, Agreement C.A.B. 25548 R-1 through R-3; Agreement C.A.B. 25565 R-1 and R-2]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fares; Order

Issued under delegated authority December 9, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at the Composite Passenger Traffic Conference held in Cannes, France during October and November 1975.

Agreement C.A.B. 25548 would amend certain first class, economy and group fare between Havana, Cuba and points in Canada and Agreement C.A.B. 25565 would amend first class and economy fares between Groningen, the Netherlands and Japan/Korea. We will approve those portions of the agreements governing fares which are combinable with fares to/from United States points and thus have indirect application in air transportation as defined by the Act, but will disclaim jurisdiction with respect to fares which are not similarly combinable.

Pursuant to authority duly delegated by the Board in the Board's Regulations 14 CFR 385.14:

1. It is not found that the following resolutions, incorporated in agreements indicated, and which have indirect application in air transportation as defined by the Act, are adverse to the public interest or in violation of the Act:

Agreement CAB	IATA No.	Title	Application
25548:			
R-1	051b	TC1 First Class Fares (Amending) (Expedited)	1
R-8	051b	TC1 Economy Class Fares (Amending) (Expedited)	1
25565:			
R-1	009	First Class Fares TC2-TC3 (Asia) Via TC1 (Except Polar) (Amending) (Expedited).	1/2/3
R-2	009	Economy Class Fares TC2-TC3 (Asia) Via TC1 (Except Polar) (Amending) (Expedited).	1/2/3

2. It is not found that the following resolution, incorporated in the agreement indicated, affects air transportation within the meaning of the Act:

Agreement CAB	IATA No.	Title	Application
25548:			
R-3	076l	TC1 21 Day Excursion Fares Canada-Bermuda/Caribbean (Amending) (Expedited).	1

Accordingly, *it is ordered*, That: 1. Those portions of Agreements C.A.B. 25548 and C.A.B. 25565 described in finding paragraph 1 above, which have indirect application in air transportation as defined by the Act, be and hereby are approved; and

2. Jurisdiction be and hereby is disclaimed with respect to that portion of Agreement C.A.B. 25548 described in finding paragraph 2 above.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

By James L. Deegan, Chief, Passenger and Cargo Rates Division, Bureau of Economics.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-33566 Filed 12-11-75;8:45 am]

[Docket 27660]

WITS, INC., D/B/A WITS AIR CARGO SERVICE

Enforcement Proceeding; Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on January 19, 1976, at 10 a.m. (local time) in Room 1003, Hearing Room C, Universal North Building, 1875 Con-

necticut Avenue, NW., Washington, D.C., before Administrative Law Judge Richard M. Hartsock.

Dated at Washington, D.C., December 8, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-33565 Filed 12-11-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS.

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from December 1 through December 5, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements in forty-five (45) days from this FEDERAL REGISTER notice of availability. (January 26, 1976.) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250, (202) 447-3965.

ANIMAL AND PLANT HEALTH INSPEC. SERVICE

Draft

1976 Gypsy Moth Suppression and regulatory program, December 4: Proposed is the continuance of the Forest Service and Animal and Plant Health Inspection Service program, in cooperation with responsible state agencies, for the suppression and/or regulation of the gypsy moth, Porthetria dispar, through 1976. Carbaryl or trichlorfon will be used on about 100,000 acres. (ELR Order No. 51765.)

FOREST SERVICE

Draft

Long Island unit management plan, Alaska, December 1: The statement concerns the land use plan for the Long Island Unit, Tongass National Forest. The plan provides recreation areas, intensification of timber management, soil and water resource management, promotion of wildlife values, and the maintenance of fish habitat. Adverse impacts include the changing of wildlife habitat, and the addition of roads to the area. (ELR Order No. 51731.)

Mill Creek planning unit, Nezperce National Forest, Idaho County, Idaho, December 2: The statement involves the implementation of a land use plan for the Mill Creek Planning Unit, Nezperce National Forest, Idaho. The 38,985 acre planning unit is divided into twenty management units for the purpose of resource allocation and direction. Activities involved in the plan tend to modify natural conditions by altering present landscapes, disturbing wildlife, and altering wildlife habitat, reducing solitude, increasing soil movement, and affecting water quality and flow. (ELR Order No. 51751.)

North Catahoula-South Winn unit, Kisatchie National Forest, La., December 1: The statement proposes a ten year management plan for the North Catahoula-South Winn Unit, Kisatchie National Forest, for approximately the period from 1976 to 1986. This unit contains 104,395 acres of National Forest land located in Grant and Winn Parishes, Louisiana. Major actions include harvesting of timber products, development of wildlife and range facilities, development of recreation facilities and reconstruction of roads. Adverse impacts will be caused by construction of roads and disurbances by off-road vehicles. (ELR Order No. 51738.)

Final

Timber management plan, Plumas National Forest, several counties in Calif., December 1: The statement proposes to carry out the revised Plumas National Forest Timber Management Plan which sets a total potential yield of 1,678.0 MMBF from the standard component commercial forest lands during the 10-year plan period. Adverse impacts include construction of roads for access to the harvest areas and degradation of appearance of the landscape, (53 pages). Comments made by: DOT, FPC, AHP, USDA, HEW, EPA, DOI, and State and local agencies, organizations and individuals. (ELR Order No. 51732.)

Bigwood Ski Area, Sawtooth National Forest, Blaine County, Idaho, December 1: On September 6, 1974, the Sawtooth National Forest filed with CEQ a draft EIS proposing development of a winter sports complex in the Butterfield Creek area within the Sawtooth National Recreation Area, which would have been named the Bigwood Ski Area. The decision has been made, however, to implement Alternative A in the draft EIS which is to halt action on development, terminate the existing special use permit, and restore to natural conditions areas where vegetation has been removed and/or disturbed. Comments made by: EPA, DOI, COE, AHP, and State and local agencies, organized groups and individuals. (ELR Order No. 51730.)

Buck Creek and North Fork Catawba River units, Pisgah National Forest, Avery, McDowell, and Burke Counties in N.C., December 1: The statement concerns the 10-year management of the North Fork Catawba River Unit and the Buck Creek Unit, a total of 59,674 acres of Pisgah National Forest. Adverse impacts can result from timber harvesting, road construction and concentrated recreational use. Comments made by: DOT, TVA, EPA, DOI, and State and local agencies and individuals. (ELR Order No. 51744.)

SOIL CONSERVATION SERVICE

Draft

Bayou Brosse Tete watershed project, La., December 1: The proposed project is for watershed protection, flood prevention, and drainage in Pointe Coupee Parish, Louisiana. Approximately 115 miles of channel work with appurtenant structures that include one grade stabilization structure and structures for water control (pipe drops) will be installed. The clearing of 360 acres of forest land and existing channel rights-of-way reduce forest game habitat. (ELR Order No. 51741.)

Long Branch watershed, several counties in Nev., December 4: The proposed Long Branch Watershed Project consists of land treatment measures, 12 floodwater retarding structures, 12 grade stabilization structures, and one multiple purpose floodwater retarding recreation structure with recreation facilities. Adverse effects include loss of agricultural production on 377 acres, inundation of 26 miles of stream channel, loss of 97 acres of woodland and 219 acres of existing wildlife habitat, and the relocation of one farm family. (ELR Order No. 51763.)

Final

Prairie Creek (Vigo) watershed, Vigo County, Ind., December 2: This project entails watershed protection, flood prevention and agricultural water management in Vigo County. Adverse impacts are elimination of agricultural use of 20 acres of cropland, conversion of 17 acres of forest land habitat and 3 acres of idle land; temporary loss of 6 acres of forest land habitat and 2 acres of idle land; disturbance of 5.3 miles of stream fishery; disturbance of wildlife during periodic maintenance work; and temporary noise and air pollution during construction. Comments made by: ORBC, USA, HEW, DOI, DOT, EPA, AHP, and State and local agencies. (ELR Order No. 51750.)

Pollard Creek watershed project, Palo Pinto County, Tex., December 4: Proposed is a project for watershed protection and flood prevention for 7,260 acres of Pollard Creek watershed. The plan includes the installation of two floodwater retarding structures requiring 185 acres of land. The project will result in the destruction of 41 acres of wildlife habitat and the alteration of 10 acres of habitat. Comments made by: USA, HEW, DOI, DOT, EPA, AHP, and (ELR Order No. 51762).

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Development, Attn: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, (202) 693-6795.

Draft

Redwood Shores regional shopping center, San Mateo County, Calif., December 3: Mobil Oil Estates Limited, Redwood City, California, has applied for a Department of the Army permit to fill and do storm drainage improvements on the approximately 210-acre area and to improve the existing dike along Steinberger Slough in preparation for the eventual construction of a regional shopping center. Adverse effects include: change in land use from open space to urban area, loss of levee-impounded marshland, changes in air and water quality, change in noise levels, and water runoff alteration, (San Francisco District). (ELR Order No. 51758.)

Indiana shoreline erosion, Lake Michigan, Ind., December 1: The recommended plan of improvement provides for mitigation of shoreline erosion within the Indiana Dunes National Lakeshore located along the south end of Lake Michigan. The plan consists of placing 1.7 million cubic yards of sand along the shore in the downdrift area affected adversely by harbor structures. There will be some loss of yellow perch due to changed lake bottom conditions and short-term decrease in nearshore water quality, (Chicago District). (ELR Order No. 51727.)

Chetco River jetty extension, Oreg., December 1: Proposed is the construction of a 1,250 foot extension of the south jetty and construction of a 750 foot extension of the north jetty, Chetco River, Oregon. The project would also include deepening of the existing 14 foot channel and turning basin to 16 feet. Adverse impacts include: disruption and removal of about 4 acres of river bottom; smothering of aquatic organisms and habitat during disposal; and coverage of 7.9 acres of offshore sandy bottom with rock, (Portland District). (ELR Order No. 51733.)

Cooper River dredging permit, Amoco Chemicals, S.C., December 2: Proposed is extensive dredging by the Amoco Chemicals Corporation of the Cooper River and adjacent waters for the purpose of constructing a chemical plant and associated facilities. Adverse impacts include: conversion of undeveloped land to an industrialized state and the displacement of animal and plant communities; reduction of water quality and biological productivity; possibility of accidental spills which would adversely affect water quality and aquatic life; and disturbance to people living near railroad and roads in the project area, (Charleston District). (ELR Order No. 51749.)

Final

Nine-Foot Channel, Illinois waterway, Ill., December 1: The statement refers to the continued operation and maintenance of a nine foot channel in the Illinois Waterway from the junction of the Calumet-Sag Channel and the Chicago Sanitary and Ship Canal to the La Grange Lock and Dam. Dredge spoil disposal sites are located throughout the waterway. There is some adverse impact to water quality and aquatic biota, (Chicago District). Comments made by: USCG, HEW, FEA, DOC, HUD, USDA, AHP, EPA, DOI, and State and local agencies. (ELR Order No. 51743.)

Dunkirk Harbor maintenance, Chautauqua County, N.Y., December 1: Proposed is the periodic dredging of about 20,000 cubic yards of sediment from Dunkirk Harbor navigation channels. Spoil will be deposited in a confined disposal facility at Buffalo. Also planned is the periodic maintenance of the existing pier and breakwater. Adverse impacts include resuspension of toxic chemical materials, disturbance of existing fish populations, turbidity and changes in water color, and generation of noise and dust during the placement of structural materials, (Buffalo District). Comments made by: USDA, DOC, HEW, DOI, DOT, EPA, and State and local agencies. (ELR Order No. 51736.)

Transmission Cable permit application, Long Island Nassau County, N.Y., December 5: The proposed action is the issuance of a construction permit to the Long Island Lighting Company and Con Edison to dredge, excavate, dispose of material, backfill, and install two steel conduits and associated cables across Long Island Sound, and to install five steel conduits across Hempstead Harbor, New York. Adverse impacts include the destruction of benthic organisms through dredging, and the blasting of 600 feet of rock, (New York District). Comments made by: AHP, USDA, DOC, HEW, DOI, USN, DOT, EPA, and FPC, (ELR Order No. 51766.)

Kaw Lake, Arkansas River, Okla., December 2: The statement is the final for the updated and revised DEIS submitted to CEQ October 21, 1974. It proposes continued construction of a multi-purpose reservoir project on the Arkansas River 8 miles east of Ponca City. The lake will significantly reduce annual flood damages and will provide a marginal quality but dependable water supply and recreation facility for the area. Adverse environmental effects include: inundation of 17,000 acres of land and 46 miles of river and streams; subjection to inundation of an additional 21,000 acres during floods; adverse effects on oil recovery operations, highways, roads, pipelines, powerlines, and the nearby cities; and the relocation of about 430 families, (Tulsa District). Comments made by: DOI, DOC, FPC, HUD, EPA, DOT, HEW, USDA, AHP and State and local agencies. (ELR Order No. 51747.)

Albemarle and Chesapeake, and Dismal Swamp Canals, Va., and N.C., December 2: The statement refers to the maintenance dredging of the Albermarle and Chesapeake Canal and the Dismal Swamp Canal North Carolina. The dredging will be done by hydraulic dredge. Adverse impacts are increased turbidity, destruction of benthic community, loss of marshlands, terrestrial vegetation and habitat, and interference to local recreational hunting (Norfolk District). Comments made by: EPA, DOC, DOI, DOT, AHP, and State and local agencies. (ELR Order No. 51748.)

Mill Creek flood control, Walla Walla, Washington, Walla Walla County, Wash., December 1: The statement refers to the impacts of continued operation and maintenance of a diversion dam, an off-channel storage reservoir, and surrounding lands which comprise the Mill Creek project. The major impact is that of poor water quality of the reservoir due to high turbidity (Walla Walla District), (53 pages). Comments made by: DOT, USDA, EPA, and State and local agencies. (ELR Order No. 51735.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Waterside Mall, Washington, D.C. 20460, (202) 755-0940.

Draft

Livermore-Amador Valley wastewater management, Calif., December 3: Proposed is the implementation of a Wastewater Management Plan for the Livermore-Amador Valley, California. This pain would: continue treatment at the existing Livermore Water Reclamation Plant (WRP) and Valley Community Services District (VCSD) treatment plants, require a pipeline from the Livermore WRP to VSD, and require a force main along I-580 to Boehmer Summit. A gravity pipeline would then carry the flows to the Oro Ioma-Castro Valley pumping station of the EBD Interceptor. Construction activities would adversely affect the surrounding areas. (ELR Order No. 51754.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G Street NW., Washington, D.C. 20426, (202) 386-6084.

Draft

Alaska Natural Gas transportation systems, Alaska, December 3: Proposed is the conveyance of Alaskan natural gas from the Prudhoe Bay Field in Alaska and from the MacKenzie Delta region of Canada to market areas in the lower 48 states. Two separate natural gas transportation systems have been proposed. Environmental impacts would occur with respect to effects on man, wildlife, vegetation, soil, water quality, air quality, and noise levels. (ELR Order No. 51755.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kaudern, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, (202) 343-4161.

Draft

Federal Youth Center, Talladega, Talladega County, Ga., December 4: The proposed action calls for construction of a Federal Youth Center in Talladega, Alabama to be operated by the Federal Bureau of Prisons, Department of Justice. The proposed site for the FYC consists of about 160 acres located on the south side of Renfroe Road at the edge of the city limits. The center will contain approximately 195,000 gross square feet, and will house about 400 male Federal offenders between the ages of 18 and 26. (ELR Order No. 51761.)

Final

Drug Enforcement Administration lease facility, Dallas County, Tex., December 2: The action proposes the lease construction of a facility for sole occupancy by the Drug Enforcement Administration, an agency of the US Department of Justice. Although no site has been selected, the most favorable location would be in a 14 sq. mile area just North of the Dallas Central Business District encompassing Love Field. The facility will supply 41,250 square feet of space, including office space, a laboratory, fire-arms range, and a helicopter landing pad. Comments made by: DOI, AHP, EPA, DOT, COE, HEW, HUD, USDA, and State and local agencies. (ELR Order No. 51746.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410, (202) 755-6308.

Draft

Estancias de Rio Hondo Development, San Juan, Puerto Rico, December 1: Proposed is the construction of approximately 1,625 housing units and a large shopping center in a tract of 300 acres. The project is located in the Hato Tejas Ward of Bayamon, Puerto Rico in the Metropolitan Area of San Juan. Adverse effects include the shifting of 300 acres of land from grazing to residential uses and increase in noise levels in areas close to the De Diego Expressway and Comerio Avenue. (ELR Order No. 51742.)

Final

Park Forest North, Plano, Texas, Collin County, Tex., December 3: The proposal concerns an application by Fox & Jacobs, Inc. for Federal mortgage insurance on a predominantly residential development of 1064 homes with acreage allocated for apartments, small commercial enterprises, parks, schools, and office buildings. When completed, it would comprise the northern extension of an existing subdivision making a total contiguous development by this builder of approximately 1500 acres. The eis covers only the final section of 450 acres. The proposed development would create greater demand for fossilfuels through heavy dependence on the automobile for transportation to jobs and take good agricultural land out of production. Comments made by: DOI, HUD, USDA, AHP, COE, and State and local agencies. (ELR Order No. 51753.)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD).

Final

Washington Square West Urban Renewal, Philadelphia, Philadelphia County, Penn., December 1: The statement concerns an urban renewal project for a 107-acre area in southeast Philadelphia. The major adverse environmental effects are those associated with the disruption of an existing area/community by project activities. Existing residents and businesses will be relocated. Parking problems and noise and air pollution are also discerned. Comments made by: DOC, CEQ, DOT, HEW, EPA, DOI, AHP, and State and local agencies. (ELR Order No. 51740.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

BUREAU OF LAND MANAGEMENT

Final

Red Rock Canyon Recreation Lands, Clark County, Nev., December 1: The statement refers to a proposed management plan for 62,000 acres of public land and 2,000 acres of private land, located fifteen miles west of Las Vegas. The lands will be managed for the preservation of wilderness and other natural areas; for recreation development; for private commercial development (of lodges and a dude ranch); and for visitor and administrative uses. There will be some road and trail construction, and degradation of primitive and natural environmental values. Comments made by: EPA, DOI, and State agencies. (ELR Order No. 51739.)

BUREAU OF OUTDOOR RECREATION

Draft

New National Wild and Scenic River, Ashe and Alleghany Counties, N.C., December 1: Proposed is the declaration of a segment of the New River and its tributary, South Fork, as a component of the National Wild and Scenic Rivers System under the provisions of the Wild and Scenic Rivers Act, Public Law 90-542. The stream segments are located within Ashe and Alleghany Counties in North Carolina. No irreversible and irretrievable commitment of resources would be involved. (ELR Order No. 51734.)

NATIONAL PARK SERVICE

Final

Proposed Master Plan, Grand Canyon complex, Ariz., December 1: Proposed is a master plan for the use, development, interpretation, and preservation of the Grand Canyon National Park. The park would be enlarged to encompass the "Grand Canyon" entity; Grand Canyon Village would be redeveloped for concentrated, heavy, day use; the majority of park lands would be managed as natural or wilderness areas (129 pages). Comments made by: AHP, USDA, DOI, DOT, EPA, FPC, and State and local agencies and individuals. (ELR Order No. 51728.)

Master Plan, Pinnacles National Monument, Monterey County, Calif., December 3: Proposed is a master plan for the management of the Pinnacles National Monument. The plan recommends measures to insure preservation of the resources of Pinnacles for public appreciation and for scientific research. These measures include the acquisition of land for preservation of wildlife species and relocation of visitor facilities; the conversion of all facilities to day use; and the installation of a visitor shuttle system for use during heavy visitation periods. Comments made by: AHP, USDA, DOC, DOI, DOT, EPA, and State agencies. (ELR Order No. 51752.)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. A. Giambusso, Director of Division of Reactor Licensing, P-722, NRC, Washington, D.C. 20555, (301) 492-7373.

Draft

Floating Nuclear Power Plant Manufacture, Fla., December 3: The proposed action is the issuance of a manufacturing license to Offshore Power Systems for the startup and operation of a proposed manufacturing facility located at Blount Island, Jacksonville, Florida. Each nuclear generating plant, mounted on a floating platform, has a net capacity of 1150 MWe. This energy is provided by a pressurized water reactor steam supply system consisting of a Westinghouse four-loop 3425-MWt unit with an ice-condenser containment system. (ELR Order No. 51756.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, (202) 426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

Paramount Boulevard, Beverly Boulevard to Olympic Boulevard, Los Angeles County, Calif., December 4: Proposed is the completion of an overall project on Paramount Boulevard, Los Angeles, California, which in its entirety extends from Beverly Boulevard to Whittier Boulevard. The segment discussed in this statement is the remaining 0.5 mile segment between Beverly Boulevard and Olympic Boulevard still to be constructed. Adverse effects include some increase in the level of traffic noise and auto emissions. (ELR Order No. 51759.)

Iowa 9, Waukon to Lansing, Allamakee County, Iowa, December 4: Proposed is the upgrading of a segment of Iowa 9 in Allamakee County from 7th Street S.E. in Waukon, northeasterly approximately 17.4 miles to 2nd Street in Lansing. The proposed construction would consist of 24-foot wide pavement with 10-foot stabilized shoulders on an improved vertical and horizontal alignment. Adverse impacts include the loss of 65 to 90 acres of pastureland, the removal of wildlife habitat, and an increase in dust and noise levels. (ELR Order No. 51760.)

Freeway 518 and Iowa 92 Relocation, Washington and Johnson Counties, Iowa, December 4: Proposed is the development of a north-south freeway route generally paralleling the alignment of present U.S. 218 in southeastern Iowa. The proposed facility would extend northerly from just south of Iowa 92 in Washington County to the intersection of I-80 and I-380 in Johnson County. Also being considered is a 1.3 mile relocation of Iowa 92 in the vicinity of the proposed Freeway 518-Iowa 92 interchange. Adverse effects include the displacement of 10 to 316 individuals, and the loss of cropland, pasture, and woodland. (ELR Order No. 51764.)

Final

L.R. 1052, Cross Valley Expressway, Luzerne County, Penn., December 3: The proposed project is the construction of 5.2 miles of the Cross Valley Expressway. The project will displace 18 families, and 11 commercial units. A 4(f) statement will be filed to obtain an unspecified amount of land from Hallenback Park. Mill Creek and Laurel Run Creek will be traversed and partially relocated, causing increased erosion and siltation. Other major adverse impacts are introduction of air and noise pollution on a new location (87 pages). Comments made by: USDA, COE, HEW, HUD, DOI, EPA, DOT, and State and local agencies. (ELR Order No. 51757.)

State Route 58, Hamilton County, Tenn., December 1: The statement refers to the proposed construction of State Route 58 which will connect the intersection of Riverfront Parkway and Main Street with the intersection of 20th and Broad Street. The length of the project is .87 miles. Adverse impacts are the displacement of families and businesses, and increased air and noise pollution. Comments made by: HUD, DOI, TVA, COE, HEW, EPA, DOT, and State and local agencies and interest groups. (ELR Order No. 51729.)

State Route 95, Loudon County, Tenn., December 1: The proposed project, State Route 95, will be constructed to provide a four-lane divided facility, a medium, and a minimum right-of-way width of 200 ft. The project length is 3.0 miles. Several displacements would be necessary. The project will involve the loss of wildlife habitat and between 75 and 90 acres of agricultural land. Comments made by: DOT, USDA, DOI, TVA, EPA, and State and local agencies. (ELR Order No. 51737.)

VETERANS ADMINISTRATION

Contact: (For Medical Facilities), Mr. Arthur W. Farmer, Assistant Chief, Medical Director for Administration and Facilities, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420.

(For Housing), Mr. R. C. Coon, Director, Loan Guarantee Service, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420, (202) 389-2332.

Draft

VA Hospital, Columbia (supplement), S.C., December 2: This supplement is intended to be the final EIS for a 400-bed Replacement Hospital and modernization of existing VA Hospital by constructing a new 400-bed hospital tower building with a two-story auxiliary base for clinics and support services and by alterations to existing buildings. Included in the project is a future Nursing Home Care Unit. (ELR Order No. 51745.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-33555 Filed 12-11-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 467-4]

ENVIRONMENTAL IMPACT STATEMENTS AND OTHER ACTIONS IMPACTING THE ENVIRONMENT

Availability of Comments

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of November 1, 1975 and November 15, 1975.

Appendix I below contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the naure of EPA's comments as defined in Appendix II below, and the EPA source for copies of the comments as set forth in Appendix VI below.

Appendix II below contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I below.

Appendix III below contains a listing of final environmental impact statements reviewed and commented upon in writing during this review period. The listing includes the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA

source for copies of the comments as set forth in Appendix VI below.

Appendix IV below contains a listing of final environmental impact statements reviewed but not commented upon by EPA during this review period. The listing includes the Federal agency responsible for the statement, the number and title of the statement, and the source of the EPA review as set forth in Appendix VI below.

Appendix V below contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the source for copies of the comments as set forth in Appendix VI below.

Appendix VI below contains a listing of the names and addresses of the sources of EPA reviews and comments listed in Appendices I, III, IV, and V below.

Copies of the EPA Manual setting forth the policies and procedures for EPA's review of agency actions may be obtained by writing the Public Information Reference Unit, Environmental Protection Agency, Room 2922, Waterside Mall SW, Washington, DC 20460, telephone 202/755-2808. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency.

Dated: December 4, 1975.

REBECCA W. HANMER,
Acting Director,
Office of Federal Activities.

APPENDIX I.—*Draft environmental impact statements for which comments were issued between Nov. 1 and 15, 1975*

Identifying No.	Title	General nature of comments	Source for copies of comments
Department of Agriculture:			
D-AFS-J65027-MT	West Kootenai planning unit, Kootenai National Forest, Lincoln County, Mont.	ER-2	I
D-AFS-J65029-00	West Slope of the Tetons, land use plan, Targhee National Forest, Teton and Fremont Counties, Idaho and Wyo.	ER-2	I
D-AFS-L61041-OR	Land use plan and timber management of the Willamette National Forest, Oreg.	3	K
D-AFS-L65014-00	Vegetation management with herbicides, northwest Pacific region, Oregon, Washington, and California.	LO-1	K
D-DOA-E82004-00	Trial boll weevil eradication program, Virginia, North Carolina, and South Carolina.	ER-2	E
D-SCS-E36031-SC	South Tyger River watershed, Greenville County, S.C.	LO-2	E
Corps of Engineers:			
D-COE-E35013-SC	Maintenance dredging Charleston Harbor, Ashley River, dredging of Cooper River, Charleston, and Berkeley Counties, S.C.	LO-2	E
D-COE-E61015-00	Big South Fork National River and recreation area, Tennessee and Kentucky.	LO-2	E
D-COE-F32030-OH	Operation and maintenance, Vermilion Harbor, Erie County, Ohio.	LO-2	F
D-COE-F36027-MN	Flood control Roseau River, Roseau and Kittson Counties, Minn.	ER-2	F
D-COE-F36028-MN	Duluth stormwater flood control project, Duluth, Minn.	LO-2	F
D-COE-F36029-MN	Bassett Creek watershed, Hennepin County, Minn.	ER-2	F
DS-COE-G32022-LA	Mississippi River, operation and maintenance, Baton Rouge to Gulf of Mexico, La.	ER-2	G
D-COE-G34016-TX	Operations and maintenance, Whitney Lake, Waco Lake, Proctor Lake, Stillhouse Hollow Dam and Lake, and Somerville Lake, Brazos River Basin, Tex.	LO-1	G
D-COE-G36032-AR	Arkansas River in the vicinity of North Little Rock, Pulaski County, Ark.	LO-1	G
D-COE-G39002-00	Red River chloride control water quality study, Red River, Tex. and Okla.	LO-2	G
D-COE-H36020-KS	Great Bend local protection project, Great Bend, Kans.	ER-2	H
D-COE-K34002-CA	San Leandro Marina, Alameda County, Calif.	LO-1	J
D-COE-K36012-AZ	New River and Phoenix City streams, Maricopa County, Ariz.	LO-2	J
D-COE-L05003-AK	Hydroelectric power development, Upper Susitna River Basin, southcentral railbelt area, Alaska.	ER-2	K
Department of Defense:			
D-USA-E11003-MS	Mississippi Army Ammunition Plant, Hancock County, Miss.	ER-2	E
Federal Power Commission:			
D-FPC-A03054-00	East Tennessee Natural Gas Co., curtailment plan, docket No. RP75-28.	2	A
D-FPC-A03055-00	Algonquin Gas Transmission Co., curtailment plan, docket No. RP71-131.	2	A
D-FPC-A03057-00	Trunkline Gas Co., curtailment plan, docket no. RP71-100.	2	A
D-FPC-A03059-00	Texas Gas Transmission Corp., curtailment plan, docket No. RP72-04.	2	A
D-FPC-F03003-00	Panhandle Eastern Pipeline Co., natural gas curtailment plan.	2	A

APPENDIX I.—*Draft environmental impact statements for which comments were issued between Nov. 1 and 15, 1975*—Continued

Identifying No.	Title	General nature of comments	Source for copies of comments
D-FPC-A03061-00	Transcontinental Gas Pipeline Corp., docket No. RP72-99, natural gas curtailment plan.	3	A
D-FPC-C03003-NY	Consolidated Gas Supply Co., docket No. RP73-115	3	A
D-FPC-D03001-00	Columbia Gas Transmission Corp., natural gas curtailment plan.	3	A
D-FPC-E09002-00	Southern Natural Gas Co., docket No. RP74-6, analysis of 2 permanent curtailment plans.	3	A
D-FPC-E09003-00	United Gas Pipeline Co., docket No. RP71-29-120, curtailment plans.	3	A
D-FPC-E09004-00	Texas Eastern Transmission Corp., docket No. RP71-130, gas curtailment plan.	3	A
D-FPC-G03002-00	Arkansas Louisiana Gas Co., docket No. RP71-122, curtailment plan.	3	A
D-FPC-H03000-00	Cities Service Natural Gas Co. curtailment plan, docket No. RP75-62.	3	A
D-FPC-H03001-00	Mississippi River Transmission Corp., natural gas curtailment plan, docket No. RP73-6.	3	A
D-FPC-K03002-00	El Paso Natural Gas Co., docket No. RP72-6, Texas, New Mexico, Oklahoma, Colorado, Arizona, Utah, and California.	3	A
General Services Administration:			
D-GSA-J81003-UT	Construction of Bureau of Mines metallurgy research, Salt Lake City, Utah.	LO-2	I
Department of Housing and Urban Development:			
D-HUD-E28003-NC	Great Alamance Creek water supply project (CDBG), Burlington, N.C.	ER-2	E
Department of the Interior:			
D-BOR-L61050-ID	Proposed Bruneau Wild and Scenic River, Idaho	LO-1	K
Department of Transportation:			
D-FAA-L81004-OR	Establishment of an air route surveillance radar facility, Eugene, Oreg.	ER-2	K
D-FHW-D40023-PA	LR 07076, 17th St., Altoona, Pa	LO-2	D
D-FHW-E0060-00	Columbus-Phenix City north bypass from GA-87/U.S. 27 to U.S. 280, Muscogee County, Ga. and Lee and Russell Counties, Ala.	LO-2	E
D-FHW-E40061-KY	Poplar Level Rd., KY-864, Louisville, Ky	LO-1	E
D-FHW-G40036-TX	Beltway 8, I-45 South Gulf Freeway to U.S. 59, Southwest Freeway, Harris County, Tex.	EU-2	G
D-FHW-G40038-TX	Beltway 8, section 5, U.S. 59 north to I-10 east Harris County, Tex	ER-2	G
D-FHW-G40039-NM	U.S. 1133(6), University Ave., Las Cruces, Dona Ana County, N. Mex.	LO-2	G
D-FHW-G40040-TX	Loop 151, U.S. 82 to U.S. 59, Bowie County, Tex	LO-2	G
D-FHW-G40041-TX	Loop 201, McKinney Rd. to Perry Rd., Bayton, Harris County, Tex	ER-2	G
D-FHW-K40030-NV	West leg, U.S. 95, Las Vegas, Clark County, Nev	ER-2	J
D-FHW-L40026-ID	ID-50, Idaho Forest Highway Route 50, St. Joe River Rd., Behewah and Shoshone Counties, Idaho.	LO-1	K
D-FHW-L40027-ID	I-15W Raft River-Rockland Junction, Cassia and Power Counties, Idaho.	LO-1	K
D-FRA-A53033-00	Proposed amendment to the Regional Rail Reorganization Act of 1973.	LO-1	A

APPENDIX II—DEFINITIONS OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

ENVIRONMENTAL IMPACT OF THE ACTION

LO—Lack of Objection. EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER—Environmental Reservations. EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these impacts.

EU—Environmentally Unsatisfactory. EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

ADEQUACY OF THE IMPACT STATEMENT

Category 1—Adequate. The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

Category 2—Insufficient Information. EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3—Inadequate. EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

APPENDIX III.—*Final environmental impact statements for which comments were issued between Nov. 1 and 15, 1975*

Identifying No.	Title	General nature of comments	Source for copies of comments
Corps of Engineers:			
F-COE-A35094-WI	Maintenance dredging and dreged material disposal, Port Washington, Wis.	EPA generally had no objections to the project as proposed. However, EPA believes erosion control measures should be implemented along Sauk Creek to decrease sediment loads entering the habror.	F
F-COE-A35137-00	Blue River Basin projects, Missouri and Kansas.	EPA determined the final EIS to be unresponsive to 2 major concerns raised by EPA comments on the draft EIS. Therefore EPA requested the Corps to respond publicly on our request for reservoir probabilities and the promotion of future flood plain development.	H
F-COE-F32009-MI	Holland Harbor, dredge disposal facility, Mich.	EPA generally had no objections to the proposed project. However, EPA requested the opportunity to review the effluent monitoring program when completed.	F
Department of Transportation:			
FS-FAA-A51160-AL.	Birmingham Municipal Airport, Birmingham, Ala.	EPA generally had no objections to the project as proposed. However, EPA feels more consideration should have been given to noise abatement.	F
F-FHW-A42186-WI	WI-21, west county line to Wisconsin River, Juneau County, Wis.	EPA generally had no objections to the project as proposed.	F
RF-CGD-A90006-00.	Deepwater Port regulations.	EPA generally had no objections to the regulations as proposed. However, EPA commented on the affects of the regulations on land and water use plans and coastal zone management programs. Additionally, EPA questioned 2 Coast Guard responses to commenters.	A
Department of the Interior:			
F-SFW-K61006-NV	Proposed desert wilderness area, Desert National Wildlife Range, Clark and Lincoln Counties, Nev.	EPA generally had no objections to the project as proposed.	J

APPENDIX IV.—*Final environmental impact statements which were reviewed and not commented on between Nov. 1 and 15, 1975*

Identifying No.	Title	Source of review
Department of Agriculture:		
F-AFS-L61006-OR	Timberline lodge management direction, Mount Hood National Forest, Oreg.	K
F-SCS-E36017-MS	Mantachie, Bogue Fala, and Bogue Eucuba Creeks watershed, Itawamba, Lee, and Monroe Counties, Miss.	E
F-SCS-G36017-TX	Elm Creek watershed project, Bell, Falls, McLennan, and Milam Counties, Tex.	G
F-SCS-H36010-00	Little Black watershed, Butler, Carter, and Ripley Counties, Mo. and Ark.	H
Corps of Engineers:		
F-COE-G32005-TX	Maintenance dredging, Galveston Harbor and Channel, Galveston County, Tex.	G
F-COE-L36011-00	Columbia and Lower Willamette River, Vancouver, Washington and Portland Oreg.	K
Department of Housing and Urban Development:		
F-HUD-G85003-TX	"The Woods" subdivision, Dallas County, Tex	G
Department of Interior:		
F-DOI-A61047-NM	Proposed master plan, White Sands National Monument, N. Mex	G
F-SFW-A61122-MO	Proposed Mingo wilderness are, Mingo National Wildlife Refuge, Wayne and Stoddard Counties, Mo.	H
F-SFW-A61250-VA	Proposed back bay wilderness area, Virginia	D
F-SFW-A64032-KY	Wolf Creek National Fish Hatchery, Russell County, Ky	E
Nuclear Regulatory Commission:		
F-AEC-A06141-FL	Floating nuclear power plants, offshore power systems, docket No. STN 50-437, Blount Island, Jacksonville, Fla.	E
Department of Transportation:		
F-DOT-A41250-NB	U.S. 30 Bypass, North Platte, Lincoln County, Nebr	H
FS-DOT-A41323-NB	U.S. 77 Expressway, Dakota County, Nebr	H
F-FHW-A42263-IA	U.S. 67, Riverdale to I-80, Scott County, Iowa	H
F-FHW-G40031-TX	Loop 335 from I-40 to U.S. 87 and U.S. 287, Potter County, Tex	G
F-FHW-H40013-KS	U.S. 56, Marion County, Kans	H
F-FHW-J40003-CO	I-70, Debeque-Grand Valley, Mesa and Garfield Counties, Colo	I

APPENDIX V.—*Regulations, legislation, and other Federal agency actions for which comments were issued between Nov. 1 and 15, 1975*

Identifying No.	Title	General nature of comments	Source for copies of comments
Department of Transportation:			
A-UMT-A54035-00	Notices, major urban mass transportation investments, docket 75-04, notice of proposed policy.	EPA generally had no objections to the proposed project. However, EPA suggested several revisions to assure that all relevant factors are considered in the environmental analysis of transportation alternatives which must take place as a condition of eligibility for Federal assistance for any major mass transportation investment.	A
Department of the Interior:			
E-DOI-A01031-00	40 CFR pt. 3041, surface management of federally owned coal resources, and 30 CFR pt. 211, coal mining operating regulations.	EPA found the proposed regulations to be environmentally unsatisfactory from the standpoint of environmental quality on the grounds that the rules involve a high probability for violation of environmental quality standards (particularly State standards) and that there is a potential for significant environmental degradation which could be avoided by feasible alternatives. EPA's major concerns included excessive latitude resulting from the use of their term "maximum extent practicable;" enforcement of environmental regulations under the Federal Water Pollution Control Act and Clean Air Act; enforcement of applicable State air and water quality standards on Federal lands; the lack of provisions for public participation in lease tract selection and mining plan approvals; and the absence of explicit environmental criteria for designating lands as unsuitable for mining. EPA submitted a major revision of the regulations for consideration by the Department of the Interior in preparation of the final rulemaking.	A

APPENDIX VI—SOURCE FOR COPIES OF EPA COMMENTS

A. Public Information Reference Unit, Environmental Protection Agency, Room 2922, Waterside Mall, SW., Washington, D.C. 20460.

B. Director of Public Affairs, Region I, Environmental Protection Agency, John F. Kennedy Federal Building, Boston, Massachusetts 02203.

C. Director of Public Affairs, Region II, Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007.

D. Director of Public Affairs, Region III, Environmental Protection Agency, Curtis Building, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106.

E. Director of Public Affairs, Region IV, Environmental Protection Agency, 1421 Peachtree Street NE., Atlanta, Georgia 30309.

F. Director of Public Affairs, Region V, Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

G. Director of Public Affairs, Region VI, Environmental Protection Agency, 1600 Patterson Street, Dallas, Texas 75201.

H. Director of Public Affairs, Region VII, Environmental Protection Agency, 1735 Baltimore Street, Kansas City, Missouri 64108.

I. Director of Public Affairs, Region VIII, Environmental Protection Agency 1860 Lincoln Street, Denver, Colorado 80203.

J. Director of Public Affairs, Region IX, Environmental Protection Agency, 100 California Street, San Francisco, California 94111.

K. Director of Public Affairs, Region X, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

[FR Doc.75-33422 Filed 12-11-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

TV AND FM TRANSLATOR APPLICATIONS READY AND AVAILABLE FOR PROCESSING

Notice is hereby given pursuant to §§ 1.572(c) and 1.573(d) of the Commission's rules, that on January 20, 1976, the TV and FM translator applications listed in the attached Appendix below will be considered as ready and available for processing. Pursuant to §§ 1.227(b)(1) and 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application appearing on the attached list or with any other application on file by the close of business on January 19, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and submitted for filing at the offices of the Commission in Washington, D.C., by the close of business on January 19, 1976.

The attention of any party in interest desiring to file pleadings concerning any pending TV and FM translator application, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: December, 1975.

Released: December 4, 1975.

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

VHF TV TRANSLATOR APPLICATIONS

BPTTV-5418A	K09KD, Allen Logging Camp, 15 miles S.E. of Forks, Wash. Allen Logging Company. Req: Change to channel 10, primary TV station to KATU(TV), Portland, Oreg.
BPTTV-5419A	New, Allen Logging Camp, 15 miles S.E. of Forks, Wash. Allen Logging Company. Req: Channel 13, 1 watt. Primary: CBUT(TV), British Vancouver, Columbia.
BPTTV-5425	New, Granger, Trona Plant East of Granger, Bryan and Peru, Wyo. Upper Bear River TV Service. Req: Channel 2, 5 watts. Primary: KUTV(TV), Salt Lake City, Utah.
BPTTV-5426	New, Granger, Trona Plant East of Granger, Bryan and Peru, Wyo. Upper Bear River TV Service. Req: Channel 4, 5 watts. Primary: KOPX-TV, Salt Lake City, Utah.
BPTTV-5427	New, Granger, Trona East of Granger, Bryan and Peru, Wyo. Upper Bear River TV Service. Rq: Channel 5, 5 watts. Primary: KSL-TV, Salt Lake City, Utah.
BPTTV-5428	New, Starbuck, Glenwood and Pope County, Minnesota. Starbuck Area Development Corporation. Req: Channel 2, 10 watts. Primary: KMSP-TV, Minneapolis, St. Paul, Minnesota.
BPTTV-5429	New, Starbuck, Glenwood and Pope County, Minnesota. Starbuck Area Development Corporation. Req: Channel 6, 10 watts. Primary: WTCN-TV, Minneapolis, St. Paul, Minnesota.
BPTTV-5430	New, Starbuck, Glenwood and Pope County, Minnesota. Starbuck Area Development Corporation. Req: Channel 13, 10 watts. Primary: WCCO-TV, Minneapolis, St. Paul, Minnesota.
BPTTV-5432	New, Quinter, Kansas. City of Quinter. Req: Channel 10, 5.0 watt. Primary: KLNE-TV, Lexington, Nebraska.

VHF TV TRANSLATOR APPLICATIONS

BPTTV-5433	New, Verdigre, Nebraska. Nebraska Educational TV Commission. Req: Channel 10, 1 watt. Primary: KXNE(TV), Norfolk, Nebr.
BPTTV-5434	New, Rodeo, New Mexico. Rodeo TV Association. Req: Channel 2, 1 watt. Primary: KOLD(TV), Tucson, Arizona.
BPTTV-5435	New, Kiana, Alaska. City of Kiana. Req: Channel 4, 10 watts. Primary: KYUK(TV)-4, Bethel, Alaska and KUAC(TV)-9, Fairbanks, Alaska.

FM TRANSLATOR APPLICATIONS

BPFT-260	New, Chester, Westwood and Canyondam, Calif. The Almanor T.V. Club, Inc. Req: Channel 221, 92.1 MHz, 10 watts. Primary: KSRN(FM), Reno, Nev.

BPFT-262 New, Jeffrey City, Wyo.
Jeffrey City TV Association.
Req: Channel 285, 104.9 MHz, 1 watt.
Primary: KDLY(FM), Lander, Wyo.

BPFT-264 New, Colstrip, Mont.
Christian Enterprises, Incorporated.
Req: Channel 252, 98.3 MHz, 10 watts.
Primary: KURL-FM, Billings, Mont.

BPFT-265 New, Land O'Lakes, Wis.
Land O'Lakes Bible Church.
Req: Channel 288, 105.5 MHz, 1.0 watts.
Primary: WRMV(FM), Suring, Wis.

BPFT-266 K228AB, Upper Bear River and Evanston, Wyo.
Kilburn I. Porter tr/as Upper Bear River TV Service.
Req: Change primary station to KLUB-FM, Ch-246, Salt Lake City, Utah.

BPFT-269 New, Orderville, Glendale, Utah.
Long Valley Television.
Req: Channel 232, 94.3 MHz, 1 watt.
Primary: KALL-FM, Salt Lake City, Utah.

BPFT-270 New, Ironwood, Mich.
Mr. Marvin E. Marks.
Req: Channel 265, 100.9 MHz, 1.0 watt.
Primary: WWIB(FM), Ladysmith, Wis.

BPFT-271 New, Stockton, Mo.
The Watkins Investment Company.
Req: Channel 240, 95.9 10 watts.
Primary: KREG(FM), Greenfield, Mo.

BPFT-272 New, Red Lake, Minn.
Oakhills Fellowship, Inc.
Req: Channel 228, 93.5 MHz, 10 watts.
Primary: KFNW(FM), Fargo, North Dakota.

BPFT-273 New, Lovelock, Nev.
Western Inspirational Broadcasters, Inc.
Req: Channel 261, 100.1 MHz, 10.0 watts.
Primary: KNIS(FM), Carson City, Nev.

FM TRANSLATOR APPLICATIONS

BPFT-274 New, Thousand Oaks, Calif.
KFAC, Inc.
Req: Channel 292, 106.3 MHz, 1 watt.
Primary: KFAC-FM, Los Angeles, Calif.

BPFT-276 New, Everett, Wash.
King's Garden, Inc.
Req: Channel 290, 105.9 MHz, 10 watts.
Primary: KBIQ(FM), Edmonds, Wash.

UHF TV TRANSLATOR APPLICATIONS

BPTT-2923 New, Chinook and Surrounding Rural Areas, Mont.
Chinook TV Association, Inc.
Req: Channel 63, 100 watts.
Primary: CFCN(TV), Lethbridge, Alberta, Canada.

BPTT-2924 New, Hiawassee and Young Harris, Georgia and Hayesville, N.C.
Tri-County TV booster Club, Inc.
Req: Channel 67, 100 watts.
Primary: WTCG-TV, Atlanta, Ga.

BPTT-2925 New, Salmon, Idaho.
Lemhi TV Corp.
Req: Channel 59, 100 watts.
Primary: KPAX(TV), Missoula, Mont.

BPTT-2926 New, Canton, Clyde, Waynesville and Hazelwood, N.C.
University of North Carolina.
Req: Channel 27, 100 watts.
Primary: WUNF-TV, Asheville, N.C.

BPTT-2927 New, Eden Valley, Paynesville, SW Stearns Co., and Brooten, Minn.
Starbuck Area Development Corporation.
Req: Channel 58, 100 watts.
Primary: WTCN-TV, Minneapolis, St. Paul, Minn.

BPTT-2928 New, Eden Valley, Paynesville, SW Stearns Co., and Brooten, Minn.
Starbuck Area Development Corporation.
Req: Channel 64, 100 watts.
Primary: WCCO-TV, Minneapolis, St. Paul, Minn.

BPTT-2929 New, Eden Valley, Paynesville, SW Stearns Co., and Brooten, Minn.
Starbuck Area Development Corporation.
Req: Channel 66, 100 watts.
Primary: KMSP-TV, Minneapolis, St. Paul, Minn.

BPTT-2930 New, Stemilt, Colockum and Wenatchee Area, Wash.
Apple Valley TV Association, Inc.
Req: Channel 60, 100 watts.
Primary: KREM(TV), Spokane, Wash.

BPTT-2931 New, Stemilt, Colockum and Wenatchee Area, Wash.
Apple Valley TV Association, Inc.
Req: Channel 63, 100 watts.
Primary: KXLY(TV), Spokane, Wash.

UHF TV TRANSLATOR APPLICATIONS

BPTT-2932 New, Stemilt, Colockum and Wenatchee Area, Wash.
Apple Valley TV Association, Inc.
Req: Channel 65, 100 watts.
Primary: KHQ(TV), Spokane, Wash.

BPTT-2933 New, Stemilt, Colockum and Wenatchee Area, Wash.
Apple Valley TV Association, Inc.
Req: Channel 67, 100 watts.
Primary: KSPS(TV) Spokane, Wash.

BPTT-2934 New, Stemilt, Colockum and Wenatchee Area, Wash.
Apple Valley TV Association, Inc.
Req: Channel 69, 100 watts.
Primary: KAPP(TV), Yakima, Wash.

BPTT-2935 New, Butler and Boston Communities, Ky.
Kentucky State Board of Education.
Req: Channel 64, 100 watts.
Primary: WKON(TV), Owenton, Ky.

Application deleted from Public Notice released September 19, 1975, (Mimeo #55228, 40 F.R. 44359).

BPFT-249 New, Orderville, Utah.
Long Valley T.V.
Req: Channel 232, 94.3 MHz, 1 watt.
Primary: KALL-FM, Salt Lake City, Utah.

(Assigned new file number BPFT-269).

Applications deleted from Public Notice released August 27, 1975, (Mimeo #54352, 40 F.R. 40200).

BPFT-213 New, Thousand Oaks, Calif.
KFAC, Inc.
Req: Channel 269A, 101.7 MHz, 1 watt.
Primary: KFAC-FM, Los Angeles, Calif.

(Assigned new file number BPFT-274).

BPFT-232 New, Everett, Wash.
King's Garden, Inc.
Req: Channel 284C, 104.7 MHz, 10 watts.
Primary: KBIQ(FM), Edmonds, Wash.

(Assigned new file number BPFT-276).

Application deleted from Public Notice released September 3, 1975, (Mimeo #54506 40 F.R. 41182).

BPTT-2884 New, Salmon, Idaho.
Lemhi TV Corp.
Req: Channel 59, 100 watts.
Primary: KXLF(TV), Butte, Mont.

(Assigned new file number BPTT-2925).

[FR Doc.75-33348 Filed 12-11-75;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[No. AC-3]

SWEETWATER SAVINGS ASSOCIATION

Approval of Conversion

Notice is hereby given that on December 8, 1975, the Federal Home Loan Bank Board, as the operating head of the Federal Savings and Loan Insurance Corporation, by Resolution No. 75-1097, approved the application of Sweetwater Savings Association, Sweetwater, Texas, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Office of the Secretary of said Corporation, 320 First Street, NW., Washington, D.C. 20552 and at the Office of the Supervisory Agent of said Corporation at the Federal Home Loan Bank of Little Rock, 1400 Tower Building, Little Rock, Arkansas 72201.

By the Federal Home Loan Bank Board.

Dated: December 8, 1975.

[SEAL] J. J. FINN,
Secretary.

[FR Doc.75-33560 Filed 12-11-75;8:45 am]

FEDERAL MARITIME COMMISSION

SCINDIA STEAM NAVIGATION CO., LTD. AND SHIPPING CORP. OF INDIA, LTD.

Agreement Filed

Notice is hereby given that the following agreement, accompanied by a statement of justification, 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 and the statement of justification at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W. Room 10126; or many inspect the agreement and the statement of justification at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 2, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement filed by:
Mr. J. M. Mahoney, Norton, Lilly & Co., Inc.,
90 West Street, New York, New York 10006

Agreement No. 10209, between Scindia Steam Navigation Co., Ltd. and the Shipping Corporation of India, Ltd., covers the establishment of a rate agreement encompassing various rates, charges, classifications and related tariff matters agreed to by the parties with a right of independent action in the trade from the West Coast of India to U.S. Atlantic and Gulf ports.

By Order of the Federal Maritime Commission.

Dated: December 9, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-33593 Filed 12-11-75;8:45 am]

[Docket No. 75-58]

UNION CARBIDE INTER-AMERICA, INC. VS. VENEZUELAN LINE (COMPANIA ANONIMA VENEZOLANA DE NAVEGACION)

Complaint Filed

DECEMBER 9, 1975.

Notice is hereby given that a complaint filed by Union Carbide Inter-America, Inc. against Venezuelan Line (Compania Anonima Venezolana De Navegacion) was served December 9, 1975. The complaint alleges that complainant has been subjected to payment of a freight rate for transportation which is unjust and unreasonable and in violation of section 18(b)(3) of the Shipping Act, 1916.

Hearing in this matter shall commence on or before June 9, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-33595 Filed 12-11-75;8:45 am]

[Docket No. 73-38]

COUNCIL OF NORTH ATLANTIC SHIPPING ASSOCIATION VS. AMERICAN MAIL LINES

Availability of Draft Environmental Impact Statement

Upon completion of an environmental assessment in Docket No. 73-38, the Federal Maritime Commission's Office of Environmental Affairs has determined that this proceeding may represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321, *et seq.*). Therefore, a detailed Draft Environmental Impact Statement has been prepared in this proceeding, which is now available through the Commission's Office of Managing Director.

Parties to the proceeding and other interested persons may comment on this Draft Environmental Impact Statement by submitting an original and three copies of such comment to the Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573 on or before January 26, 1976.

Five copies of this notice and of the Draft Environmental Impact Statement will be distributed to the Council of Environmental Quality; ten copies to the Environmental Protection Agency (EPA); seven copies to the Department of Interior; five copies each to the Interstate Commerce Commission, the Department of Commerce, the Department of Transportation and the Federal Energy Administration; one copy each to the Association of American Railroads, the United States Railway Association, the Commandant, U.S. Coast Guard, the State of Maryland (Environmental Health Administration), the General Motors Corporation, the General Electric Company, the Southern Railway System; and one copy to each party to the proceeding.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-33594 Filed 12-11-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. G-6311 and CI75-518]

AMERADA HESS CORP.

Findings and Order After Statutory Hearing Amending Order Issuing Certificate of Public Convenience and Necessity, Granting Permission and Approval To Abandon in Part, Accepting FPC Gas Rate Schedule Supplement for Filing, and Granting Petition To Intervene

DECEMBER 8, 1975.

On February 26, 1975, Amerada Hess Corporation (Applicant) filed in Docket No. CI75-518 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon sales of natural gas for resale in interstate commerce to Warren Petroleum Company (Warren) and to Skelly Oil Company (Skelly); and on June 9, 1975, Applicant filed in Docket No. G-6311 an application pursuant to Section 7(c) of the Natural Gas Act to amend the order issuing certificate of public convenience and necessity to authorize a sale of natural gas for resale in interstate commerce to Northern Natural Gas Company (Northern), all as more fully set forth in the applications in Docket Nos. CI75-518 and G-6311.

Applicant in Docket No. CI75-518 requests permission to abandon sales of natural gas from the Wier Nos. 4 and 8 Wells, Lea County, New Mexico (Permian Basin Area), to Warren pursuant to a casinghead gas sales contract dated September 4, 1974, superseding a casinghead gas contract between Applicant and Warren dated October 29, 1963. Reclassification of said wells by the New Mexico Oil Conservation Commission (NMOCC) from oil wells to gas wells became effective April 1, 1972. Applicant further in Docket No. CI76-518 requests permission to abandon sales of natural gas from the E. Wood No. 8 Well in Lea County, New Mexico, to Skelly also made pursuant to a casinghead gas sales contract. Reclassification of the E. Wood No. 8 Well from oil well to gas well by NMOCC became effective August 23, 1974. Applicant has submitted documents evidencing the reclassifications of the wells by the NMOCC. The gas-well gas produced therefrom is dedicated to Northern pursuant to an amendment dated May 12, 1975, to a gas sales contract between Applicant and Northern dated June 21, 1974 (Supplement No. 33 to Applicant's FPC Gas Rate Schedule No. 30).

Applicant has continued sales of gas from the Weir Nos. 4 and 8 Wells to Warren from April 1, 1972, to February 23, 1975, pursuant to a casinghead gas sales contract dated October 29, 1963, as superseded by a casinghead gas sales contract dated September 4, 1974. The continuation of such sales of the gas produced from the Weir Nos. 4 and 8 Wells without regard to the reclassification of such well by NMOCC refutes the contention of Applicant that such sales are being abandoned because of the reclassification by NMOCC. Therefore, there being no other grounds presented by Applicant to show that the present or future public convenience or necessity, independent of the reclassification by NMOCC of April 1, 1973, and subsequent gas sales agreement between Applicant and Northern dated February 24, 1975, permit such abandonment, the application in Docket No. CI75-518 is being denied with respect to the Weir Nos. 4 and 8 Wells.

Applicant requests amendment of the order issuing a certificate of public convenience and necessity in Docket No. G-6311 authorizing the sales of natural gas to Northern from the aforementioned wells and from four other wells, the Anderson No. 2, the State "T" No. 4, and the Baker Nos. 3 and 4 Wells, all in Lea County, New Mexico, pursuant to the aforementioned gas sales contract between Applicant and Northern dated June 21, 1974, as amended. Applicant proposes to make the sale to Northern at the national rate set forth in Section 2.56a of the Commission's rules. On September 5, 1975, Applicant filed the required written statement to demonstrate the applicability of Opinion No. 699 to the sale and the written waiver of the refund credits and contingent escalations required by Section 2.56a(i) of the Commission's rules. However, inasmuch as the abandonment authorization requested in Docket No. CI75-518 is being denied herein with respect to sales of gas to Warren from the Weir Nos. 4 and 8 Wells, certificate authorization to sell gas therefrom to Northern must also be denied.

Applicant commenced emergency sales of natural gas to Northern from the Weir No. 8 Well on May 9, 1975, from the Anderson No. 2 Well on March 28, 1975, from the State "T" No. 4 Well on March 26, 1975, and from the Baker Nos. 3 and 4 Wells on March 15, 1975, pursuant to Section 157.29 of the Commission's Regulations (18 C.F.R. 157.29).

After due notice by publication in the FEDERAL REGISTER on July 9, 1975 (40 FR 28865), in Docket No. G-6311, no petitions to intervene, notices of intervention or protests to the granting of the application have been filed. After due notice by publication in the FEDERAL REGISTER on March 19, 1975 (40 FR 12545), Skelly filed a petition to intervene in Docket No. CI75-518, neither opposing nor supporting the application. No further petitions to intervene, notices of intervention or protests to the granting of the application have been filed.

At a hearing held on November 19, 1975, the Commission on its motion received and made a part of the record in these proceedings all evidence, including the applications and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds: (1) Applicant is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The sale of natural gas proposed to be abandoned, as hereinbefore described and as more fully described in the application in Docket No. CI75-518, is made in interstate commerce subject to the jurisdiction of the Commission and the abandonment thereof is subject to the requirements of Subsection (b) of Section 7 of the Natural Gas Act.

(3) The abandonment proposed by Applicant of the sales of natural gas for resale in interstate commerce from E. Wood No. 8 Well is permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(4) The abandonment of sales of natural gas for resale in interstate commerce from the Weir Nos. 4 and 8 Wells to Warren proposed by Applicant because of the reclassification of such wells from oil-wells to gas-wells by NMOCC in accordance with the order of the Commission of July 26, 1973 (50 FPC 258), *Atlantic Richfield Company, FPC Gas Rate Schedule Nos. 337 and 354*, stating, "The reclassification of wells by a state regulatory agency shall be presumptive evidence warranting the grant of the abandonment application in the absence of a clear preponderance of the evidence to the contrary.", should be denied because the continued sales of such gas and the superseding sales contract for such gas to Warren constitute a preponderance of the evidence that permission for and approval of the abandonment of such sales of natural gas is not in the present or future public convenience and necessity.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the order issuing a certificate of public convenience and necessity in Docket No. G-6311 should be amended as hereinafter ordered.

(6) The sale of natural gas by Applicant from the Weir Nos. 4 and 8 Wells to Warren should be continued by Applicant.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the contract amendment submitted by Applicant should be accepted for filing as a supplement to its FPC Gas Rate Schedule No. 30, to the extent service thereunder is certificated by the Commission.

(8) Participation by Skelly in this proceeding may be in the public interest.

The Commission orders: (A) Permission for and approval of the abandonment of service by Applicant, with the exception of sales of natural gas from the Weir Nos. 4 and 8 Wells, as hereinbefore described and as more fully described in the application in Docket No. CI75-518, as granted.

(B) Permission for and approval of the abandonment of the sales of gas for resale in interstate commerce by Applicant to Warren from the Weir Nos. 4 and 8 Wells are denied. Applicant shall continue sales to Warren from the Weir Nos. 4 and 8 Wells until the Commission permits and approves the abandonment thereof upon an appropriate application.

(C) The denial of permission for and approval of the abandonment stated in paragraph (B) above is without prejudice to Applicant's refiling to show that

present or future public convenience or necessity permit such abandonment.

(D) The order issuing the certificate of public convenience and necessity in Docket No. G-6311 is hereby amended by authorizing the additional sale by Applicant of natural gas in interstate commerce for resale for ultimate public consumption, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, as provided in Section 2.56a of the Commission's General Policy and Interpretations, conditioned to the lesser of the contract rate or the national base rate of 51.0 cents per Mcf at 14.73 psia, plus adjustment for applicable taxes and subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot, all as hereinbefore described and as more fully described in the application in Docket No. G-6311; provided, however, this authorization does not apply to gas produced from the aforesaid Weir Nos. 4 and 8 Wells, and the subject application to amend in Docket No. G-6311 is hereby denied with respect to said two wells. In all other respects said order shall remain in full force and effect.

(E) The contract amendment dated May 12, 1975, is accepted for filing effective on the date of initial delivery under the authorization granted herein and is designated as Supplement No. 38 to Amerada Hess Corporation FPC Gas Rate Schedule No. 30. Application shall advise the Commission of such date of initial delivery within 10 days thereof.

(F) Skelly is permitted to intervene in Docket No. CI75-513 subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervener shall be limited to matters affecting asserted rights and interest as specifically set forth in the petition to intervene; and *Provided, further,* That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved because of any order of the Commission entered in this proceeding.

(G) Applicant natural gas company's attention is directed to Commission Order No. 539, issued October 14, 1975, 40 FR 49571, and to the provisions of Section 2.83 of the General Policy and Interpretations, 18 CFR 2.83. Moreover, issuance of this certificate authorization is conditioned to require Applicant, within 30 days of the initial reserve determination or any subsequent redetermination thereof, to report the results of each such initial or redetermination study to the Commission. The certificated minimum daily delivery obligation of the seller (1) shall be determined in accordance with applicable provisions specifically set forth in seller's contract unless otherwise changed by the certificate authorization, (2) shall be without regard to any contractual reservations contrary to the certificate authorization, (3) and shall remain in full force and effect unless and until changed by appropriate certificate authorization amendment based upon Applicant's full documentation of, *inter alia,* the reasons for any such proposed amendment, the sales production history, the amount of remaining connected reserves of Applicant dedicated under the contract, and the status of Applicant's nondeveloped reserves dedicated under the contract. The certificate authorization is further conditioned to require that if Applicant has not secured an appropriate certificate amendment and there are circumstances resulting in the delivery of a lesser quantity of natural gas than any certificated delivery obligation, then Applicant shall file for each contract year quarter, a verified report setting out the circumstances of such lesser deliveries and the corrective actions which Applicant proposes to undertake in order to meet any experienced delivery deficiency, such verified reports to be filed within 10 calendar days after expiration of each contract year quarter.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33518 Filed 12-11-75;8:45 am]

[Docket No. RP76-38]

ARIZONA ELECTRIC POWER COOPERATIVE, INC., AND CITY OF WILCOX v. EL PASO NATURAL GAS CO.

Extension of Time

DECEMBER 5, 1975.

On November 28, 1975, El Paso Natural Gas Company (El Paso) filed a motion to extend the time within which to answer the complaint filed against it by Arizona Electric Power Cooperative, Inc. and the City of Willcox, Arizona (AEPCO) on November 6, 1975.

Notice is hereby given that the time within which El Paso must answer AEPCO's complaint is extended from December 8, 1975 to and including December 19, 1975.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33513 Filed 12-11-75;8:45 am]

[Docket No. RP76-11]

BACA GAS GATHERING SYSTEM, INC.

Order Granting Untimely Petition to Intervene

DECEMBER 8, 1975.

On September 12, 1975, Baca Gas Gathering System, Inc. tendered for filing a revised tariff sheet proposing increased rates for sales to Panhandle Eastern Pipe Line Company (Panhandle). Notice of said filing was issued on September 23, 1975, with protests and petitions to intervene due on or before October 7, 1975.

By order issued October 10, 1975, the Commission accepted the tariff change for filing, suspended the proposed rate increase and set the matter for investigation and hearing.

On October 20, 1975, Panhandle filed an untimely petition to intervene. Our review indicates that Panhandle has a sufficient interest in this proceeding to warrant intervention.

The Commission finds: Panhandle's participation in this proceeding may be in the public interest.

The Commission orders: (A) Panhandle is hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The late intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33522 Filed 12-11-75;8:45 am]

[Docket No. E-8884 (Phase II)]

CAROLINA POWER AND LIGHT CO.

Further Extension of Procedural Dates

DECEMBER 5, 1975.

On November 14, 1975, ElectriCities of North Carolina and the Cities of Camden and Bennettsville, South Carolina filed a motion to extend the procedural dates fixed by order issued August 26, 1974, as most recently modified by notice issued September 25, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Intervenor's Testimony, December 30, 1975.
Service of Staff's Testimony, January 29, 1976.
Service of Company Testimony, February 12, 1976.
Service of Intervenor's Rebuttal, February 26, 1976.
Hearing, March 16, 1976 (10 a.m., e.s.t.).

By direction of the Commission.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33505 Filed 12-11-75;8:45 am]

[Docket No. ER76-277]

CINCINNATI GAS & ELECTRIC CO.

Filing of Proposed Fuel Adjustment Clause

DECEMBER 5, 1975.

Take notice that on November 21, 1975, Cincinnati Gas & Electric Company (CG&E) tendered for filing its Second Revised Sheet No. 4, Revised Appendix II, "Rates and Charges", to the Supply Agreement dated August 1, 1973, designated CG&E's Rate Schedule FPC No. 36,

between CG&E and the Union Light, Heat and Power Company. The tendered sheet cancels and supersedes First Revised Sheet No. 4 on file with and designated by this Commission as Supplement No. 2 to CG&E's Rate Schedule FPC No. 36. CG&E proposes an effective date of January 1, 1976.

CG&E states that copies of the tendered filing are being served upon the Public Service Commission of Kentucky, the Public Utilities Commission of Ohio and the Union Light, Heat and Power Company.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before December 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33507 Filed 12-11-75;8:45 am]

[Docket No. RP74-77]

COLORADO INTERSTATE GAS CO.

Payment of Refunds

DECEMBER 4, 1975.

Take notice that Colorado Interstate Gas Company (CIG), on November 21, 1975, tendered for filing a report of rate refunds in the above captioned docket reflecting certain refunds it mailed to its customers on November 19, 1975. CIG states that such refunds are pursuant to a settlement agreement approved by Commission order issued September 5, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33483 Filed 12-11-75;8:45 am]

[Docket No. G-294, *et al.*]

COLORADO INTERSTATE GAS CO., A DIVISION OF COLORADO INTERSTATE CORP.

Petition To Amend

DECEMBER 4, 1975.

Take notice that on November 18, 1975, Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (Petitioner), filed in Docket No. G-294, *et al.*, pursuant to Sections 7 and 16 of the Natural Gas Act and the Commission's Rules and Regulations thereunder, a petition (1) to amend all pending applications for issuance or amendment of certificates of public convenience and necessity which have been filed by Petitioner, (2) to amend all Commission orders granting certificates of public convenience and necessity to Petitioner or amending such certificates, and (3) to change such files and records of the Commission, including all appropriate filings and submittals in the above-mentioned dockets, and make any other changes the Commission deems appropriate and necessary to reflect the change of Petitioner's name from Colorado Interstate Gas Company, a division of Colorado Interstate Corporation, to Colorado Interstate Gas Company, effective January 1, 1976, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioner states that by resolution of the Board of Directors of Colorado Interstate Corporation (Colorado Interstate), the corporate name will become Colorado Interstate Gas Company, effective January 1, 1976. Petitioner indicates that Colorado Interstate filed an amendment to its corporate charter effectuating the name change with the Secretary of State of Delaware, the state of incorporation, and that the amendment to the corporate charter is self-executing. Petitioner asserts that no other corporate change took place, nor were any of the corporation's rights or obligations affected by the name change, and that under its new name, Colorado Interstate Gas Company will continue without cessation or interruption the identical operations and corporate activities hitherto performed under the name Colorado Interstate Corporation. Petitioner further asserts that the natural gas pipeline business previously conducted under the name of Petitioner will in the future be carried on under the name Colorado Interstate Gas Company.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 17, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33481 Filed 12-11-75;8:45 am]

[Docket No. ER76-270]

CONNECTICUT LIGHT AND POWER CO., ET AL.

Notice of Termination

DECEMBER 4, 1975.

Take notice that on November 20, 1975, The Connecticut Light and Power Company (CL&P), The Hartford Electric Light Company (HELCO), and Western Massachusetts Electric Company (WMECO) tendered for filing a notice of termination of Rate Schedules FPC Nos. CL&P 112, HELCO 90, and WMECO 104. CL&P, HELCO, and WMECO state that this rate schedule was effective May 1, 1975, and was terminated in accordance with its terms effective October 31, 1975. CL&P, HELCO, and WMECO state that notice of the proposed termination has been served upon New Bedford Gas and Edison Light Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 16, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33495 Filed 12-11-75;8:45 am]

[Docket No. ER76-273]

CONNECTICUT LIGHT AND POWER CO., ET AL.

Termination

DECEMBER 4, 1975.

Take notice that on November 20, 1975, The Connecticut Light and Power Company (CL&P), The Hartford Electric Light Company (HELCO), and Western Massachusetts Electric Company (WMECO) tendered for filing a notice of termination of Rate Schedules FPC Nos. CL&P 77, HELCO 61, and WMECO 80. CL&P, HELCO, and WMECO state that this rate schedule was effective May 1, 1972, and was terminated in accordance with its terms effective Octo-

ber 31, 1972. CL&P, HELCO, and WMECO state that notice of the proposed termination has been served upon New Bedford Gas and Edison Light Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33499 Filed 12-11-75;8:45 am]

[Docket No. E-8947]

DELMARVA POWER & LIGHT CO.

Amendment to Filing

DECEMBER 4, 1975.

Take notice that on November 28, 1975, the Delmarva Power & Light Company, Delmarva Power & Light Company of Maryland and Delmarva Power & Light Company of Virginia (Delmarva) tendered for filing an amendment to its original proposal in this docket of August 1, 1974, as completed on September 25, 1974. Also filed on November 28, 1975 was a motion for leave to amend and supplement suspended rate schedule filing and waiver of notice. Delmarva states that the purpose and intent of the proposed amendment is to conform the suspended fuel clause to the requirements of FPC Order No. 517.

Delmarva states that the proposed fuel clause increases the presently effective base cost of fuel from 5.48 to 15.90 mills per kWh, reflecting the average fuel cost for the twelve months ending September 30, 1975. Furthermore, Delmarva states that all intervenors to this proceeding have agreed to the form and content of the proposed clause.

Due to the necessity for simultaneous changes in the base fuel cost applicable to the base rate as well as the fuel adjustment clause, Delmarva requests a waiver of the requirements of Section 35.14 of the Commission's Regulations with respect to the January 1, 1976 deadline to allow the effective date of the change proposed herein to be deferred until a final order is entered in this proceeding, and that the amended fuel adjustment clause be made effective retroactively to October 27, 1974, the effective date of the suspended rates.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before December 16, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33470 Filed 12-11-75;8:45 am]

[Docket No. ER76-151]

DELMARVA POWER AND LIGHT CO.

Order Granting Late Intervention

DECEMBER 4, 1975.

On September 29, 1975, Delmarva Power and Light Company, a utility operating and holding company, and its two wholly-owned subsidiaries, Delmarva Power and Light Company of Maryland and Delmarva Power and Light Company of Virginia (jointly, Delmarva) tendered for filing proposed changes in the intercompany Power Supply Agreement. The proposed effective date was November 1, 1975.

Notice of Delmarva's filing was issued on October 2, 1975, with protests and petitions to intervene due on or before October 15, 1975.

An untimely petition to intervene was filed by the Public Service Commission of the State of Delaware (the Public Service Commission) on October 15, 1975. Having reviewed said petition, we believe that the Public Service Commission has an interest in this proceeding which is sufficient to warrant its intervention herein.

The Commission finds: It may be in the public interest for the Public Service Commission to intervene in these proceedings.

The Commission orders: (A) The Public Service Commission is hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* that participation of such interevnor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intevene; and *Provided, further,* that the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33500 Filed 12-11-75;8:45 am]

[Docket No. E-8913]

DETROIT EDISON CO.

Supplemental Order Authorizing the Extension of Issues and Maturity Dates

DECEMBER 4, 1975.

By order issued September 23, 1974, under the above-enunciated docket, the Commission, pursuant to Section 204 of the Federal Power Act, authorized the Detroit Edison Company (Applicant), to issue short-term promissory notes in an aggregate principal amount not to exceed $300 million outstanding at any one time. The notes were to be issued on or before December 31, 1975, and were to mature on or before December 1976.

On October 1, 1975, Applicant by this supplemental application requests authorization to extend the final issuance and maturity dates to December 31, 1976 and December 31, 1977, respectively. All other terms and conditions previously authorized by the Commission are to remain in effect.

The proceeds from the notes will be used for construction, extension, completion and improvement of the Applicant's facilities.

Written notice of the application has been given to the Michigan Public Service Commission and to the Governor of that State. Notice was also given by publication in the Federal Register on November 4, 1975 (40 F.R. 51230), stating that any person desiring to be heard or to make any protest with reference to the application should on or before November 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protest. No petition, protest or request to be heard in opposition to the granting of the application has been received.

The Commission finds: (1) The proposed modification of the Commission's order issued September 23, 1974, is appropriate for the purposes of the Federal Power Act.

(2) The period of public notice given in this matter is reasonable.

The Commission orders: (A) The Commission's order of September 23, 1974, is hereby amended to authorize the Applicant to extent the final issue and maturity date on $300 million of short-term promissory notes previously authorized, subject to the following conditions:

(i) The aggregate principal amount of short-term promissory notes outstanding at any one time shall not exceed $300 million.

(ii) All notes shall be issued on or before December 31, 1976 and shall mature not later than December 31, 1977.

(B) All other terms and conditions set forth in the Commission's order of September 23, 1974, shall remain in full force and effect.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33487 Filed 12-11-75;8:45 am]

[Docket No. RI76-65]

DEVON CORP. (OPERATOR), ET AL.

Petition for Special Relief

DECEMBER 4, 1975.

Take notice that on November 18, 1975, Devon Corporation (Operator) *et al.* (Petitioner), 3300 Liberty Tower, Oklahoma City, Oklahoma 73102, filed a petition for special relief pursuant to Sections 2.56a(g) and 2.76 of the Commission's General Policy and Interpretations in Docket No. RI76-65, seeking a rate above the area rates prescribed in Order No. 411, as amended, and from the national rates prescribed in Opinion No. 699-H, as amended. Petitioner seeks a price in the range of 70 cents per Mcf with a 1 cent per Mcf per year escalation for the sale of gas to Columbia Gas Transmission Corporation, Consolidated Gas Supply Corporation, and Cities Service Oil Company. Petitioner states that it owns fifty wells, and that it makes jurisdictional sales from forty-eight of these wells to Columbia Gas Transmission Corporation; from one well to Consolidated Gas Supply Corporation; and from the remaining one well to Cities Service Oil Company. Petitioner further states that production from these wells has declined to the extent that reconditioning, deepening and installation of additional equipment is necessary to permit continued operations.

Any person desiring to be heard or to make any protest with reference to said petition should on or before December 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33479 Filed 12-11-75;8:45 am]

[Docket No. ER76-268]

DUKE POWER CO.

Notice of Cancellation

DECEMBER 4, 1975.

Take notice that on November 20, 1975, Duke Power Company (Duke Power) tendered for filing notice that, effective the 20th day of November, 1975, Rate Schedule F.P.C. No. 233 is to be cancelled. This rate schedule was filed with the Federal Power Commission, by Duke Power Company, and became effective on June 20, 1969. It is being cancelled because Duke Power has purchased the electric facilities of the Town of Davidson, Davidson, North Carolina, effective as of November 20, 1975.

Duke Power states that notice of the proposed cancellation has been served upon the following:

Mr. Thomas S. Sadler, Mayor, Town of Davidson, Davidson, North Carolina 28036.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33492 Filed 12-11-75;8:45 am]

[Docket No. ER 76-255]

DUKE POWER CO.

Filing

DECEMBER 4, 1975.

Take notice that on November 14, 1975, Duke Power Company (the Company) tendered for filing a supplement to the Company's Electric Power Contract with the City of Cherryville.

The Company states that this contract is on file with the Commission and has been designated Duke Power Company Rate Schedule FPC No. 258. The only document submitted with this filing is Exhibit A-2, Delivery Point No. 1, dated October 29, 1975. The date on which this document is to become effective is December 19, 1975. Exhibit A-2 has been mailed to:

City of Cherryville, Cherryville, North Carolina.

The Company states that Exhibit A-2 provides for an increase in contract demand from 6,800 KW to 8,500 KW made at the request of the customer. The Company further states that requisite agreement has in fact been obtained from Exhibit A-2.

The Company states that service will be billed on Schedule 10, and that the Company has no other rate for similar service. No new facilities have been installed to provide the service described in the Exhibit A-2.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33489 Filed 12-11-75;8:45 am]

[Docket No. RP76-36]

EASTERN SHORE NATURAL GAS CO.

Order Accepting for Filing and Approving Rate Increase

DECEMBER 3, 1975.

On November 3, 1975, Eastern Shore Natural Gas Company (Eastern Shore) tendered for filing certain tariff sheets as part of Original Volume No. 1 of its FPC Gas Tariff.[1] The effect of these proposed tariff sheets would be to increase jurisdictional rates to provide approximately $175,000 of additional revenues annually. The proposed effective date for these tariff sheets is December 1, 1975. By letter dated November 18, 1975, we were advised by Eastern Shore that its jurisdictional customers do not intend to intervene and oppose the proposed tariff changes.

The increase in unit rates proposed is approximately 7.7 cents per Mcf in the commodity component of the two-part rate schedules CD-1, CD-E, G-1, PS-1, and a similar increase in the straight-line rate schedules E-1 and I-1, and in the excess delivery components of the GSS-1 and LGA storage service schedules. Such increased rates are based on a cost of service study which reflects actual experience for the twelve months ended June 30, 1975, as adjusted. The filing is based upon a 9.5% overall rate of return and produces a 1.7% return on equity. Eastern Shore states that the proposed increases are necessary because of a decrease in sales volumes and an increase in costs and taxes.

The increase requested by Eastern Shore amounts to approximately $175,000 annually and thus is in excess of the $100,000 amount which Section 154.63(a)(3) of our Regulations (18 CFR 154.63(a)(3)) sets as the upper limit on minor rate increases. Eastern Shore has therefore requested us to waive the provisions of Section 154.63(a)(3) and such other Regulations as necessary to permit the company's filing to be accepted as a minor rate increase. In support of its request Eastern Shore states that preparation of the detailed studies required by Section 154.63(f) of our Regulations

[1] Sixteenth Revised Sheet No. 3A; Sixteenth Revised Sheet No. PGA-1 Sheet Nos. 1, 2 and 3.

(18 CFR 154.63(f)) for major rate increase filings would require the "use of other than company personnel and expenditure of funds which would increase the cost to our customers and their consumers without materially aiding in the analysis and review of this filing." In lieu of filing the statements and schedules described in Section 154.63(f), Eastern Shore agreed to furnish any appropriate basic data required by the Commission or its Staff.

Our review of the data filed by Eastern Shore convinces us that enough information has been provided for us to evaluate the justness and reasonableness of the proposed rate increase. We therefore grant Eastern Shore's request to waive Section 154.63(a) (3) and accept the tendered tariff sheets for filing.

The proposed tariff sheets were tendered for filing on November 3, 1975, which is more than four months after the close of the 12 month base period on June 30, 1975. Section 154.63(e) (2) of our Regulations (18 CFR 154.63(e) (2)) requires that the last day of the 12 month base period shall not be more than four months prior to the date of filing of the proposed tariff sheets. Eastern Shore's failure to seek waiver of this requirement is apparently an oversight which results from the fact that the proposed tariff sheets were forwarded to the Commission together with a letter of transmittal dated Friday, October 31, 1975, which is within the four month period prescribed by Section 154.63(e) (2), but were not received by the Commission until Monday November 3, 1975. In the circumstances of this case we believe that no useful purpose could be served by withholding waiver of Section 154.63(e) (2), and we therefore, *sua sponte*, waive the four month filing requirement contained therein.

Eastern Shore has proposed that the subject rate increases become effective December 1, 1975. Under Section 4(d) of the Natural Gas Act, 15 U.S.C. 717c(d), any natural-gas company wishing to change its rates must give 30 days notice to the Commission and to the public before the proposed changes becomes effective. Notice is given by filing the proposed changes with the Commission and by keeping the changes available for public inspection. Section 4(d) provides further that for good cause shown the Commission may allow the changes to take effect without requiring 30 days notice. Since the changes proposed by Eastern Shore were not filed until November 3, 1975, they cannot, in the absence of express Commission permission, become effective until December 4, 1975. Good cause has not been shown for waiving the 30 day statutory notice period. We therefore, decline to permit the proposed rate increases effective prior to December 4, 1975.

No protests or petitions to intervene have been filed in this matter.

Based upon our review of Eastern Shore's filing we find that the proposed rates are just and reasonable under Section 4 of the Natural Gas Act, 15 U.S.C. 717c, and should therefore be accepted for filing and approved.

We note that the subject filing includes an overall rate of return of 9.5%, which produces an 11.7% return on common equity capitalization ratio of 60.9%. Eastern Shore states that the proposed increases are necessary because of a decrease in sales volumes and an increase in costs and taxes.

With respect to Eastern Shore's proposed rate of return, we note that the Administrative Law Judge presiding at a conference held to determine the impact of projected curtailments on the Eastern Shore system during the coming winter heating season[2], issued his final report and certification of the record on October 21, 1975. His report concluded that although the Transcontinental Gas Pipe Line Corporation, Eastern Shore's sole supplier, projects a curtailment of 36.32 percent on its overall system during the coming winter season, Eastern Shore faces a much deeper curtailment of 65.3 percent, as compared to the 27.8 percent it experienced last year. Furthermore, it was noted that if Eastern Shore fails in its attempts to obtain additional supplies of natural gas, it may have to fall back on purchasing propane at a cost more than double that of even emergency gas. We take additional note that Eastern Shore's last approved return on equity was 11.5% on an equity capitalization ratio of 44.8%, in Docket No. RP71-50.[3] We find, therefore, that under the circumstances discussed above the rate of return and return on equity proposed by Eastern Shore in this proceeding is just and reasonable.

The Commission finds: (1) Good cause has been shown for waiving Sections 154.63(a) (3) and 154.63(e) (2) of the Commission's Rules and Regulations under the Natural Act, 18 CFR 154.63(a) (3) and 154.63(e) (2).

(2) Good cause has not been shown for permitting Eastern Shore's proposed tariff changes to take effect prior to December 4, 1975.

(3) The rates proposed by Eastern Shore are just and reasonable under Section 4 of the Natural Gas Act, 15 U.S.C. 717c, and should therefore be accepted for filing and approved.

The Commission orders: (A) Section 154.63(a) (3) and 154.63(e) (2) are hereby waived to permit the filing of the aforementioned tariff sheets and such sheets are hereby allowed to become effective as of December 4, 1975.

(B) The increased rates proposed by Eastern Shore are approved as just and reasonable under Section 4 of the Natural Gas Act, 15 U.S.C. 717c.

(C) This order is without prejudice to any findings or orders which have been or may hereafter be made by the Commission and is without prejudice to any claims or contentions which may be made by the Commission, its Staff, Eastern Shore, or any other party or person affected by this order in any proceeding now pending or hereafter instituted by or against Eastern Shore or any other person or party.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33491 Filed 12-11-75;8:45 am]

[2] Docket Nos. RP71-121 and 72-21.
[3] Order issued December 30, 1970.

EL PASO ELECTRIC CO.

Prefiling Conference

DECEMBER 4, 1975.

Take notice that an informal prefiling conference will be convened in the Commission's Conference Room No. 8402, 825 North Capitol Street NE., Washington, D.C., at 10:00 a.m., December 18, 1975, between representatives of the Commission Staff and representatives of El Paso Electric Company (El Paso).

The conference will be convened so that El Paso may receive Staff suggestions and comments regarding proposed wholesale rate increases under El Paso's FPC Rate Schedules 17, 18 and 19. El Paso states that it plans to file for such increases during December, 1975.

Customers and other interested persons will be permitted to attend, but attendance at the conference will not be deemed to authorize intervention as a party in any further proceedings regarding El Paso's proposed filing.

Letters concerning this conference are being mailed this date to El Paso's customers served under El Paso FPC Rate Schedules 17, 18 and 19.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33496 Filed 12-11-75;8:45 am]

[Rate Schedule Nos. 28, *et al.*]

EXXON CORPORATION, ET AL.

Rate Change Filings Pursuant to Commission's Opinion No. 699-H

NOVEMBER 21, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699-H, issued December 4, 1974. Pursuant to Opinion No. 699-H, the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before December 5, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to interevne or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[1] Commissioner Watt not participating.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
Nov. 10, 1975	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	28	El Paso Natural Gas Co.	Permian Basin.
Do	Shell Oil Co., 2 Shell Plaza, P.O. Box 2099, Houston, Tex. 77001.	122	do	Do.
Do	do	304	do	Do.
Do	Sun Oil Co., P.O. Box 2880, Dallas, Tex. 75221.	69	Cities Service Gas Co.	Hugoton-Anadarko.

[FR Doc.75-33531 Filed 12-11-75;8:45 am]

[Docket Nos. E-8769, *et al.*, ER76-216, ER76-218 and ER76-219]

FLORIDA POWER & LIGHT CO.

Order Accepting Supplements for Filing, Instituting Investigation, Establishing Hearing Procedures, and Consolidating Proceedings

DECEMBER 8, 1975.

On November 4, 1975, Florida Power & Light Company (Florida) tendered for filing supplements to its interchange agreements with Orlando Utilities Commission (Orlando) and Vero Beach, Florida (Vero Beach), Lake Worth Utilities Authority (Lake Worth), and Jacksonville Electric Authority (Jacksonville), designated as Docket Nos. ER76-216, ER76-218, and ER76-219, respectively.[1] Florida requested that the proposed supplements become effective on June 26, 1975 (Orlando), March 16, 1975 (Vero Beach), December 5, 1975 (Lake Worth), and January 1, 1974 (Jacksonville), respectively, subject to refund, and that they be consolidated for hearing with the proceeding in Docket No. E-8769, *et al.* In light of this proposal, Florida further requests a waiver of the Commission's notice requirements to permit the proposed effective dates, as well as a waiver of the Commission's filing requirements with respect to the necessity for certain additional data, insofar as such data was contained in the E-8769, *et al.* filings.

Florida's submittals were noticed on November 24 and November 26, 1975, with comments, protests, and petitions to intervene due on or before December 3, 1975. As of November 26, 1975, no comments have been received in response to the notice.

By order issued July 3, 1975 in Docket No. E-8769, *et al.*, we accepted for filing Florida's aforementioned interchange agreements with, *inter alia*, Vero Beach, Orlando, and Jacksonville, suspended their effectiveness for one day, consolidated the dockets, and prescribed hearing procedures. Our review indicates that Florida's instant submittals propose similar amendments to certain provisions of service schedules within those suspended agreements, as well as to certain provisions within service schedules in the Lake Worth agreement. Our review further indicates that Florida's proposed amendments have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, the filed amendments shall be accepted for filing to become effective on the dates requested, subject to refund, set for hearing, and consolidated with the proceedings heretofore established in Docket No. E-8769, *et al.* Insofar as Florida has requested that these supplements be placed into effect, subject to refund, we shall grant waiver of the notice requirements of the Federal Power Act and our Regulations to permit them to become effective on the requested dates.

The Commission finds: (1) It is necessary and proper in the public interest and in carrying out the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the amendments contained in Florida's submittals of November 4, 1975.

(2) Good cause exists to grant the requested waivers of the notice and data requirements in the Commission's Regulations to accept the submittals as filed to become effective on the dates requested.

(3) Good cause exists to consolidate Docket Nos. ER76-216, ER76-218 and ER76-219 with E-8769, *et al.*, for purposes of investigation and hearing.

The Commission orders: (A) Pursuant to the authority of the Federal Power Act, particularly Sections 205, 206, 308 and 309 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Federal Power Act, an investigation concerning the lawfulness and reasonableness of the subject amendments tendered in Docket Nos. ER76-216, ER76-218 and ER76-219 is hereby initiated.

(B) The proceedings instituted herein shall be consolidated for purposes of investigation, hearing and decision with that established by order issued July 3, 1975 in Docket No. E-8769, *et al.*, with the procedural schedule as established in that order, as amended, to govern.

(C) Florida's supplements tendered on November 4, 1975 in Docket Nos. ER76-216, ER76-218 and ER76-219 are hereby accepted for filing to become effective on June 26, 1975 (Orlando) and March 16, 1975 (Vero Beach), December 5, 1975 (Lake Worth), and January 1, 1974 (Jacksonville), respectively.

(D) Florida's requested waivers of the notice and data requirements of our Rules and Regulations are hereby granted.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.[2]

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] See Appendix A for designations.

APPENDIX A

FLORIDA POWER & LIGHT COMPANY

RATE SCHEDULE DESIGNATIONS DOCKET NOS. ER 76-216 AND ER 76-219

	Designations	*Other Party*
(1)	Supplement No. 6 to rate schedule FPC No. 6.	City of Vero Beach.
(2)	Supplement No. 5 to rate schedule FPC No. 4.	Orlando Utilities Commission.
(3)	Supplement No. 6 to rate schedule FPC No. 17 (Amendment).	Jacksonville Electric Authority.
(4)	Supplement No. 1 to Supplement No. 6 to rate schedule FPC No. 17 (Emergency Service).	Do.
(5)	Supplement No. 2 to Supplement No. 6 to rate schedule FPC No. 17 (Scheduled Interchange Service).	Do.
(6)	Supplement No. 5 to rate schedule FPC No. 7.	City of Lake Worth.

[FR Doc.75-33516 Filed 12-11-75;8:45 am]

[Docket No. CI76-163]

GETTY OIL CO.

Findings and Order After Statutory Hearing Permitting and Approving Abandonment

DECEMBER 4, 1975.

On September 4, 1975, Getty Oil Company (Applicant) filed in Docket No. CI76-163 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon sales of natural gas for resale in interstate commerce to Skelly Oil Company (Skelly) from the Blinebry, *et al.* Fields, Lea County, New Mexico, all as more fully set forth in the application in this proceeding.

Applicant seeks permission and approval to abandon sales of natural gas from the No. 2 Well on the Percy Hardy Lease, Blinebry, *et al.* Fields made pursuant to a casinghead-type gas sales contract with Skelly, because the well has been reclassified, as of April 18, 1975, from an oil-well to a gas-well by the New Mexico Oil Conservation Commission (NMOCC). Applicant has submitted documentary evidence of the reclassification of the well from the NMOCC. Such reclassification entitles El Paso Natural Gas Company (El Paso) to the subject gas contractually. Applicant proposes to sell the gas produced from the forestated well to El Paso pursuant to Applicant's FPC Gas Rate Schedule No. 43, with related certificate authorization issued in Docket No. G-6272.

[2] Commissioner Watt not participating.

After due notice of the application by publication in the Federal Register on October 10, 1975 (40 FR 47833), Skelly filed a petition to intervene in this proceeding; however, said Petitioner does not request a formal hearing, and neither opposes nor supports the application. No further petitions to intervene, notices of intervention or protests to the granting of the application have been filed.

At a hearing held on November 11, 1975, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the application and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds: (1) Applicant is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The sale of natural gas to be abandoned, as hereinbefore described and as more fully described in the application in this proceeding, is made in interstate commerce subject to the jurisdiction of the Commission and the abandonment thereof is subject to the requirements of Subsection (b) of Section 7 of the Natural Gas Act.

(3) The abandonment proposed by Applicant is permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(4) Applicant is able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) Participation by Skelly in this proceeding may be in the public interest.

The Commission orders: (A) Permission for and approval of the abandonment of service by Applicant, as hereinbefore described and as more fully described in the application, are granted.

(B) Skelly is permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervener shall be limited to matters affecting asserted rights and interest as specifically set forth in the petition to intervene; and *Provided, further,* That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved because of the order of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33501 Filed 12-11-75;8:45 am]

[Docket No. RP75-107]

GRANITE STATE GAS TRANSMISSION, INC.

Further Extension of Procedural Dates

DECEMBER 4, 1975.

On November 26, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued June 18, 1975, as most recently modified by notice issued September 8, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, January 6, 1976.
Service of Intervenor Testimony, January 13, 1976.
Service of Company Rebuttal, January 27, 1976.
Hearing, February 10, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33478 Filed 12-11-75;8:45 am]

[Project No. 1971]

IDAHO POWER CO.

Application for Amendment of License

DECEMBER 4, 1975.

Public notice is hereby given that an application was filed on August 25, 1975, under the Federal Power Act (16 U.S.C. §§ 791a–825r) by Idaho Power Company (Correspondence to: Mr. Lee S. Sherline, Leighton and Sherline, Suite 406, 1701 K Street NW,, Washington, D.C. 20006; and Mr. Paul L. Jauregui, Secretary, Idaho Power Company, 1220 Idaho Street, P.O. Box 70, Boise, Idaho 83721) to amend the major license for its constructed Hells Canyon Project No. 1971. The Hells Canyon Project is on the Snake River, and located in Adams, Lincoln, Jerome, Minidoka, Blaine, Power, and Washington Counties, Idaho, and in Wallowa, Baker, and Malheur Counties, Oregon.

The application was submitted for the purpose of seeking Commission authorization to uprate, from 230 kV to 345 kV, the 76.7-mile long Midpoint-Borah Transmission line, a primary line of the Hells Canyon Project. By uprating this line, which lies between the cities of American Falls and Shoshone, Idaho, transmission of increasing amounts of energy into the Company's service area from the Jim Bridger Thermal Generating Station in Wyoming would be possible.

The work would consist of adding insulators, phase fittings, clamps and two ground wires to all supporting structures. In addition, it is estimated that 10 to 15 percent of the 625 structures would require either 5-foot extensions to existing poles or the replacement of such poles with poles up to 15 feet taller. Construction activities and access would be confined to the existing right-of-way and existing roads.

Any person desiring to be heard or to make protest with reference to said application should on or before February 3, 1976, 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 C.F.R. §§ 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 a 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. The application is on file with the Commission and available for public inspection.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Sections 308 and 309 of the Federal Power Act (16 U.S.C. § 825g, § 825h) and the Commission's Rules of Practice and Procedure, specifically Section 1.32(b) (18 C.F.R. § 1.32(b)), as amended by Order No. 518, a hearing may be held without further notice before the Commission on this application if no issue of substance is raised by any request to be heard, protest or petition filed subsequent to this notice within the time required herein. The applicant requested that the shortened procedure of Section 1.32(b) be used. If an issue of substance is raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant or initial pleader to appear to be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33464 Filed 12-11-75;8:45 am]

[Docket No. E-9520[

ILLINOIS POWER CO.

Extension of Procedural Dates

DECEMBER 5, 1975.

On December 2, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued October 20, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, January 16, 1976.
Service of Intervenor Testimony, January 30, 1976.
Service of Company Rebuttal, February 13, 1976.
Hearing, February 24, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33474 Filed 12-11-75;8:45 am]

[Docket No. ER76-298]

ILLINOIS POWER CO.

Filing Modification No. 1 to Interconnection Agreement

DECEMBER 5, 1975.

Take notice that on November 26, 1975, the Illinois Power Company (Illinois Power) tendered for filing proposed Modification No. 1 to the Interconnection Agreement dated August 6, 1974, between Illinois Power and the City of Princeton (Princeton). This proposed modification provides for the following:

(i) Increase of the reservation charge for Short-Term Firm Capacity from 10 cents to 11 cents per day or 50 cents to 55 cents per week for each kilowatt of power reserved;

(ii) Increase of the reservation charge for Maintenance Power from 8 cents to 9 cents per day or 40 cents to 45 cents per week for each kilowatt of power reserved;

(iii) In the case of curtailment of Maintenance Power, the reservation charge shall be reduced by 9 cents per day for each kilowatt so curtailed, but not more than 45 cents per week per kilowatt.

The 55 cents rate per kilowatt per week for Short-Term Firm Capacity maintains a differential between Firm Capacity and Maintenance Power identical to that existing under the original agreement. This differential is to compensate for the reserve component included in furnishing firm capacity.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before December 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33506 Filed 12-11-75;8:45 am]

[Docket No. ER76-253]

INDIANAPOLIS POWER AND LIGHT CO.

Petition for Waiver of Regulations

DECEMBER 4, 1975.

Take notice that on November 14, 1975, Indianapolis Power and Light Company ("the Company") tendered a petition for waiver of Section 35.14(a)(8) of the Commission's Regulations.

The Company states that the instant petition refers to the Agreements for the supply of electric energy at Wholesale for resale dated October 3, 1974, between Indianapolis Power and Light Company and Morgan County and Boone County Rural Electric Membership Corporations (REMCs) which have been designated by the Commission as Rate Schedule FPC No. 10 and Rate Schedule FPC No. 11, respectively. Reference is also made to the fuel cost adjustment clause set forth in Supplement No. 1 to Supplement No. 2 to each such Rate Schedule.

The Company further states that in accordance with Section 35.14(a)(8) of the Commission's Regulations, the Commission, by letter dated April 28, 1975, issued in Docket No. E-9059, required the Company, on or before December 31, 1975, to file revised fuel adjustment clauses in said Rate Schedules in compliance with the terms of Commission Order No. 517 issued November 13, 1974, in Docket No. R-479. Pursuant to the provisions of said Section 35.14(a)(8), the Company respectfully requests a waiver of such filing requirements until expiration of the aforesaid contracts.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 11, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33465 Filed 12-11-75;8:45 am]

[Docket No. RP76-3]

INLAND GAS CO., INC.

Deferring Procedural Dates

DECEMBER 4, 1975.

Notice is hereby given that the procedural dates set by order issued October 20, 1975, in the above-indicated proceeding are deferred pending Commission action on the settlement proposal certified on November 18, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33494 Filed 12-11-75;8:45 am]

[Docket No. RP75-51]

INVESTIGATION OF REVISED CURTAILMENT LEVEL ON THE SYSTEM OF TRANSCONTINENTAL GAS PIPE LINE CORP.

Order Directing the Submission of Staff Report

DECEMBER 5, 1975.

The Commission Staff has supplied us with its Report on Investigation and Audit of Transcontinental Gas Pipe Line Corporation (Transco) Producer-Suppliers. This report is a product of the investigation instituted in this docket by orders issued January 8, July 1, and August 8, 1975. Its purpose is to determine the extent of the reduced reserves and the *bona fides* of Transco and its suppliers in meeting their past and future contract commitments.

Included in this report for transmission to the Commission are a memorandum to Assistant General Counsel George P. Lewnes from the Technical Staff and Appendices A through Z, which consist in part of field investigation reports covering seventeen gas production companies. These companies are by and large the ones which were instructed by our order of August 8, 1975, to furnish our Secretary with data concerning rate schedules relating to sales to Transco, delivery obligations, and dedicted sources of gas. From the report it appears that Staff augmented its review of the data submitted by these producers by consulting the documents filed by Transco in compliance with the August 8, 1975, *subpoena duces tecum* which we issued pursuant to the August 1, 1975, order of the Court of Appeals for the District of Columbia in CADC No. 74-2036 and by conducting field audits at the offices of the subject producers.

In orders issued August 8 and September 10, 1975, we provided that information submitted directly to the Commission by these producers via report or audit would not be afforded confidential treatment and, indeed, that a copy of each producer's submission would be placed in our Office of Public Information. By order of October 20, 1975, we advised that all *relevant* information acquired from Transco as a result of the aforementioned *subpoena duces tecum* may be offered into evidence in this proceeding by Staff as part of its case or upon cross-examination, or may be made available to interested petitioners, with questions of relevancy to be resolved by the Presiding Administrative Law Judge or by the Commission as provided therein. From our preliminary review, we find that public disclosure of the Staff investigation report will cause no irreparable harm to any private pecuniary interest represented in this proceeding that outweighs the public interest in the examination of the report.

The Commission orders: (A) Staff is directed to file with the Secretary of the Commission an original and 4 copies of its Report on Investigation and Audit of Transco Producer-Suppliers on or before December 10, 1975.

(B) The Secretary shall immediately upon receipt place one copy of the aforementioned report in the public files of the Commission, to be available for public inspection during regular business hours at the Commission's Office of Public Information.

(C) The Presiding Administrative Law Judge shall convene a prehearing conference on December 17, 1975, at 10:00 a.m. (EST) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, for the purpose of formulating procedures by which, *inter alia*, the hereinabove described Staff Report, together with supporting testimony and exhibits, if any, will be offered into evidence in Docket No. RP75-51, with opportunity for cross-examination and comment by any party to the proceeding.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33503 Filed 12-11-75;8:45 am]

[1] Commissioner Watt not participating.

[Docket No. ER76-276]

IOWA-ILLINOIS GAS AND ELECTRIC CO.

Filing of Proposed Fuel Adjustment Clause

DECEMBER 5, 1975.

Take notice that on November 21, 1975, Iowa-Illinois Gas and Electric Company (Iowa-Illinois) tendered for filing revised rate sheets concerning Fuel Cost Adjustment Riders for electric service under Rate Schedules FPC Nos. 16, 17, 18 and 20 to the towns of Buffalo, Callender and Farnhamville, Iowa and the Sherrard Power System, Orion, Illinois, respectively.

Iowa-Illinois states that the fuel cost adjustment clauses are being issued to comply with the Commission's Order No. 517, issued November 13, 1974. Iowa-Illinois proposes that the tendered sheets become effective as of December 31, 1975.

Iowa-Illinois states that copies of the tendered sheets have been mailed to their jurisdictional customers and to the Iowa State Commerce Commission and the Illinois Commerce Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33508 Filed 12-11-75;8:45 am]

[Docket No. RI76-64]

J & J OPERATING CO.

Petition for Special Relief

DECEMBER 4, 1975.

Take notice that on November 10, 1975, J & J Operating Company (Petitioner), Post Office Box 519, Corpus Christi, Texas 78403, filed a petition for special relief pursuant to Section 2.76 of the Commission's General Policy and Interpretations and Order No. 481 for the sale of gas to Transcontinental Gas Pipe Line Corporation (Transco) from the Longhorn *et al.* Fields, Duval County, Texas. Petitioner states that three of the four remaining wells out of the original eight wells are still producing. Petitioner claims that it cannot economically produce gas at the present rate of 37 cents per Mcf and that if relief is not granted it will have to abandon these last three wells. Petitioner seeks a price of 52 cents per Mcf. Petitioner and Transco have fully executed a contract amendment with a 52 cents per Mcf price. Petitioner further requests that the intermediate procedure be omitted, and that Petitioner be heard under the shortened procedure, with J & J Operating Company's price increase granted effective as of the date of said contract amendment, August 1, 1975.

Any person desiring to be heard or to make any protest with reference to said petition should on or before December 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33480 Filed 12-11-75;8:45 am]

[Docket No. CP76-146]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Application

DECEMBER 4, 1975.

Take notice that on October 28, 1975, Kansas-Nebraska Natural Gas Company, Inc., (Applicant), P.O. Box 608, Hastings, Nebraska 68901, filed in Docket No. CP76-146 an application pursuant to Section 7 (b) and (c) of the Natural Gas Act as implemented by Sections 157.7(b), 157.7 (e) and 157.7(g) of the Commission's Regulations thereunder (18 CFR 157.7 (b), (18 CFR 157.7(e)1) and (18 CFR 157.7(g)) for permission and approval to abandon, and for certificates of public convenience and necessity authorizing the construction and operation of various facilities during the calendar year 1976, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant seeks authorization pursuant to Section 157.7(b) of the Regulations to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system supplies of natural gas which may become available from various producing areas generally coextensive with its pipeline system or other pipeline systems authorized to transport gas for or exchange gas with Applicant. The total cost of the facilities which would be constructed pursuant to Section 157.7(b) of the Commission's Regulations would not exceed $4,000,000, with no single project to exceed $1,000,000, which costs would be financed from current working capital or would be obtained from interim bank loans which at a later date would be funded by a security issue.

Applicant seeks authorization pursuant to Section 157.7(e) of the Commission's Regulations to abandon service to remove certain natural gas direct sales measuring, regulating and related minor facilities during the calendar year 1976 with reasonable dispatch.

Applicant seeks authorization pursuant to Section 157.7(g) of the Commission's Regulations to augment its ability to act with reasonable dispatch in the construction and abandonment, during the calendar year 1976, of field compression and related and appurtenant metering facilities which will not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application and seeks authorization for the operation of said facilities. Applicant states that the total cost of the proposed construction and abandonment pursuant to Section 157.7(g) of the Commission's Regulations would not exceed $2,000,000 nor would the cost of any single project cost in excess of $500,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 17, 1975, file with the Federal Power Commisison, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by 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 permission and approval for the proposed abandonment is (are) 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 unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33485 Filed 12-11-75;8:45 am]

[Docket No. RP75-98]

MCCULLOCH INTERSTATE GAS CORP.

Order Granting Untimely Petition to Intervene

DECEMBER 8, 1975.

On April 30, 1975, McCulloch Interstate Gas Corporation tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1, to become effective June 1, 1975. Notice of said filing was issued on May 8, 1975, with comments, protests or petitions to intervene due on or before May 20, 1975.

An untimely petition to intervene was filed by Atlantic Richfield Company on October 31, 1975. Having reviewed said petition, we believe that Mountain Fuel has an interest in this proceeding which is sufficient to warrant its intervention herein.

The Commission finds: It is desirable and in the public interest to permit Atlantic Richfield Company to intervene in the above-referenced proceeding, subject to the condition hereinafter ordered.

The Commission orders: (A) Atlantic Richfield Company is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however*, That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further*, That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33519 Filed 12-11-75;8:45 am]

[Docket No. RP75-98]

MCCULLOCH INTERSTATE GAS CORP.

Order Granting Untimely Petition to Intervene

(Issued December 8, 1975)

On April 30, 1975, McCulloch Interstate Gas Corporation tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1, to become effective June 1, 1975. Notice of said filing was issued on May 8, 1975, with comments, protests or petitions to intervene due on or before May 20, 1975.

An untimely petition to intervene was filed by Montana-Dakota Utilities Company (Montana-Dakota) on November 18, 1975. Having reviewed said petition, we believe that Montana-Dakota has an interest in this proceeding which is sufficient to warrant its intervention herein.

The Commission finds: It is desirable and in the public interest to permit Montana-Dakota to intervene in the above-referenced proceeding, subject to the condition hereinafter ordered.

The Commission orders: (A) Montana-Dakota is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33520 Filed 12-11-75;8:45 am]

[Docket No. E-9203]

McDOWELL COUNTY CONSUMER ACTION COUNCIL, INC. v. AMERICAN ELECTRIC POWER CO., ET AL.

Order Granting Motion, Granting Intervention, and Correcting Prior Order

DECEMBER 4, 1975.

On October 10, 1975, counsel for complainant in the instant proceeding filed a motion that the style of this proceeding be amended to reflect the accurate legal title of complainant, the McDowell County Consumer Action Council, Inc. We believe complainants motion should be granted.

On October 14, 1975, certain municipal customers (the Ohio Wholesale Municipal Customers, see Appendix A) of Ohio Power Company, a respondent herein and wholly-owned subsidiary of American Electric Power Company, filed an untimely petition to intervene herein. We have reviewed this petition to intervene and believe the interests of these customers are sufficient to warrant granting the petition to intervene.

By order of October 14, 1975, we granted certain other untimely petitions to intervene. Therein, one such petitioner was incorrectly listed as Howleg Fuel Corporation. That reference should be corrected to read Hawley Fuel Corporation.

The Commission finds: It is desirable and in the public interest to allow the above-named petitioners to intervene.

The Commission orders: (A) Complainant's motion to amend the style of this proceeding to reflect accurately its legal name is hereby granted.

(B) The above-named petitioners are hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(C) The interventions granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

OHIO WHOLESALE MUNICIPAL ELECTRIC CUSTOMERS

Village of Arcadia, Hon. Laverne A. Snyder, 105 Brown, Arcadia, Ohio 44804.
Village of Bloomdale, Hon. Allen Allion, 555 N. Garfield, Bloomdale, Ohio 44817.
Village of Carey, Hon. Joseph F. Dible, 242 W. Findlay, Carey, Ohio 43316.
Village of Cygnet, Hon. Eldon Martin, Jr., Lincoln St., Cygnet, Ohio, 43413.
Village of Greenwich, Hon. Lloyd E. Patton, R.D. No. 1, Greenwich, Ohio 44837.
Village of Ohio City, Hon. Jerry D. Kohn, R.R. 1, Ohio City, Ohio 45374.
Village of Plymouth, Hon. Elizabeth Paddock, 78 Plymouth St., Plymouth, Ohio 44865.
Village of Republic, Hon. Robert M. Norcross, 503 Washington, Republic, Ohio 44867.
Village of Shiloh, Hon. Grady McDonald, Euclid Street, Shiloh, Ohio 44878.
Village of St. Clairsville, Hon. J. Edgar White, Municipal Building, St. Clairsville, Ohio 43950.
Village of Sycamore, Hon. Hershal Hannam, Sycamore, Ohio 44882.
Village of Wharton, Hon. Gerald S. Opper, Box 1, Wharton, Ohio 43359.
Village of Wapakoneta, Hon. Maurice O. Bryan, Sr., 116 Willipie St., Wapakoneta, Ohio 45895.

[FR Doc.75-33523 Filed 12-11-75;8:45 am]

[Docket No. ER76-209]

METROPOLITAN EDISON CO.

Order Accepting for Filing and Suspending Proposed Increased Rates and Establishing Hearing Procedures

NOVEMBER 25, 1975.

On October 31, 1975, Metropolitan Edison Company (Met-Ed) tendered for filing increased rates for all-requirements service to Hershey Electric Company and the Borough of Kutztown, Pennsylvania, served at transmission voltage under rate RT, and to the Boroughs of Goldsboro, Lewisberry, and Royalton, Pennsyl-

vania, served at distribution voltage under rate RP. Met-Ed also tendered for filing increased rates for partial requirements and wheeling service to Allegheny Electric Cooperative, Inc. (Allegheny). Met-Ed filed a revised fuel adjustment clause for its all-requirements service and its partial requirements service to Allegheny to conform with Order No. 517.[1]

Public notice of Met-Ed's filing was issued on November 14, 1975, with protests or petitions to intervene due on or before November 28, 1975. To date no comments, protests or petitions to intervene have been received. Met-Ed has requested that the proposed rates be made effective as of December 1, 1975.

Met-Ed states that on the basis of a test period consisting of the 12 months ending June 30, 1976, the proposed rates would produce $3,255,197 in additional revenues from the all-requirements wholesale customers or a 45.6 percent increase above present rates, as well as $1,289,569 in additional revenues from Allegheny, or a 72.2 percent increase. In addition, it states the proposed partial requirements rate accounts for $1,119,157 of the increase to Allegheny and the new wheeling rate would produce the balance of $170,412.

According to Met-Ed, the proposed rates are intended to recover sharp increases in costs since the 1972 test period which was the basis for the present rates provided in settlement agreements approved by the Commission's order issued March 7, 1975, in Docket Nos. E-8394 and E-8439. Met-Ed claims that the requested rate increase is urgently needed if Met-Ed is to be able to finance the facilities necessary to meet its load growth. In support thereof, Met-Ed indicates that without further rate increases, it will end 1976 with an earnings coverage of 1.85 times the interest requirements of long-term debt. Met-Ed states that the minimum coverage required under its indenture is 2.0 times such annual interest requirements and that the minimum coverage is required for 12 consecutive months out of the 15 months preceding proposed issuance of securities. Without immediate additional rate relief, Met-Ed states that its projected earnings show that it will have exhausted its ability to sell long-term debt by mid-year 1976. Construction expenditures, for which additional capital will be needed, are estimated to be $240,000,000 for the years 1975–1977. Met-Ed contends that in light of the increased cost of common stock equity which for Met-Ed has averaged 17%, it believes an allowance for common stock equity of at least 14.5% is necessary and that a fair rate of return for Met-Ed is in the range of 10¼% to 10½%.

The proposed rate levels have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall suspend the use thereof until January 1, 1976, when the rates will be permitted to become effective, subject to refund, and we shall establish hearing procedures to determine the justness and reasonableness of Met-Ed's filing.

Our review of the filing indicates that Met-Ed has included plant held for future use (other than land) in the rate base; normalized the tax effects of capitalized items, as well as interest associated with construction work in progress, in the income tax calculation; and separated the transmission function into various subfunctions reflecting voltage or service levels for allocation purposes. Parties filing testimony in this case should address themselves to, *inter alia*, the propriety of these actions. Witnesses submitting testimony on rate of return should address, *inter alia*, (1) Met-Ed's proposal for a return on equity of 14.5% and concomitant rate of return of between 10¼% to 10½%, (2) Met-Ed's present and future needs for capital, (3) the adequacy and significance of Met-Ed's present pre-tax debt interest coverage ratio, (4) the adequacy and significance of the past and present ratios of market value to book value of Met-Ed's common stock, and (5) the standing of Met-Ed in particular and the standing of comparable utilities in the market for capital.

We believe the fuel adjustment clause included in the proposed rate satisfies the requirements set forth in Order No. 517.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the increased rates and charges, as proposed by Met-Ed in Docket No. ER76-209 and that such increase be accepted for filing and suspended as hereinafter provided.

The Commission orders: (A) Pending a hearing and final decision thereon, Met-Ed's proposed changes in its rates and charges, as filed on October 31, 1975, are accepted for filing and suspended until January 1, 1976, when the proposed rate schedule supplements shall become effective, subject to refund.

(B) Pursuant to the authority of the Federal Power Act, particularly Sections 205 and 206 thereof, and the Commission's Rules and Regulations (18 CFR, Chapter I) a public hearing shall be held on April 6, 1976, at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, to determine the lawfulness and reasonableness of the proposed rates and charges, contained in Met-Ed's rate increase filed on October 31, 1975.

(C) The Commission Staff shall serve its prepared testimony and exhibits on or before February 24, 1976. Any intervenor evidence shall be filed on or before March 9, 1976. Any rebuttal evidence by Met-Ed shall be served on or before March 23, 1976.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure.

(E) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conference or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(F) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

DESIGNATIONS

Filed: October 31, 1975.
Effective: January 1, 1976.

(1) First Revised Sheet Nos. 7, 9, 11 and 14, Second Revised Sheet Nos. 13, 15, and 16, and Third Revised Sheet No. 17 to FPC Electric Tariff, Original Volume No. 1. (Revised terms, rates and fuel adjustment clause superseding Original Sheet Nos. 7, 9, 11 and 14, First Revised Sheet Nos. 13, 15 and 16, and Second Revised Sheet No. 17).

(2) Supplement No. 8 to Rate Schedule FPC No. 43. (Exhibit B—Rate for Supplemental Power and Energy. Supersedes Supplement No. 5).

(3) Supplement No. 9 to Rate Schedule FPC No. 43. (Fuel Adjustment Clause Supersedes Supplement No. 6).

[FR Doc.75-33529 Filed 12-11-75;8:45 am]

[Docket No. CP74-157]

MICHIGAN WISCONSIN PIPE LINE CO.

Petition To Amend

DECEMBER 4, 1975.

Take notice that on November 5, 1975, Michigan Wisconsin Pipe Line Company (Petitioner), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP74-157 a petition to amend the order of the Commission of September 6, 1974 (52 FPC _____), as amended, issuing a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act by authorizing a change in service by rate schedule for Lyons Gas Company, Inc. (Lyons), to be effective January 1, 1976, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner states that Ohio Gas Company (Ohio) has informed it that Ohio has purchased all of the outstanding stock of Lyons and intends to construct a pipeline to connect the facilities of Lyons to Ohio's existing distribution system. Applicant states that the purchase by Ohio of Lyons has made Lyons unable to purchase natural gas from Petitioner under Petitioner's Rate Schedule SGS-1 since said rate schedule provides that a buyer must purchase its entire requirements from Petitioner, and Ohio receives gas from other suppliers. Under Rate

[1] Tariff and Rate Schedule designations are shown on Appendix A.

Schedule SGS–1 Lyons is said to have a maximum daily quantity of 2,000 Mcf of gas and an annual entitlement of 380,000 Mcf of gas. Petitioner proposes to continue to serve Lyons' requirements under Petitioner's Rate Schedule ACQ–1, with a maximum daily quantity of 2,000 Mcf and an annual volume entitlement of 380,000 Mcf of natural gas. Applicant proposes the changes become effective January 1, 1976.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 17, 1975, file with the Federal Power Commisison, 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 Commisison 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–33468 Filed 12–11–75;8:45 am]

[Docket Nos. E–9499 and E–9502, ER76–20]

MINNESOTA POWER AND LIGHT CO. AND SUPERIOR WATER, LIGHT AND POWER CO.

Further Extension of Procedural Dates

DECEMBER 4, 1975.

On November 18, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued July 18, 1975, as most recently modified by notice issued October 20, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, January 13, 1976.
Service of Intervenor Testimony, January 27, 1976.
Service of Company Rebuttal, February 10, 1976.
Hearing, February 24, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–33490 Filed 12–11–75;8:45 am]

[Docket No. RP72–149; PGA76–3]

MISSISSIPPI RIVER TRANSMISSION CORP.

Proposed Change in Rates

DECEMBER 5, 1975.

Take notice that Mississippi River Transmission Corporation (Mississippi) on November 24, 1975 submitted for filing Thirty-Sixth Revised Sheet No. 3A and Thirty-Seventh Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1, to become effective December 15, 1975 and January 1, 1976, respectively.

The instant filing is being made pursuant to the provisions of Mississippi's purchased gas cost adjustment clause to track rate change filings of United Gas Pipe Line Company (United) made pursuant to its Motion to make effective suspended tariff sheets at Docket No. RP75–109, to become effective December 15, 1975, and pursuant to the terms of the PGA provisions of its tariff at Docket No. RP72–133, to become effective January 1, 1976. In addition, Mississippi reflected in the tariff sheets filed herein, the effect of the November 3, 1975 revised filing by Natural Gas Pipeline Company of America (Natural), to become effective December 1, 1975, not previously reflected in a PGCA filing by Mississippi.

Mississippi also submitted Alternate Thirty-Sixth Revised Sheet No. 3A and Alternate Thirty-Seventh Revised Sheet No. 3A to become effective Decmeber 15, 1975 and January 1, 1976, respectively, in the event that Alternate Thirty-Fifth Revised Sheet No. 3A filed by Mississippi Ocober 30, 1975, tracking the alternate tariff sheet filed by Natural to become effective December 1, 1975, is made effective by the Commission.

Mississippi submitted schedules containing computations supporting the rate changes to be effective December 15, 1975 and January 1, 1976. Mississippi states that copies of its filing were served on Mississippi's jurisdictional customers and the State Commissions of Arkansas, Illinois and Missouri.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene unless such petition has previously been filed. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–33511 Filed 12–11–75;8:45 am]

[Docket Nos. E–9473 and ER76–264]

MISSOURI UTILITIES CO.

Order Allowing Reducation of Suspended Rate Increase

DECEMBER 5, 1975.

On November 7, 1975 Missouri Utilities Company (MUC) filed an application for permission to change its Southeast Electric Division wholesale electric rate schedule SFR–1,[1] which rate schedule was suspended until November 17, 1975 by Commission Order issued August 15, 1975. Such application is made pursuant to Section 35.17(b) of the Commission's Rules and Regulations which state:

A public utilities may not, within the period of suspension, file any change in a rate schedule or part thereof which has been suspended by order of the Commission except by special permission of the Commission granted upon application therefor and for good cause shown.

MUC states that the new filing should be accepted in that it contains a revised cost of service and rates which more accurately reflect the cost of service to serve the customers to be served under the tariff, contains a revised fuel adjustment clause which the company states conforms to Section 35.14 of the Commission's Regulations, and contains changes which will result in a rate reduction for the customers served under the tariff.

Inasmuch as the changes proposed by MUC will reduce the rates charged under the tariff, the Commission finds that good cause has been shown to grant permission for MUC to make its proposed changes. Such changes are to be effective as of November 17, 1975. These changes are changes in a rate schedule which remains in effect subject to refund or possible modification by the Commission at the termination of this docket. With respect to such future refunds or modifications which we may order in the future, we note that MUC is a subsidiary of Union Electric Company (Union) whose rates are under investigation in Docket No. E–9496. MUC purchases power from Union and accordingly, any rate reduction ordered in Docket No. E–9496 must be reflected in MUC's rates. Furthermore, we note that the rates in the Union and MUC cases differ in design. This difference may require reconciliation before the dockets can be terminated consistent with the public interest. The acceptance of the revisions in MUC's filing is without prejudice to the rights of any party, including Commission Staff, to raise any issue they deem relevant concerning the MUC's filing, as revised.

At the time of the company's instant filing, a new docket number was assigned, Docket No. ER76–264. In order to avoid confusion, the instant filing shall be treated as a part of Docket No. E–9473 and Docket No. ER76–264 shall be terminated.

Finally, MUC's filing comes at a time which presses close upon the Staff's filing date for its prepared testimony and exhibits in Docket No. E–9473. In order that the Staff might adequately prepare its case in light of the instant filing, new procedural dates shall be set as follows:

Staff Service, January 15, 1976.
Intervenor Service, January 29, 1976.
MUC Rebuttal, February 12, 1976.
Hearing, February 24, 1976.

The Commission orders: (A) MUC is hereby authorized to revise its rate schedule and filing in this docket to be effective as of November 17, 1975, subject to refund or possible modification by final Commission action.

(B) Docket No. ER76–264 is hereby terminated.

[1] First Revised Sheets Nos. 3, 4 and 5, Company FPC Electric Tariff, Original Volume No. 1.

(C) The procedural dates in this proceeding are modified as set out above.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33510 Filed 12-11-75;8:45 am]

[Docket Nos. RP68-17 and RP69-36]

NATURAL GAS PIPELINE CO. OF AMERICA

Order Approving Refund Report, Granting Petition To Intervene and Denying Protest

DECEMBER 8, 1975.

On August 18, 1975, Natural Gas Pipeline Company of America (Natural) filed in the above-referenced dockets a report showing the distribution of refunds which were made by Natural to its jurisdictional customers on June 27, 1975, in the amount of $3,763,303.45. The refunds cover the period from October 1, 1968 through September 30, 1970.

These refunds were made as a result of Natural's settlement with the Internal Revenue Service for tax years 1969 and 1970, under which depreciation on rights-of-way, construction damages, and clearing costs were permitted as tax deductions. Natural's rates in effect during the period covered by the tax settlement were designed to protect Natural against possible loss of these deductions for tax purposes. Approval of the deductions pursuant to the settlement consequently gave rise to refund obligations by Natural under the terms of rate settlements approved by this Commission in the referenced dockets.

Public notice of Natural's refund report was issued on September 4, 1975, providing for protests or petitions to intervene to be filed on or before September 24, 1975. On October 1, 1975, Commonwealth Edison Company (Edison) filed a document entitled "Petition for leave to file petition to intervene or, in the alternative, protest instanter." While this document does not reveal any grounds upon which the petition to intervene or protest could be based, the various pleadings herein disclose the nature of Edison's interest in the matter and the basis for its protest.

Natural's refund report shows that the sum of $128,644.84 was paid by Natural to Northern Illinois Gas Company (NI-Gas), representing refunds due for gas purchased and resold in NI-Gas' present service territory by a predecessor company, Mid-Illinois Gas Company (Mid-Illinois). Mid-Illinois was a subsidiary of Edison prior to December 30, 1970, when it was acquired by NI-Gas.[1] Edison now claims that it is entitled to receive the $128,644.84 which Natural refunded to NI-Gas.

On October 14, 1975, both Natural and NI-Gas answered in opposition to Edison's claim. They argue that payment of the disputed refund amount to NI-Gas is necessary to accomplish the objectives of the Natural Gas Act, and that such payment should therefore be approved. We agree.

As a matter of law and policy, refunds ordered because of overcharges must be flowed through to the ultimate consumer. The Supreme Court aptly stated in *F.P.C. v. Interstate Gas Co.*, 336 U.S. 577, 581 (1948), that:

> Edison has stated no grounds which would support its claim to the refund in question. Edison no longer provides gas utility service and has no practical way to pass the refund through to its former gas customers. NI-Gas and not Edison is now serving the customers who are the intended beneficiaries of Natural's refund. By approving the refund to NI-Gas we will insure that ultimate consumers receive the benefit thereof, since, pursuant to the orders of the Illinois Commerce Commission, NI-Gas is required to pass on these refunds to its customers through it PGA clause. NI-Gas in fact advises that the refund in question has already been substantially passed through to NI-Gas' customers.

In a further pleading[2] filed on November 6, 1975, Edison raises a new argument by stating that $22,422.84 of the disputed refund is "attributable to gas consumed in electric generation. * * * Edison's electric consumers alone paid for gas purchased from Natural which was used in electric generation. They alone should benefit from that portion of the refund attributable to such purchases." NI-Gas on November 19, 1975, and Natural, on November 20, 1975, filed responses in opposition to the above pleading. We reject Edison's contention.

It appears that NI-Gas succeeded to all of the former gas operations of Edison, via Mid-Illinois, including the supplying of gas to Edison for purposes of electric power generation. The proposed refunds follow the reverse flow of purchases, that is from Natural, to NI-Gas, to the customerfs of NI-Gas, including Edison, and presumably to Edison's current electric customers. Edison still purchases gas from NI-Gas, albeit in reduced quantities, and will therefore share pro-rata, based on current sales levels, in the refunds flowed-through by NI-Gas.

A review of Natural's refund report indicates that the amounts shown therein have been properly computed and disbursed, and the said report will accordingly be approved.

The Commission orders: (A) The refund report submitted herein by Natural on August 18, 1975, is hereby approved.

(B) Edison's petition to intervene is granted.

(C) Edison's protest to Natural's refund report is denied and dismissed.

(D) Others measures of relief sought by the parties in their respective pleadings and not granted by this order are denied.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33517 Filed 12-11-75;8:45 am]

[Docket No. E-8721]

NEVADA POWER CO.

Extension of Time for Filing Briefs on Exceptions

DECEMBER 5, 1975.

On December 3, 1975, Nevada Power Company filed a motion to extend the time for filing briefs on exceptions to the initial decision of the Administrative Law Judge issued on November 12, 1975, in the above-indicated proceeding.

Notice is hereby given that the time for filing briefs on exceptions in the above proceeding is extended to and including January 12, 1976. The time for filing briefs opposing exceptions is extended to and including February 2, 1976.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33475 Filed 12-11-75;8:45 am]

[Docket Nos. ER76-228; ER76-40]

NEVADA POWER CO.

Order Accepting for Filing and Suspending Proposed Increased Rates, Granting Waiver, Consolidating Proceedings, and Establishing Hearing Procedures

DECEMBER 5, 1975.

On November 6, 1975, Nevada Power Company (Nevada) tendered for filing a proposed increase in rates for electric service for the California-Pacific Utilities (Cal-Pac) at Henderson, Nevada.[1] Nevada states that the proposed change in Cal-Pac's rates consists of an increase in the demand component of $1.94 per Kw per month to Cal-Pac at Henderson. The net increase in the energy component is 1.03 mills per Kwh.

[1] Effective December 30, 1970, Edison was required by order of the Illinois Commerce Commission to divest its gas distribution properties.

The basis of the claim stated in [the pipelines'] petitions for intervention is that they are entitled to the fund as of right, since it was created by their payments. But we would be unmindful of the purpose of the [Natural Gas] Act and the responsibility of the federal courts under it, if we so ruled. The aim of the Act was to protect ultimate consumers of natural gas from excessive charges. See *Federal Power Commission v. Hope Natural Gas Co.*, [320 U.S. 591] at 610, 612. They were the intended beneficiaries of rate reductions ordered by the federal commission, though state machinery might have to be invoked to obtain lower rates at the consumer level.

[2] "Motion to strike answer of Natural Gas Pipeline Company of America or, in the alternative, motion to amend the 'petition to intervene or in the alternative, protest' of Commonwealth Edison Company".

[1] Nevada Power Company Supplement No. 12 to Rate Schedule FPC No. 2 (supersedes Supplement No. 8 to Rate Schedule FPC No. 2).

Notice of Nevada's filing was issued on November 18, 1975, with protests, comments and petitions to intervene due on or before December 5, 1975. None have been received to date.

On July 28, 1975, Nevada submitted for filing a proposed increase in rates for service to Cal-Pac at Henderson, Nevada and at Needles, California, in Docket No. ER76-40.[2] By order issued October 15, 1975, the Commission (1) summarily disposed of that portion of Nevada's increase for service at Needles which was based upon the inclusion of construction work in progress (CWIP) in the rate base; (2) suspended that portion of Nevada's increase for service at Needles which was not based on CWIP in the rate base for five months until March 17, 1976; and (3) rejected Nevada's proposed increase to Henderson pursuant to Section 35.17(c) of the Commission's Regulations which makes it unlawful for any utility to file to change a rate schedule which has been continued in effect by the suspension of a previous change.[3]

On October 24, 1975, Nevada filed a Stipulation and Agreement dated October 24, 1975, in Docket No. E-9306, providing for the continuation of service to Cal-Pac at Henderson, Nevada until May 31, 1977. By order issued November 28, 1975, the agreement was accepted for filing to become effective as of November 1, 1975.

In its instant submittal requesting a rate increase to Cal-Pac for service at Henderson, Nevada, the Company states that the proposed rates and supporting cost of service are identical to those filed in Docket No. ER76-40 and rejected by the Commission by order issued October 15, 1975. According to Nevada, the basis for the rejection has been cured by the passage of time. Nevada is now requesting that the proposed rates for service to Cal-Pac at Henderson be accepted for filing and made effective as of March 17, 1976, the same effective date assigned the proposed rates at Needles by order issued October 15, 1975, in Docket No. ER76-40 and that the instant submittal be consolidated with the proceeding in Docket No. ER76-40. Nevada further requests that the Commission waive its requirement that rate filings be submitted no more than seven months from the end of Period I for cost of service data.

Nevada contends that good cause exists to grant waiver of our policy requiring electric utilities to update Period I data which is for a period ending more than seven months prior to the date of submittal. Nevada's data, when originally submitted in Docket No. ER76-40, complied with the seven-month requirement. By virture of its rejection by order issued October 15, 1975, and resubmittal on November 6, 1975, following the lifting of the suspension which had barred its earlier acceptance, the Period I cost of service data resubmitted with the instant filing is for a period ending seven months and six days prior to the date of tender of the filing. Had the suspension in E-9306 in effect for service to Cal-Pac at Henderson not operated as a bar to our acceptance of the rate increase in ER76-40 for such service, we would have accepted that portion of the filing along with the rate increase for service to Cal-Pac at Needles, which utilized the identical cost of service. We believe good cause exists to grant waiver of our rule with respect to Period I not ending more than seven months prior to the date of a filing's submittal.

Our review indicates that the proposed change for service at Henderson has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly we shall accept the instant submittal for filing and consolidate it with the hearing proceedings in Docket No. ER76-40 to determine the justness and reasonableness of the Company's filing. However, consistent with the five-month suspension period imposed in Docket No. ER76-40 with respect to the proposed increase to Cal-Pac at Needles, the instant submittal will also be suspended for five months, to become effective as of May 7, 1976, subject to refund.

Our examination of the filing reveals that a portion of it is based upon the inclusion of CWIP in the rate base which will not be in service at the end of the test period (in fact, the Company has used an end of period rate base). Recent Commission decisions have made it clear that the Commission will not currently allow utilities to base rates upon the inclusion of CWIP in rate base.[4] As we stated in the Order Denying Application For Rehearing,[5] *Georgia Power Company, Docket* No. E-9091, issued September 19, 1975:

> The majority rule of public utility regulation holds that the value of plant under construction cannot be included in the rate base until the plant is "used and useful" in providing service to jurisdictional customers.[6] We have consistently applied the "used and useful" rule throughout our formally reported final decisions.[6] Our Uniform System of Accounts for public utilities and licensees clearly reflects that principle,[7] although it has not been formally codified in a separate regulation, as is the case for gas pipeline companies, Sec. 154.63(f), 18 CFR. (footnotes omitted)

Accordingly, we shall summarily dispose that portion of the Company's filing which is based upon the inclusion of CWIP in the rate base.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the increased rates as proposed by Nevada Power in Docket No. ER76-228 and that such increase be accepted for filing and suspended as hereinafter provided.

(2) Good cause exists to consolidate the investigation herein ordered with the proceedings in Docket No. ER76-40.

(3) Good cause exists to summarily dispose of that portion of the Nevada Power's filing which is based upon the inclusion of CWIP in the rate base.

The Commission orders: (A) Pending a hearing and final decision thereon, that portion of Nevada Power's rate schedule tendered on November 6, 1975, which is not based upon the inclusion of CWIP in rate base is hereby accepted for filing and suspended for five months, to become effective May 7, 1976.

(B) Pursuant to the authority of the Federal Power Act, particularly Section 205 thereof, and the Commission's Rules and Regulations, an investigation concerning the lawfulness and reasonableness of the subject rate schedule is hereby initiated.

(C) The proceedings instituted herein shall be consolidated for purposes of investigation, hearing and decision with those established by order issued October 15, 1975, in Docket No. ER76-40 with the procedural schedule as established in that order to govern.

(D) Within 30 days of the date this order is issued, Nevada Power shall file revised rates which reflect the exclusion of CWIP from rate base.

(E) The Commission Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33504 Filed 12-11-75;8:45 am]

[Docket No. RP75-89]

NORTHERN NATURAL GAS CO.

Order Denying Application for Rehearing, Request for Waiver, and Motion for Stay

DECEMBER 4, 1975.

On November 4, 1975, Northern Natural Gas Company (Northern) filed an Application for Rehearing (Application) of our order in the instant proceeding issued October 31, 1975. Northern seeks rehearing of that part of our October 31, 1975 order which precluded Northern from collecting in its rates, subject to refund, that part of its rates based on certain advance payment agreements between it and Exxon Company, U.S.A. (Exxon). Upon rehearing, Northern requests waiver of Section 154.66 of our Regulations. In the event it application for rehearing is denied, Northern moves

[2] By letter dated August 25, 1975, the Secretary informed Nevada of certain deficiencies in its filing. These deficiencies were cured on September 17, 1975.

[3] By order issued May 30, 1975, in Docket No. E-9306, the Commission suspended a notice of cancellation until November 1, 1975, filed by Nevada to effect a termination at Henderson as of June 1, 1975.

[4] See e.g., *Central Vermont Public Service* Corporation, Docket No. E-9040, issued August 5, 1975; *Green Mountain Power Corporation*, Docket No. E-9446, issued June 13, 1975; *New England Power Company*, Docket Nos. E-9316 and E-9140, issued August 5, 1975; and *Georgia Power Company*, Docket No. E-9091, issued August 5, 1975.

[5] Pending review in *Georgia Power Company* v. *F.P.C.*, No. 75-1940, D.C. Circuit, Denial of Application for Stay, issued October 3, 1975.

[1] Commissioner Watt not participating.

for stay of that part of our order which precludes Northern from collecting, subject to refund, the rate effect of advances already paid to Exxon. Northern also seeks rehearing of that part of our order which rejected its Rate Schedule E–1.

Our order of October 31, 1975, related to Northern's filing, on October 3, 1975, of certain revised tariff sheets[1] to go into effect on October 27, 1975, the end of the five month suspension period ordered for these proposed rates on May 16, 1975. In our order of May 16, 1975, we, *inter alia*, accepted Northern's tariff sheets for filing and suspended them for five months, ordering Northern to file revised tariff sheets reflecting elimination of the rate effect of certain then existing interest payments to Exxon and subject to the condition that Northern file revised tariff sheets reflecting elimination from rate base of facilities not certificated and in service by October 27, 1975.

Northern, by its October 3 filing herein, purported to file tariff sheets in compliance with our May 16, 1975, order. Specifically, these tariff sheets reflected elimination from Northern's rates of the rate effect of Northern's interest payments to Exxon and elimination of facilities not certificated and in service by October 27. However, Northern sought to offset the reduction resulting from the elimination of the interest payments to Exxon by including advance payments to Exxon under amended agreements providing for advance payments under Order No. 499 instead of the originally proposed interest payments. We did not permit this attempted offset to be reflected in Northern's rates, stating "By this claimed offset, Northern seeks to change one element of its case in chief and effectively increase its suspended rates."[2]

Northern argues for rehearing of our refusual to permit it to collect rates reflecting these costs, stating that the rate effect of the advance payments reflected in the tariff sheets filed on October 3, 1975, is less than the rate effect of the interest payments which it originally sought to recover. Ordering paragraph (E) of our May 16 order required Northern to file revised sheets eliminating the rate effect of Northern's agreements with Exxon. That the rate effect of the advance payments included in the October 3, 1975 filing is less than the effect of the payments Northern originally sought to reflect does not detract from the fact that the rate effect is *more* than the rates required by our May 16 order. Therefore, any attempt to offset this ordered reduction is, in effect, an attempt to increase suspended rates. Northern's additional allegation that these payments conform, in all material respects, with certain agreements between Panhandle Eastern Pipeline Company and Atlantic Richfield Company which we permitted Panhandle to reflect in its rates, subject to refund, does not relate to this reason for rejection.

Northern additionally requests waiver of Section 154.66(b) of our Regulations to permit it to change its suspended rates. Northern states that it amended its agreements with Exxon within the 9 month test period and the five month suspension period to provide for advance payments in an effort to comply with our advance payment policies and regulations. Northern states that it should be permitted to collect its rates, subject to refund, to protect it against financial injury. For the reasons hereinafter discussed, we find that Northern is not exposed to financial injury. We also do not believe that, because expenses were incurred during the 5 month suspension period or the 9 month adjustment period, good cause has been shown to permit Northern to amend its suspended rates. We therefore shall deny rehearing and waiver of our regulations.

In the event we deny the Application for Rehearing, Northern moves that we stay our order and not require it to file revised tariff sheets eliminating the effect of the advance payments to Exxon, as required by Ordering Paragraph (A) of our October 31, 1975 order. In support of this motion, Northern states that stay is required to avoid irreparable financial injury to Northern and to protect its acquisition rights to Exxon's interests in the gas subject to the agreements. Although these grounds do not meet the standards required to grant a stay as enunciated in *Virginia Petroleum Jobbers Association* v. *F.P.C.*, 259 F.2d 921, 925 (1958), and Northern does not allege that it has met this test, a brief discussion of the test and Northern's application is in order.

Northern has made no showing as to the likelihood that it will prevail on the merits, as to our rejection of rates based on these payments. We denied waiver of ou regulations for want of a showing of good cause and lack of irreparable financial injury. We note that we are reviewing our advance payment programs in general and specifically the question of advances to producers in respect of Alaskan gas in Docket Nos. R–411 and RM74–4.

The second test requires a showing of irreparable injury absent the requested relief. Northern has not shown that it is faced with irreparable injury from our denial of rate base treatment of these advances in the instant proceeding. The agreements between Northern and Exxon, filed with the Commission on October 1, 1975, provide by their own terms that if Northern is unable to get approval from this Commission for rate base treatment for these advance payments, the agreement may be terminated by either party, resulting in the repayment by Exxon, with interest, of all previous advances.[3] The loss of the agreement relating to Exxon's reserves is the loss of the right to negotiate for such reserves and not the loss of a gas purchase contract. Accordingly, we do not believe that Northern will be irreparably injured without a stay of our order.

The third test of *Virginia Petroleum Jobbers* is concerned with harm to others resulting from a stay. The court stated that "we must determine whether . . . the issuance of a stay would have a serious adverse effect on other interested persons." 259 F. 2d at 925. The stay of our order is not shown to have such an adverse effect on the contrary it would require Northern's customers to pay an additional $14 million annually if such stay is granted. We believe that this collection would be a substantial harm to Northern's customers and the equities lie with denying the stay on these grounds.

Considering all these factors together, the public interest (the last test) in protection of the consumer against excessive rates requires that Northern's motion for stay be denied.

Finally, Northern seeks rehearing of our order rejecting its Rate Schedule E–1. This rate schedule was originally rejected by our order of May 16 herein, Ordering Paragraph (F). However, on rehearing, in an order issued July 11, 1975, we deleted that ordering paragraph. In our October 31, 1975 order, we again rejected this rate schedule, stating:

> After additional consideration, we believe that the public interest requires that these initial rate schedules be subject to the Commission's certification procedures upon application under Section 7 of the Natural Gas Act. (mimeo at 4).

Northern states that this amounts to administrative fiat and not reasoned decision making. We believe, on the contrary, that this action was required to be consistent with the mandate of Section 7(c) of the Act requiring examination of the public convenience and necessity before issuance of the required certificate to provide the service under the rejected rate schedule. Accordingly, we shall deny Northern's Application for Rehearing.

The Commission finds: Northern's Application for Rehearing, Request for Wavier, and Motion for Stay raises no new issues of fact or law not previously considered, or after consideration herein, to justify granting rehearing, waiver, or the motion for stay.

The Commission orders: (A) Northern's Application for Rehearing, Request for Waiver, and Motion for Stay is hereby denied.

(B) The Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission: Commissioner Watt not participating.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75–33488 Filed 12–11–75;8:45 am]

[1] Substitute Seventh Revised Sheet No. 4a and First Revised Sheet No. 4b to Third Revised Volume No. 1 and Substitute Seventh Revised Sheet No. 1c to Original Volume No. 2 of Northern's FPC Gas Tariff.

[2] *Northern Natural Gas Company*, Docket No. RP75–89, issued October 31, 1975, mimeo at 2.

[3] See, *e.g.*, Gas Advance Agreement between Northern and Exxon dated September 20, 1975 relating to Alaskan advances, Article V.

[Docket No. CP76-160]

NORTHERN NATURAL GAS CO.

Application

DECEMBER 4, 1975.

Take notice that on November 11, 1975, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP76-160 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transfer of domestic farm tap service being provided through its Peoples Natural Gas Division (Peoples) to Central Telephone and Utilities (Cengas) for resale service to the John Stone residence outside of Dell Rapids, Minnehaha County, South Dakota, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it is presently providing domestic farm tap service to the John Stone residence through Peoples and that Mr. Stone has requested that Cengas assume responsibility for such service. It is stated that such transfer is requested because Peoples does not maintain an office in the proximity of the service area and the customer is required to make his own monthly meter readings and forward the same to a Peoples' office. Further, Applicant states, Mr. Stone regards it as desirable to have distribution personnel available to service his appliances.

Applicant further states that the proposed transfer would not result in any additional sales of natural gas and that firm service would be provided from existing contract demand authorized by the Commission for Cengas.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by 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.75-33482 Filed 12-11-75;8:45 am]

[Docket No. ER76-305]

NORTHERN STATES POWER CO.

Proposed Changes in Rates and Charges

DECEMBER 4, 1975.

Take notice that Northern States Power Company (Wisconsin), Eau Claire, Wisconsin, on November 28, 1975, tendered for filing Third Revised Schedule A to their contracts with the following eleven wholesale customers:

Customer	FPC Rate Schedule No.
Bangor	58.
Cadott	42, Supp. No. 2.
Bloomer	45, Supp. No. 2.
Cornell	59.
New Richmond	60, Supp. No. 3.
Spooner	49, Supp. No. 2.
Whitehall	51, Supp. No. 2.
Trempealeau	52, Supp. No. 2.
Black River Falls	54, Supp. No. 2.
Westby	55, Supp. No. 4.
Rice Lake	56, Supp. No. 1.

The rate schedule is proposed to be effective for deliveries of power and energy on and after January 1, 1976.

Northern States Power Company (Wisconsin) states that the proposed rate schedule will increase revenues from their wholesale customers by $1,128,439 based on estimated sales for Period II, the test year ending December 31, 1976. The filing also proposes modifications in the fuel cost base and in the fuel adjustment clause as required by the Commission's Order No. 517.

The Company states that a copy of the filing has been mailed to each of Northern States Power Company (Wisconsin) customers affected by the proposed change and to the Public Service Commission of Wisconsin.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33467 Filed 12-11-75;8:45 am]

[Docket No. E-9148]

NORTHERN STATES POWER CO. (MINNESOTA)

Order Denying Application for Rehearing and Motion for Stay

DECEMBER 5, 1975.

On November 6, 1975, Northern States Power Company of Minnesota (NSP) filed an application for rehearing of the Commission's order of October 14, 1975, in the above-captioned docket which granted a motion for summary disposition and ordered NSP to exclude from its jurisdictional rate base $2,529,000, representing construction work in progress on facilities which were not expected to be in service by the end of the 1975 test year (CWIP). The order also required associated refunds.

On November 6, 1975, NSP also filed a motion requesting stay of the Commission's order pending appeal; and, if denied, a stay of at least thirty days to allow NSP to seek a stay in court.

NSP recites as the basis for its application for rehearing (1) that the Commission can not order summary refunds where NSP asserts that its filed rates are just and reasonable, based upon its cost of service presentation, whether or not CWIP is included in rate base and (2) that the Commission's regulations and practice did not preclude, as a matter of law or policy, the inclusion of CWIP in rate base before the *Green Mountain*[1] order.

NSP's rate increase as filed was based in part upon revenues to be collected by inclusion of the subject CWIP in rate base. In our October 14, 1975, order, we stated that in ordering NSP to file revised tariff sheets reflecting removal of CWIP from rate base, we are in effect requiring the company to reduce its originally proposed rates by a fixed amount. In seeking to offset that reduction on the basis of cost evidence which is allegedly contained in the 1975 overall cost of service study but not originally relied upon in support of the instant 30 percent increase, NSP is in effect asking us to approve a supplemental rate increase for which no notice has been provided in accordance with Section 205. This we refused to do.[2]

In *Georgia Power Company*, Docket No. E-9091, we confronted a similar approach by a utility. On mimeo page 8 of the order issued September 19, 1975, in that proceeding, we stated:

It is possible that Georgia Power may be unable to collect the full rate increase which could be found to be just and reasonable because it filed for a rate level premised on a rate base inflated with CWIP rather than on the highest justifiable rate of return or an accurate projection of test period results. However,

[1] *Green Mountain Power Co.*, Docket No. E-9446, issued June 13, 1975.

[2] *Northern States Power Company (Minnesota)*, Docket No. E-9148, order issued October 14, 1975, mimeo p. 3; *Georgia Power Company*, Docket No. E-9091, order issued September 19, 1975, mimeo p. 8; *New England Power Company*, Docket Nos. E-9136 and E-9140, order issued October 3, 1975, mimeo p. 4.

that possibility will not support postponement of refunds; it is a hazard which Georgia Power must shoulder under the theory of the relevant parts of the Natural Gas Act and the Federal Power Act, *F.P.C.* v. *Tennessee Gas Transmission Company*, 371 U.S. 145 (1962).[3]

Our policy was not changed with the *Green Mountain* order. As we stated therein:

Commission Regulations and practices do not at this time allow any utility to earn a return on CWIP. While this policy is under review in Docket No. RM-75-13 (footnote omitted) it would be premature to allow the company to make a filing which contains rate based on CWIP being included in rate base. (Slip Op. at 1)

We note further that the holding in *Green Mountain* is firmly based upon our consistent policy of refusing to grant final authorization for the inclusion of CWIP in any company's rate base.[4] Under these circumstances where matters of policy and law are involved no purpose would be served by a formal hearing. As observed by the Court in *Municipal Light Boards, supra*,[5]

[t]here are occasions when an agency may dispose of a controversy on the pleadings without an evidentiary hearing when the opposing presentations reveal that no dispute of fact is involved, but only a question of law or administrative policy of such a nature that there is neither a dispute as to the material facts nor a need to ventilate the underlying facts to aid in policy determination.

NSP recites as the basis for its motion for stay of refund orders pending appeal that it has met the four tests of *Virginia Petroleum Jobbers Association* v. *F.P.C.*, 239 F. 2d 921, 925 (1958) in that (1) its arguments in its application for rehearing show that on appeal, NSP is likely to prevail on the merits; (2) that NSP will suffer irreparable harm in that the Federal Power Act contains no provision that would allow the Commission to order the customers to make payments to regulated public utility in the event that the utility prevails on appeal of a rate order; (3) that NSP's customers will suffer no harm if the stay is granted for the customers will receive refunds with interest of the amounts of the rate increase that the Commission finds not just and reasonable after its decision; and (4) that the public interest lies in granting the stay.

As to the arguments advanced by NSP in its application for rehearing which NSP believes illustrate its likelihood of success on appeal, the Commission has considered these arguments *supra* and in the October 14, 1975, order and rejected them.

NSP's argument as to irreparable harm is defective because NSP has not shown that the Court, with its equity powers, could not order payback if NSP is successful on appeal.

NSP has failed to recognize the harm that its customers have sustained through the payment of rates based in part on the inclusion of CWIP in rate base and this harm will continue if the stay is granted. In light of the above, we find that the public interest would not be served by granting NSP's request for a stay.

Accordingly, we believe that NSP has failed to meet the test for agency issuance of a stay, as outlined in *Virginia Jobbers, supra*.

We note that two different court of appeals have denied motions for stay pending appellate review of CWIP refund orders.[6] In the *New England Power Co.* case, Chief Judge Coffin stated as follows at mimeo p. 2:

"We recognize that full argument and briefing on the merits may place the matter in a different light, but we are not persuaded at this juncture that petitioner is likely to prevail on the merits or will, in the interim, suffer irreparable harm.

"As to FPC's summary disposition of the CWIP as part of NEPCO's (New England Power Co.) rate base, we presently do not see such surprise or arbitrariness as would justify setting aside the ad interim orders. NEPCO knew that it was challenging the traditional practice." (parentheses added)

He went on to say at mimeo p. 2-3:

"NEPCO's remaining claims are (1) that the FPC should have allowed NEPCO to rely upon the tax normalization alternative to justify its requested increase, and (2) that the FPC erred in refusing to consider its updated cost of service data for the purposes of the refund order as well as for the purposes of the final determination of the just and reasonable rate. For the present, neither claim persuades us in view of the administrative necessity of closing the books at a time certain and having a mechanism to prevent utilities from delaying refund orders by offering alternative justifications for the rate increases it has filed. FPC staff and intervenors cannot be expected to follow a moving target."

Finally, Chief Judge Coffin states at mimeo p. 3:

"The alternative (i.e. granting a stay) is to force collections from customers on the basis of a rate tentatively found to be excessive."

As to NSP's alternative request for a stay of at least thirty days, we note that our original order issued October 14, 1975, granted NSP 60 days to file revised tariff sheets and make refunds. This time has not yet elapsed. Accordingly, we will deny NSP's alternate request for a stay of at least thirty days.

The Commission finds: Good cause does not exist to grant NSP's application for rehearing and motion for stay of refund orders pending appeal filed November 6, 1975.

The Commission orders: NSP's application for rehearing and motion for stay of refund orders pending appeal filed November 6, 1975, are denied.

By the Commission. Commissioner Watt not participating.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33476 Filed 12-11-75;8:45 am]

[Docket No. ER76-169]

OTTER TAIL POWER CO.

Order Denying Waiver of Fuel Adjustment Clause Requirements

NOVEMBER 25, 1975.

By Order No. 517 issued in Docket No. R-479 on November 13, 1974, the Commission in ordering paragraph (A)(8) directed that within one year of the effectiveness of that rulemaking (or by January 1, 1976) all public utilities with Rate Schedules that contain a fuel clause should conform such clauses with the Regulations as revised in that order.

Otter Tail Power Company (Otter Tail) has requested by a letter dated October 7, 1975, that it be granted a waiver of the requirement and a one-year delay in conforming to the revised regulations. Such a waiver and delay is authorized in ordering paragraph (A)(8) of Order No. 517 upon a showing of good cause.

Otter Tail advances in support of its request for waiver that the affected service agreements are presently being challenged in proceedings in other dockets and that no sales have been made under the service classification to which the fuel adjustment clause applies nor are such expected for the next several years.

Ordering paragraph (A)(8) of Order No. 517 states that the waiver provision is made available because the Commission recognizes that "individual public utilities may have special operating characteristics that may warrant granting temporary delays in the implementation of the Regulations . . . so as to permit the public utilities sufficient time to adjust to the requirements." Here, there are no "special operating characteristics"

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[3] It should be noted that Georgia Power's request for a stay was also denied by the United States Court of Appeals for the District of Columbia Circuit in *Georgia Power Co.* v. *F.P.C.*, Case No. 75-1940 (CADC, October 3, 1975)

[4] Since Green Mountain, the Commission has reiterated its policy of excluding CWIP from rate base. *See, e.g., Tennessee Gas Pipe Line Company*, Docket Nos. RP75-113 and RP75-13, Order issued October 10, 1975, in which we stated,

Accordingly, we believe our duty to insure the protection of the consumer requires that we continue to require Tennessee to file tariff sheets excluding the costs resulting from the inclusion of CWIP in rate base (mimeo at 4).

A *fortiori*, when presented with rates based on a ratemaking theory contrary to our established principles we believe that eliminating the effect of the inclusion of CWIP in rate base before the rates go into effect is necessary to protect the consumer and foreclose the possibility that refunds may never reach the consumer who would otherwise be required to pay this illegal rate (mimeo at 7).

[5] 450 F. 2d at 1345. (1971).

[6] *Georgia Power Co.* v. *F.P.C.*, D.C. Cir No. 75-1940, issued October 6, 1975; *New England Power Co.* v. *F.P.C.*, 1st Cir. No. 75-1379, issued November 13, 1975.

shown, but merely an allegation that the clauses are not presently being used and that the agreements of which they are a part are the subject of challenges in other proceedings. While it would undoubtedly be more convenient to Otter Tail to wait until a final resolution has been reached in the proceedings involving the service agreements, such inconvenience does not constitute "good cause" as contemplated by the language "special operating characteristics" since most utilities could argue that it was inconvenient for them to adjust their fuel clauses within one year. In Order No. 517, the Commission specifically rejected a two-year period for conformity as "excessive and not in the public interest," and altered the previously proposed two year period to one year except in the case of "special circumstances and operating characteristics." No such special circumstances or characteristics appear here.

The Commission finds: Otter Tail has failed to demonstrate good cause for waiver of the requirements of Order No. 517, paragraph (A)(8), that all public utilities with Rate Schedules that contain a fuel clause should conform such clauses with the revised Regulations by January 1, 1976.

The Commission orders: (A) The request by Otter Tail for a waiver of the requirements of Order No. 517 that fuel clauses should conform with the revised Regulations by January 1, 1976, is hereby denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33524 Filed 12-11-75;8:45 am]

[Docket No. CI76-268]

PHILLIPS PETROLEUM CO.

Application

DECEMBER 4, 1975.

Take notice that on November 7, 1975, Phillips Petroleum Company (Applicant), Bartlesville, Oklahoma 74004, filed in Docket No. CI76-268 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 El Paso Natural Gas Company (El Paso) at Applicant's Lusk Gasoline Plant, Lea County, New Mexico, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of residue gas at the Lusk Gasoline Plant from production from the Morrow formation in Lea County, on October 27, 1975, within the contemplation of Section 157.29 of the Regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale until April 1, 1979, within the contemplation of Section 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). After that date, Applicant says, it is anticipated that Applicant will require the gas for company use. Applicant proposes to sell approximately 67,500 Mcf of gas per month at 51.0 cents per Mcf at 14.73 psia, subject to upward and downward Btu adjustment, 1.5 cents per Mcf for gathering, and 100 percent tax reimbursement. The application states that Applicant has the right to retain up to 50 percent of the residue gas by either not delivering such volumes or by retaining equivalent daily volumes of gas otherwise deliverable to El Paso from other existing points where gas deliveries are made by Applicant to El Paso.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any 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.75-33472 Filed 12-11-75;8:45 am]

[Docket No. ER76-308]

PUBLIC SERVICE CO. OF NEW MEXICO

Filing of Second Supplemental Agreement

DECEMBER 4, 1975.

Take notice that on December 1, 1975, Public Service Company of New Mexico (PSNM) tendered for filing a Second Supplemental Agreement between PSNM and Community Public Service Company (CPS) which supersedes the Supplemental Agreement for Electric Service dated February 28, 1974, between said parties. PSNM states that the said Agreement provides for PSNM to furnish electric power and energy to CPS during the period December 1, 1975 through June 1, 1976. PSNM requests an effective date of December 1, 1975 for said Agreement.

The proposed changes would increase revenues from jurisdictional sales and services to CPS by $350,800.00 based upon the 12 month period ending December 1, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33497 Filed 12-11-75;8:45 am]

[Docket No. RM75-5; Order No. 542]

REPORTING COSTS OF ENVIRONMENTAL PROTECTION FACILITIES AND ACTIVITIES

Correction

(Order No. 542)

Order Amending FPC Annual Report Form No. 1; Correction

DECEMBER 2, 1975.

Attachments B, C, and D, Lower Right-hand corner: Change "Approved by GAO B-180228(S76011) Expires 6-30-76" to read "Approved by GAO B-180223 (RO289) Expires 12-31-78".

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33471 Filed 12-11-75;8:45 am]

[Docket No. CI75-602]

ROY M. HUFFINGTON, INC.

Order Granting Additional Late Intervention

DECEMBER 4, 1975.

On April 9, 1975, Roy M. Huffington, Inc. (Huffington) filed a petition for permission under Section 7(b) of the Natural Gas Act to abandon the sale of gas to Michigan Wisconsin Pipe Line Company from the Lawson Field, Acadia Parish, Louisiana, covered under a contract dated June 6, 1966. Alternatively, Huffington requests authorization to abandon approximately 30 percent of the sale, attributable to the royalty interest shares of the gas, and to increase the price for the working interest share. Huffington's petition was noticed by the Commission on April 24, 1975 with protests or petitions to intervene due on or before May 15, 1975. The hearing in this matter was held on October 21, 1975.

By order isued November 7, 1975, late petitions to intervene were granted to

Tenneco Oil Company, Natural Gas Pipeline Company of America and Shell Oil Company.

A late petition to intervene was filed by Pennzoil Producing Company on October 6, 1975. Having received the above petition to intervene we believe that the petitioner has sufficient interest in the proceedings to warrant intervention. We further believe that this late intervention will not delay or compromise the instant proceeding. We shall, therefore, grant the above-described late intervention, subject to the condition that the party whose intervention is herein granted shall take the record thus far established in this docket as he shall find it.

The Commission finds: (1) Since participation by the aforesaid petitioner will not delay the instant proceeding, good cause exists for accepting their late petition to intervene.

(2) Participation by the aforesaid petitioner may be in the public interest.

The Commission orders: (A) The above-named petitioner is hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* that participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further,* that the admission of such intervener shall not be construed as recognition by the Commission that it might be aggreived because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious determination of this proceeding and the intervenor shall accept the evidentiary record as it has been established in this proceeding to date.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33503 Filed 12-11-75;8:45 am]

[Docket No. RP76-39]

SEA ROBIN PIPELINE CO.

Proposed Changes in FPC Gas Tariff

DECEMBER 5, 1975.

Take notice that Sea Robin Pipeline Company (Sea Robin), on November 14, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1 and Original Volume No. 2. The proposed changes are based on the twelve-month period ending July 31, 1975, as adjusted, and would increase jurisdictional revenues by $43,036,531.

Sea Robin states that the principal reasons for the proposed rate increase are proposed changes in the method of recording depreciation expense and an increase in overall cost of operations.

Copies of the filing have been served upon Sea Robin's jurisdictional customers and the Public Service Commission of the State of Louisiana.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure, 18 CFR (1.8, 1.10). All such petitions or protests should be filed on or before December 22, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33473 Filed 12-11-75;8:45 am]

[Docket No. ER76-87]

SIERRA PACIFIC POWER CO.

Order Rejecting in Part, Accepting in Part and Suspending Rate Increase, Denying Request for Waiver, Permitting Interventions, and Establishing Procedures

NOVEMBER 25, 1975.

On August 25, 1975, as completed on October 29, 1975, Sierra Pacific Power Company (Sierra Pacific) tendered for filing proposed changes in its Rate Schedule R and a revised fuel adjustment clause, such changes being reflected in its FPC Electric Tariff, Volume No. 1.[1] These proposed changes would increase revenues from Sierra Pacific's wholesale customers[2] by approximately $716,132, or 15.4%, based on the test year ended June 1976. Sierra Pacific states that the proposed increase is necessary to permit it to cover the increased costs of providing service, and to increase its overall rate of return to 10.53% to allow Sierra Pacific to obtain the financial results necessary to attract the amounts of new capital to meet growing electrical demands. Sierra Pacific requests an effective date of September 21, 1975.

Sierra Pacific's filing also includes proposed Supplement No. 3 to its FPC Rate Schedule No. 11 which would have the effect of transferring service to one of its wholesale customers, Mt. Wheeler Power, Inc. (Mt. Wheeler), from a previous Rate Schedule R-2 to its Rate Schedule R, under which all the other wholesale customers are served after the proposed effective date of September 21, 1975. In support of the requested transfer of Mt. Wheeler to Rate Schedule R, Sierra Pacific points out that since commencement of service to Mt. Wheeler in 1973 it was served under a separate rate schedule due to the isolation of the transmission line serving Mt. Wheeler from the remainder of Sierra Pacific's system. Sierra Pacific states that in August, 1975, it completed construction of a 230 Kv transmission line which integrated Mt. Wheeler with Sierra Pacific's system. Sierra Pacific requests waiver of the Commission's Regulations concerning notice requirements so that it may be permitted to place Mt. Wheeler on interim Rate Schedule R effective August 8, 1975, the date the interconnection of facilities was completed until September 21, 1975.

Sierra Pacific's August 25, 1975 filing was noticed on August 28, 1975, with all protests, comments, or petitions to intervene due on or before September 15, 1975. Sierra Pacific's supplemental filing of October 29, 1975 was noticed on November 5, 1975, with all protests, comments or petitions to intervene due on or before September 15, 1975. Sierra Pacific's supplemental filing of October 29, 1975 was noticed on November 5, 1975, with all protests, comments or petitions to intervene due on or before November 17, 1975. Petitions to intervene have been filed on behalf of the City of Fallon, Nevada, the Truckee-Donner Public Utility District, Pacific Gas and Electric Company, California-Pacific Utilities Company, and Mt. Wheeler Power, Inc. The City of Fallon, Nevada, the Truckee-Donner Public Utility District and Mt. Wheeler Power, Inc., also protested Sierra Pacific's filing alleging that the proposed rates would produce an excessive rate of return. Mt. Wheeler also protests Sierra Pacific's attempt to place it under Rate Schedule R, the tariff under which service is rendered to the other wholesale customers. An untimely notice of intervention was filed on behalf of the Public Service Commission of Nevada. On September 25, 1975, Sierra Pacific filed an answer to the protests of the City of Fallon, Nevada, the Truckee-Donner Public Utility District and Mt. Wheeler.

Our examination of Sierra Pacific's filing reveals that a portion of it is based upon the inclusion of construction work in progress (CWIP) in the rate base which will not be in service at the end of the test period. Recent Commission decisions have made it clear that the Commission will not currently allow utilities to base rates upon the inclusion of CWIP in rate base.[3] As we stated in

[1] FPC Electric Tariff, 4th Revised Sheet No. 1, 3rd Revised Sheet No. 2, 2nd Revised Sheet No. 3, 7th Revised Sheet No. 4, 3rd Revised Sheet No. 5, Original Sheet No. 5A, 4th Revised Sheet No. 8, 2nd Revised Sheet No. 8A, Original Sheet No. 8B, 1st Revised Sheet No. 9H, 6th Revised Sheet No. 15; Supplement No. 3 to Rate Schedule FPC No. 11, Supplement No. 4 to Rate Schedule FPC No. 11.

[2] California-Pacific Utilities Company; City of Fallon, Nevada; Mt. Wheeler Power, Inc.; Pacific Gas and Electric Company; Truckee-Donner Public Utility District; U.S. Department of the Navy, Naval Ammunition Depot, Hawthorne, Nevada.

[3] *See* e.g., *Central Vermont Public Service Corporation,* Docket No. E-9040, orders issued August 5, 1975, September 30, 1975; *Green Mountain Power Corporation,* Docket No. E-9446, orders issued June 13, 1975 and August 4, 1975; *New England Power Company,* Docket Nos. E-9316 and E-9140, orders issued August 5, 1975 and October 3, 1975; *Georgia Power Company,* Docket No. E-9091, orders issued August 5, 1975, September 11, 1975 and September 19, 1975; *Philadelphia Electric Company,* Docket No. E-9388, order

the Order Denying Application For Rehearing,[4] *Georgia Power Company*, Docket No. E-9091, issued September 19, 1975:

The majority rule of public utility regulation holds that the value of plant under construction cannot be included in the rate base until the plant is "used and useful" in providing service to jurisdictional customers. We have consistently applied the "used and useful" rule throughout our formally reported final decisions. Our Uniform System of Accounts for public utilities and licensees clearly reflects that principle, although it has not been formally codified in a separate regulation, as is the case for gas pipeline companies, Sec. 154.63(f), 18 CFR. (footnotes omitted)

Accordingly we shall reject that portion of the Company's filing which is based upon the inclusion of CWIP in rate base and shall require Sierra Pacific to file revised tariff sheets reflecting the elimination of such amounts.

Our review of Sierra Pacific's proposed fuel and purchased power adjustment clause indicates that the clause does not comply with the requirements set forth in Order No. 517.[5] Specifically the proposed clause includes total cost of purchased power and energy rather than the fuel component of such purchased costs. Additionally the clause imputes to the fuels consumed in the current period the most recent cost by type of fuel so that the clause does not reflect the actual costs of fuel consumed. Sierra Pacific proposes to adjust the costs every six months to reflect over-or under-recoveries and requests authorization to use Account 283 to record the tax effects resulting from the adoption of this deferral method. Finally Sierra Pacific's proposed fuel and purchased power adjustment clause utilizes total system losses rather than wholesale losses as specified in Order No. 517. We are of the opinion that Sierra Pacific's request to utilize Account 283 as well as the infirmities of the proposed clause require an evidentiary hearing on the proposed fuel and purchased power adjustment clause.

Our review further indicates that the proposed rates, which would permit Sierra Pacific an overall rate of return of 10.53% and a return on equity of 16.39%, have not been shown to be just and reasonable and may be unjust, unreasonable, preferential or otherwise unlawful. We shall therefore deny Sierra Pacific's request for waiver of our Regulations to permit the proposed rates to become effective September 21, 1975, and instead suspend their effectiveness from November 28, 1975 (thirty days from the completion of Sierra Pacific's filing) and permit them to become effective, subject to refund, on December 29, 1975.

With respect to Sierra Pacific's request to place Mt. Wheeler on Rate Schedule R, Sierra Pacific has tendered an interim Rate Schedule R to apply to Mt. Wheeler from August 8, 1975, the date of system interconnection, to the proposed effective date of the rate increase in Rate Schedule R. We have previously faced the question of the propriety of whether Mt. Wheeler should be served under a separate rate schedule or whether it should be served under the rate schedule used to serve Sierra Pacific's other wholesale customers. In Opinion No. 702[6] we found that so long as Mt. Wheeler was served by an isolated portion of Sierra Pacific's system it was entitled to a rate based on costs associated with only that portion of the system. However we did acknowledge that the rationale for a separate rate may no longer be applicable upon interconnection of Mt. Wheeler to Sierra Pacific's total system. We stated:

[Sierra] is constructing and expects to complete and energize in 1975 a 230 Kv transmission line which will connect Mt. Wheeler to its main system. As a result, both the cost of the power which Sierra purchases from PG&E and the cost of its fuel will begin to affect Sierra's cost of serving Mt. Wheeler. Absent special circumstances, Mt. Wheeler will become subject to the same ratemaking considerations as are applicable to Sierra's other wholesale customers on its main system.

While Sierra could thereby avoid another rate filing after Mt. Wheeler is connected to its main system, the fact remains that the rate level under Rate Schedule R does not reflect Sierra's cost of serving Mt. Wheeler. Furthermore, when Sierra places the 230 kV transmission line into service in 1975 it will begin to provide all of its customers on its main system with double-ended service through its connections with PG&E in the west and UP&L in the east. It is apparent, therefore, that Sierra should review its Rate Schedule R as soon as practicable thereafter to determine from operating experience the import of that UP&L power upon its cost of serving all of its wholesale customers on its main system, including Mt. Wheeler • • • [7]

We shall therefore permit Sierra Pacific to place Mt. Wheeler on service under its Rate Schedule R effective December 29, 1975, concurrently with the effective date of the proposed rate increase in Rate Schedule R. We shall accordingly deny Sierra Pacific's request to place Mt. Wheeler on interim Rate Schedule R effective August 8, 1975 and apply an interim rate to the service made thereunder. We conclude good cause does not exist to waive our notice requirements in this case. In accordance with our statement in Opinion No. 702, quoted above, Mt. Wheeler may present testimony in the evidentiary hearing hereafter ordered on the question of whether it should continue to be served under Rate Schedule R or under a separate rate schedule.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act, particularly Sections 205 and 206 thereof, that the Commission accept for filing Sierra Pacific's proposed tariff sheets reflecting a rate increase and fuel and purchased power adjustment clause tendered on August 25, 1975 and completed on October 29, 1975, suspend their effectiveness and permit them to become effective December 29, 1975 subject to refund.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act, particularly Sections 205 and 206 thereof, that the Commission enter upon a hearing concerning the lawfulness of the proposed rates, charges and conditions of service contained in the Company's rate increase filed August 25, 1975 as completed on October 29, 1975.

(3) Sierra Pacific's request of waiver of our notice requirements to permit it to place Mt. Wheeler on interim Rate Schedule R on August 8, 1975 and permit it to charge that rate until the proposed increase becomes effective should be denied.

(4) Good cause exists to allow the intervention of the above-named petitioners.

(5) Prior to the effective date of Sierra Pacific's proposed rate increase, Sierra Pacific should be required to file revised tariff sheets reflecting the elimination of CWIP from its rate base.

The Commission orders: (A) Pursuant to the authority of the Federal Power Act, particularly Sections 205 and 206 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Federal Power Act (18 CFR Chapter D, a public hearing shall be held on March 16, 1976, at 10:00 A.M., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, concerning the lawfulness of the rate charges and conditions of service contained in the Company's rate increase filed August 25, 1975 as completed October 29, 1975.

(B) Pending a hearing and final decision thereon that portion of the Company's filing which is not based upon the inclusion of CWIP in the rate base is hereby accepted for filing, suspended and the use thereof deferred until December 29, 1975.

(C) Prior to the effective date of Sierra Pacific's proposed rate increase, Sierra Pacific shall file revised tariff sheets reflecting the elimination of CWIP from rate base.

(D) Sierra Pacific's request of waiver of our notice requirements to permit it to place Mt. Wheeler on interim Rate Schedule R on August 8, 1975 and permit it to charge that rate until the proposed increase becomes effective is hereby denied.

(E) On or before February 3, 1976, the Commission Staff shall serve its prepared testimony and exhibits. On or before Feb-

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issued September 26, 1975; *Rockland Electric Company*, Docket No. E-9001, order issued October 14, 1975; *Northern States Power Company*, Docket No. E-9148, order issued October 14, 1975; *Nevada Power Company*, Docket No. ER76-40, order issued October 15, 1975.

[4] Pending review in *Georgia Power Company* v. *FPC*, No. 75-1940, D.C. Circuit. Application for Stay, denied October 3, 1975.

[5] Fuel Adjustment Clauses in Wholesale Rate Schedule, Docket No. R-479, Order No. 517, issued November 13, 1974.

[6] *Sierra Pacific Power Company*, Docket Nos. E-7706 et al., Opinion No. 702, issued August 15, 1974.

[7] Opinion No. 702, mimeo at 9.

ruary 17, 1976, the Intervenors shall serve their testimony and exhibits. On or before March 2, 1976, Sierra Pacific shall serve its rebuttal testimony and exhibits.

(F) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure.

(G) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(H) The above mentioned petitioners are hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* that the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the respective petitions to intervene; and *Provided, further,* that the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(I) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33525 Filed 12-11-75;8:45 am]

[Docket No. CI66-176]

SKELLY OIL CO.

Order Designating Matter for Hearing and Prescribing Procedures

DECEMBER 8, 1975.

On January 24, 1975 Skelly Oil Company (Skelly) filed in Docket No. CI66-176 an application pursuant to Section 7 (b) of the Natural Gas Act to abandon the sale of natural gas in interstate commerce to Arkansas Louisiana Gas Company (Arkla) attributable to Skelly's 12.5% interest in the Furry No. 1 Well located on acreage in the Arkoma Basin, Haskell County, Oklahoma under a contract dated March 30, 1964 (on file as FPC Gas Rate Schedule No. 210). The present sale price of the subject gas is 17.25 cents per Mcf.

Skelly proposes to abandon its 12.5 percent interest in the Furry No. 1 Well in view of the fact that the reservoir pressure has purportedly declined to the extent that Skelly believes it is no longer economically feasible to continue production—Skelly alleges in its application for abandonment that Arkla's line pressure is currently 525 to 550 pounds psig and Skelly's wellhead pressure at the Furry Well is only 350 to 360 pounds psig. Therefore, Skelly cannot flow its gas into the Arkla system. By letter agreement dated December 18, 1974, Arkla has agreed to release Skelly from the 1964 gas purchase contract. By way of an "additional statement in support of application for partial abandonment" filed September 15, 1975 in reply to a Staff inquiry of September 5, 1975, Skelly estimates total remaining reserves of 0.25 Bcf. Skelly states that the Furry Well will not be plugged and abandoned, and that in the event abandonment is approved, it would sell the remaining reserves attributable to the 12.5 percent interest to Oklahoma Gas and Electric Company (Oklahoma G&E) and Public Service Company of Oklahoma (Public Service) in intrastate commerce. Skelly also stated that the remaining 87.5 percent interest in the well has been and is presently being sold in intrastate commerce to Oklahoma G&E and Public Service.

The 1964 gas purchase contract provides in Section 8A that either party may install compression facilities to bring the delivered gas up to Arkla's minimum line pressure but neither party is obligated to do so. As a result of the reluctance of either Skelly or Arkla to provide compression necessary to continue the deliverability of the subject gas into Arkla's system, Skelly ceased delivery of the gas to Arkla on January 1, 1975. From the foregoing it appears to this Commission that quantities of gas which have been dedicated to the interstate market and would otherwise be flowing have been temporarily discontinued without Commission authorization pursuant to Section 7(b) of the Natural Gas Act. The Natural Gas Act under Section 7(b) is very explicit in requiring that any natural gas company under this Commission's jurisdiction must obtain prior Commission approval prior to the abandonment of any "facilities" or "service," including the transportation and resale of that gas in interstate commerce.[1] In order to obtain this approval the natural gas company must demonstrate under Section 7(b) at a formal hearing:

"that the available supply of natural gas is depleted to the extent that the continuance of service is unwarranted, or that the present or future public convenience and necessity permit such abandonment."

It is also well established that contractual terms of any certificated sale or service remain fully subject to the paramount power of the Commission to modify them where necessary in the public interest,[2] so that there can be no cessation of service upon termination of the contract or operation of any terms of the contract without Commission approval.[3]

Reliance by both Skelly and Arkla on the contractual provision in Section 8A of the 1964 contract making the installation of compression facilities optional may not comport with the parties public interest obligations under the certificate and the Natural Gas Act to maintain adequate and reliable service despite the fact that there is no contractual obligation to insure such service by installation of compression facilities. From a public interest standpoint we think that since there are a number of administrative remedies presently available to both parties which may provide the requisite relief and enable the installation of compression facilities thereby facilitating the continued flow of the subject gas in interstate commerce, we shall order that a hearing be held to determine among other things, the feasibility of appropriate rate or emergency relief.

Additionally, this Commission finds it necessary to join Arkla as a party respondent in the instant proceeding in view of the fact that as an integral unit in the interstate sale and transportation of the gas, and that irrespective of the contractual terms contained in the 1964 gas purchase contract, it may have an affirmative duty as a public utility to take that action which is reasonably necessary to provide adequate and reliable service to its customers, thereby preventing the loss of the subject gas, from the interstate to the intrastate market. In order to develop a complete record in this proceeding, such proceeding should develop, and the parties shall be required to submit evidence and testimony concerning the following, but not limited to:

1. A detailed evidentiary presentation by both Skelly and Arkla regarding what additional costs and/or prices would be required to maintain the production of the remaining producible reserves through the installation and operation of the necessary compression facilities including full documentation as to the unit price at which such undertaking would be feasible.

2. A detailed analysis and presentation by Skelly of the remaining reserves in the subject well including a complete explanation of all tests conducted, and technical data relied upon to arrive at the estimated reserves.

3. Why Skelly has not sought to avail itself of the relief available under Section 2.76 of the Commission's General Policy and Interpretations in order to obtain a rate above the existing applicable area rate necessary to produce and deliver the subject low pressure gas.

4. Why Arkla has not sought to avail itself of the relief available under Section 157.7(g) of the Commission's Rules which provide for field gas compression facilities budget-type certificate issued on September 9, 1974 in Docket No. CP75-31 to install the necessary compression facilities to continue delivery of Skelly's low pressure gas into its system.

5. To what extent if at all either Skelly or Arkla has ever installed any compression facilities in order to maintain the

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[1] *Atlantic Refining Co.* v. *P.S.C.N.Y.* 30 U.S. 378, 389 (1954); *Sunray Mid-Continental Oil Company* v. *FPC* 364 U.S. 137, 156 (1960); *United Gas Pipeline Co.* v. *FPC* 385 U.S. 83, 89 (1966).

[2] 364 U.S. 137, 158.

[3] Opinion No. 647 *Cumberland Natural Gas Company*, 34 FPC 132 (1965).

deliverability of the subject gas, and if so, for what period of time, what type of facilities and why such facilities are not currently in operation.

6. A presentation by Skelly concerning the rate of production for the previous three years on a monthly basis from the subject well.

Following publication of the notice of Skelly's abandonment application in the Federal Register on February 20, 1975 (40 FR 7490) in Docket No. G-12004 no petitions to intervene, notices of intervention or protests were filed in the above captioned docket pursuant to the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) prior to the March 6, 1975 expiration date for such filings.

The Commission finds: (1) Sufficient cause exists for setting for formal hearing the issues involved in the aforementioned pleadings and for establishing the procedures for that hearing as hereinafter ordered.

(2) Sufficient cause exists under the facts and circumstances noted above to join Arkansas Louisiana Gas Company as a party respondent to the instant proceeding, and that such participation may be in the public interest.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly Sections 7 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR Chapter 1) a public hearing shall be held commencing on January 6, 1976, at 10:00 a.m. (EST) in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, concerning the propriety of issuing authorization for the proposed abandonment of the sale of natural gas in interstate commence by Skelly Oil Company as requested by its application filed on January 24, 1975.

(B) On or before December 16, 1975, both Skelly Oil Company and Arkansas Louisiana Gas Company shall file with the Secretary of this Commission and serve all testimony and exhibits comprising their cases in-chief consistent with the evidentiary requirements as set forth in this order in support of the proposed abandonment upon all parties to this proceeding including the Commission Staff.

(C) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d), shall preside at the hearings in this proceeding and shall prescribe all relevant procedural matters not herein provided.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33515 Filed 12-11-75;8:45 am]

[Docket No. RP73-49; PGA76-3]

SOUTH GEORGIA NATURAL GAS CO.

Revision to Tariff

DECEMBER 4, 1975.

Take notice that on November 17, 1975, South Georgia Natural Gas Company (South Georgia) tendered for filing as part of Original Volume No. 1 to its FPC Gas Tariff the following revised Tariff sheets:

Fifteenth Revised Sheet No. 3A
Fortieth Revised Sheet No. 5
Thirty-Ninth Revised Sheet No. 6
Thirty-First Revised Sheet No. 9
Thirtieth Revised Sheet No. 11
Thirty-Fourth Revised Sheet No. 12B

South Georgia states that the above sheets represent a rate change under its PGA Clause, such clause approved to become effective April 14, 1973, by Commission Order in FPC Docket No. RP73-49 issued April 13, 1973. The Company further states that it proposes to increase its rates by $987,831 for the purpose of tracking a rate increase filing made by Southern Natural Gas Company (Southern), on November 14, 1975. The instant filing will increase South Georgia's cost of gas $1,499,769 annually. An effective date of January 1, 1976 is requested.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33493 Filed 12-11-75;8:45 am]

[Docket No. RP74-51]

SOUTHWEST GAS CORP.

Acceptance of Late Filing

DECEMBER 8, 1975.

On December 1, 1975, Staff Counsel filed a motion requesting the Commission to allow Staff's brief on exceptions to the initial decision of the Presiding Administrative Law Judge issued in the above-indicated proceeding on October 29, 1975, to be filed one working day after the due date, November 28, 1975.

Notice is hereby given that Staff's motion to permit acceptance of his brief on exceptions in the above proceeding one working day late is granted.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33526 Filed 12-11-75;8:45 am]

[Docket No. CP75-327]

SOUTHWEST GAS CORP.

Postponement of Prehearing Conference

DECEMBER 5, 1975.

On December 3, 1975, Southwest Gas Corporation filed a motion to postpone the date of the prehearing conference set by order issued November 17, 1975, in the above-indicated proceeding.

Upon consideration, notice is hereby given that the date of the prehearing conference in the above proceeding is postponed from December 18, 1975 to January 5, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33512 Filed 12-11-75;8:45 am]

[Docket No. RP76-43]

STINGRAY PIPELINE CO.

Filing of Proposed Changes

DECEMBER 4, 1975.

Take notice that Stingray Pipeline Company (Stingray) on November 26, 1975, tendered for filing Fifth Revised Sheet No. 4 and First Revised Sheet No. 71 to its FPC Gas Tariff, Original Volume No. 1 to be effective on January 1, 1976 and supporting cost of service data (Statements L, M and N).

Stingray states that the tariff sheets reflect the rates and the capacity of Stingray at its design capacity of 1 million Mcf per day reflecting the completion of the facilities authorized in Docket No. CP73-27. Stingray is proposing a reduction in its transportation rates from $3.51 per Mcf applicable to the daily transportation quantity to $3.22 per Mcf (Fifth Revised Sheet No. 4). Transportation quantities to become effective January 1, 1976 are 400,000 Mcf per day each for Natural Gas Pipeline Company of America and Trunkline Gas Company and 200,000 Mcf per day for United Gas Pipe Line Company (First Revised Sheet No. 71).

Stingray's initial rates were accepted by the Commission's order, issued November 8, 1974, in Docket No. CP73-27, *et al.* Such acceptance was subject to the condition set forth in Ordering Paragraph (B) of the November 8, 1974 order. Stingray proposes that the subject condition be continued in connection with the tariff sheets filed herein. Stingray states that it has not converted its Revolving Credit and Term Loan Agreements into permanent long-term financ-

ing and that the costs associated with such loans are subject to change as a result of changes in the prime rate and continuation of the condition in the November 8, 1974 order could be beneficial to Stingray's customers.

Copies of this filing were served on Stingray's customers.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33466 Filed 12-11-75;8:45 am]

[Docket Nos. RP75-13 and RP75-113]

TENNESSEE GAS PIPELINE CO.

Correction

DECEMBER 4, 1975.

In the matter of notice of extension of procedural dates for the Tennessee Gas Pipeline Company; November 26, 1975, FEDERAL REGISTER.

First Paragraph, Line 2, Please change "August 5, 1974" to "August 15, 1975."

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33498 Filed 12-11-75;8:45 am]

[Docket No. ID-1766]

THOMAS J. HURCOMB

Order Granting Authorization Pursuant to Section 305(b) of the Federal Power Act

DECEMBER 8, 1975.

On June 30, 1975, Thomas J. Hurcomb (Applicant), Vice President, Central Vermont Public Service Corporation, Rutland, Vermont, filed an application pursuant to Section 305(b) of the Federal Power Act to hold the following positions:

Vice President,[1] Central Vermont Public Service Corporation (Central Vermont), Public Utility.

Vice President,[2] Connecticut Valley Electric Company, Inc.[1a] (Connecticut Valley), Public Utility.

Central Vermont is engaged in the generation and purchase of electric energy and its transmission, distribution and sale for light, heat and power in 174 towns and villages in Vermont.

[1] Elected to this position on May 6, 1975.
[2] Elected to this position on June 24, 1975.
[1a] Subsidiary of Central Vermont.

Connecticut Valley is engaged in the purchase of electric energy and its transmission, distribution and sale for light, heat and power in 19 towns and villages in New Hampshire.

Written notice of this application was given by publication in the FEDERAL REGISTER on October 10, 1975 (40 F.R. 47833), stating that any person desiring to be heard or to make any protest with reference to the application shall file petitions or protests on or before October 20, 1975 with the Federal Power Commission, Washington, D.C. 20426. No petition or request to be heard in opposition to the granting of the application has been received.

The Commission having considered said application upon the information therein contained, and other information in relation thereto furnished by the Applicant and by the Staff of the Commission, finds:

Applicant has made due showing in the form and manner prescribed by this Commission that neither public nor private interest will be adversely affected by his holding the following positions pending further order of the Commission in regard thereto:

Vice President, Central Vermont Public Service Corporation (Central Vermont), Public Utility.

Vice President, Connecticut Valley Electric Company, Inc.[1a] (Connecticut Valley), Public Utility.

The Commission orders: (A) Until further order of the Commission, said Applicant is hereby authorized to hold the positions referred to in the above finding, subject to the provisions of Part 45 of the Commission's Regulations under the Federal Power Act, and to the specific reservation of the right of the Commission to require said Applicant to make a further showing that neither public nor private interests will be adversely affected by his holding said positions:

(B) All orders heretofore issued authorizing Applicant to hold positions pursuant to Section 305(b) of the Federal Power Act are hereby superseded.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-33523 Filed 12-11-75;8:45 am]

[Docket No. ER76-132]

TOLEDO EDISON CO.

Order Denying Petition for Rehearing and Amending Prior Order

DECEMBER 5, 1975.

On September 17, 1975, Toledo Edison Company tendered for filing proposed changes in its F.P.C. Electric Service Tariff, Original Volume No. 1, applicable to sales for resale to fourteen Ohio municipalities. The proposed changes would increase the Company's revenues from jurisdictional sales and service by $378,961 based on the twelve month period ending December 31, 1974.

The proposed effective date for the municipalities of Bowling Green, Bryan, Montpelier, Napoleon, Pemberville and Woodville, Ohio was October 18, 1975. The municipalities of Bradner, Custar, Edgerton, Elmore, Genoa, Haskins, Oak Harbor and Pioneer, Ohio presently receive service under long-term contracts which expire in 1976. The Company proposed that the revised tariff become effective for these municipalities upon the expiration dates of their respective contracts. Notice of the Company's filing was issued on September 26, 1975.

In support of its filing, Toledo Edison submitted Period I test data for the period ending December 31, 1974. On September 18, 1975, the Company filed a request for waiver of Section 35.13(b)(4)(iii) of the Commission's Regulations. That Section requires that Period I data be ". . . for the most recent twelve consecutive months for which actual data are available . . ."

By letter order issued October 14, 1975, we denied the request for waiver. We notified the Company that the data it had provided were out of date so as to prevent the proper evaluation of its filing. We informed the Company that a filing date would not be assigned to its application until it had submitted actual data for the period ending no earlier than four months prior to the proposed filing date.

On November 13, 1975, the Company filed a petition for rehearing and reconsideration of our October 14, 1975 order. We find that good cause exists to deny the petition. We shall however, modify our October 14, 1975, letter order as hereinafter ordered.

During the year 1975, we accepted electric rate filings utilizing Period I data for the twelve months ending on December 31, 1974. We realized in so doing, however, that at some point in time data for the twelve months ended December 31, 1974, would become stale and, thus, be outside any reasonable interpretation of Section 35.13(b)(4)(iii). When, on August 13, 1975, Interstate Power Company tendered for filing a proposed rate increase based on Period I data for the twelve months ended December 31, 1974, we made the determination that such data was too stale to be "the most recently available."[1] We, therefore, rejected Interstate's filing for failure to comply with Section 35.13(b)(4)(iii) of the Regulations. Since that action, absent compelling reasons we have consistently refused to accept rate filings containing Period I data which was more than seven months old.[2]

Consequently, we shall deny Toledo Edison's petition for rehearing on the question of whether or not its filing of September 17, 1975, was deficient.

[1] *Interstate Power Company*, Docket No. ER76-70, order issued September 10, 1975.
[2] *See, Ohio Power Company*, Docket No. ER76-83, order issued September 19, 1975; *Boston Edison Company*, Docket No. ER76-90, order issued September 24, 1975; *Western Power Division, Central Telephone & Utilities Corporation*, Docket No. ER76-92, order issued November 5, 1975.

We shall, however, amend our letter order of October 14, 1975, to provide that a filing date will be assigned upon Toledo Edison's filing of actual data for Period I for the period ending no earlier than seven months prior to the proposed filing date.

The Commission finds: (1) Good cause exists to deny Toledo Edison's petition for rehearing, as hereinafter ordered.

(2) Good cause exists to amend our letter order of October 14, 1975, to provide that a filing date will be assigned upon Toledo Edison's filing of actual data for Period I for the period ending no earlier than seven months prior to the proposed effective date.

The Commission orders: (A) Toledo Edison's petition for rehearing is hereby denied.

(B) Our letter order of October 14, 1975, in this Docket is hereby amended to provide that a filing date will be assigned upon Toledo Edison's filing of actual data for Period I for the period ending no earlier than seven months prior to the proposed filing date.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33514 Filed 12-11-75;8:45 am]

[Docket No. CP76-152]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Application

DECEMBER 4, 1975.

Take notice that on November 4, 1975, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP 76-152 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas on an interruptible basis for PPG Industries, Inc. (PPG), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that PPG has purchased natural gas from Exchange Oil & Gas Corporation, Ocean Production Company and The South Coast Corporation, (Exchange, *et al.*) at $1.50 per million Btu from production Vermilion Block 16 Field (state waters), Vermilion Parish, Louisiana. The quantity of gas produced is estimated to be up to 4,000 Mcf per day at 15.025 psia. Applicant would accept such volumes at an existing interconnection in Vermilion Block 16 on Applicant's Central Louisiana Gathering System. PPG to the City of Lexington (Lexington) and the City of Shelby (Shelby), North Carolina.

Applicant would not be obligated to transport for PPG on any day a volume of gas which, when added to the quantities of gas transported under similar arrangements for other industries and the volumes delivered to Lexington and Shelby under Applicant's Rate Schedule CS-2, would exceed Lexington's and Shelby's authorized daily entitlements under Applicant's Rate Schedule CS-2.

Applicant would collect an initial charge of 22.0 cents per Mcf of gas transported and would retain 3.8 percent of the volumes delivered to it as make-up for line loss and compressor fuel. Lexington would charge PPG 10.0 cents per Mcf of gas delivered to PPG by it and Shelby would charge PPG 5.0 cents per Mcf of natural gas delivered to PPG by it.

It is indicated that the volume of natural gas so transported would be used by PPG in the melting and refining of raw materials necessary for the manufacture of fiber glass.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by 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.75-33484 Filed 12-11-75;8:45 am]

[Docket No. E-9496]

UNION ELECTRIC CO.

Order Granting Untimely Petition To Intervene

DECEMBER 4, 1975.

On June 13, 1975, Union Electric Company (Union) tendered for filing proposed increases in rates to various wholesale customers, to include Missouri Utilities Company, a wholly owned subsidiary of Union. Public notice of said filing was issued on June 18, 1975, with protests and petitions to intervene due on or before July 2, 1975.

By order issued July 11, 1975, the Commission accepted the rate changes for filing, suspended the proposed rate increase, set the matter for hearing and granted certain petitions to intervene.

On October 29, 1975, the City of Cape Girardeau, Missouri (City) filed an untimely petition to intervene. City receives substantially all of its electrical requirements from Missouri Utilities Company. Our review indicates that City has a sufficient interest in this proceeding so as to warrant intervention.

The Commission finds: City's participation in this proceeding may be in the public interest.

The Commission orders: (A) City is hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* that participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further,* that the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The late intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-33477 Filed 12-11-75;8:45 am]

[Docket No. E-9496]

UNION ELECTRIC CO.

Notice of Conference

DECEMBER 4, 1975.

Take notice that on Monday, December 15, 1975, Commission Staff is convening an informal conference for the purpose of discussing the issues in Docket No. E-9496 with a view toward settling these proceedings. This conference will be held in Room 5200 of the Federal Power Commission offices, 825 North Capitol Street, N.E., Washington, D.C. 20426, at 10:00 a.m.

All parties in attendance will be expected to come fully prepared to discuss all issues involved in this proceding, both procedural and substantive, and to make commitments with respect to such issues and any offers of settlement or stipulation discussed at the conference.

Customers and other interested parties will be permitted to attend, but if such persons have not previously been per-

[1] Commissioner Watt not participating.

mitted to intervene by order of the Commission, attendance at the conference will not be deemed to authorize intervention as a party in this proceeding. A petition to intervene filed pursuant to Section 1.8 of the Commission's Rules of Practice and Procedure is required for that purpose.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33502 Filed 12-11-75;8:45 am]

[Docket No. ES76-28]

UNION LIGHT, HEAT AND POWER CO. (KENTUCKY)

Application

DECEMBER 8, 1975.

Take notice that on November 20, 1975, The Union Light, Heat and Power Company (Applicant) of Covington, Kentucky, filed an application pursuant to Section 204 of the Federal Power Act seeking an order authorizing the issuance of unsecured Promissory Notes to commercial banks, and to a commercial paper dealer in amounts not exceeding in the aggregate $10,000,000 outstanding at any one time.

The Promissory Notes to be issued by the Applicant to commercial banks will be issued on various days during the period ending December 31, 1976, for ninety day periods, but no Note will mature more than nine months from the date of issue or renewal or later than December 31, 1977. The interest rate of such Notes will be at the prime loan or best available interest rate of the banks in effect at the time of issuance or renewal.

The Promissory Notes issued to a commercial paper dealer will be issued on various days during the period ending December 31, 1976, but no Note will mature more than nine months after date of issue nor will any Note be extended or renewed. The interest rate on such Notes will be dependent upon the term of the Notes and the money market conditions at the time of issuance.

According to the application, the aggregate amount of commercial paper to be outstanding at any one time will not exceed 25% of Applicant's gross revenues during the then proceeding 12 full months of operation.

The proceeds from the issuance of the Notes will be added to the general funds of the Applicant which general funds will be used, among other things, to finance in part the Applicant's 1975-1976 construction program. Applicant estimates that construction expenditures for the years 1975 and 1976 will total about $22,721,000.

Any person desiring to be heard or to make any protest with reference to said application should, on or before December 19, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedures (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33527 Filed 12-11-75;8:45 am]

[Docket No. CP71-268]

UNITED GAS PIPE LINE CO.

Findings and Order Amending Order Issuing Certificate of Public Convenience and Necessity

DECEMBER 8, 1975.

On June 26, 1975, United Gas Pipe Line Company (Applicant) filed in Docket No. CP71-268 an application to amend the Commission's order, issued November 10, 1971, in said docket (46 FPC 1186), pursuant to Section 7(c) of the Natural Gas Act, by authorizing two additional exchange points at Marshall and Tyler, Texas, for the exchange of natural gas with Entex, Inc. (Entex), an existing resell customer, under an exchange agreement, dated June 6, 1975, all as more fully set forth in the application to amend in this proceeding.

The order of November 10, 1971, authorized an exchange arrangement between Applicant and Entex whereby Applicant received up to 3,500 Mcf of gas per day by displacement from Entex at Marshall and Longview, Texas, and contemporaneously redelivered equivalent volumes to Entex at Diboll, Texas. The purpose of this exchange was to enable Entex to utilize gas purchased by it from intrastate sources in the Marshall and Longview areas in its Diboll distribution system and thereby reduce its demand on Applicant for gas. Entex has advised Applicant that its independently purchased gas supplies in the Marshall area have declined to the point where they will no longer enable Entex to satisfy its high priority requirements in Marshall, let alone the requirements of Diboll. However, Entex has further advised Applicant that it has acquired additional gas supplies from intrastate sources in the vicinity of Tyler, Texas, in excess of its service obligations in that load center, which it desires to exchange by displacement with Applicant for redelivery at Marshall and Diboll.

Pursuant to the June 6, 1975, agreement Applicant will receive up to 3,500 Mcf of gas per day by reducing deliveries to Entex at the originally authorized Marshall and Longview points of receipt, as well as the proposed point at Tyler and redeliver equal volumes to Entex at the originally authorized Diboll, and the proposed Marshall, redelivery points. All exchange points are at existing interconnections between the two systems where Applicant currently makes resale deliveries to Entex. The implementation of the subject proposal will enable Entex to continue to make available gas purchased by it from intrastate sources in the exchange area to its Marshall and Diboll distribution systems by displacement, thereby reducing its dependency on Applicant for gas. No new or additional sales or facilities are involved. None of the gas purchased by Entex for the subject exchange will physically enter Applicant's pipeline system; Applicant will simply reduce its resale deliveries to Entex at the points of receipt and deliver volumes equal to such reductions at the redelivery points.

The June 6, 1975, agreement further provides that Entex will pay Applicant a rate equal to Applicant's Northern Zone average unit jurisdictional transmission cost of service for each Mcf of gas redelivered at Marshall and Diboll. The rate initially is to be 13.48 cents per Mcf. The initial term of the exchange is for a period ending January 1, 1976, and from year to year thereafter unless terminated by either party's giving ninety days prior written notice of its intent to cancel before the expiration of the primary term or any yearly renewal thereof.

Due notice of the filing of the application to amend and opportunity for hearing thereon has been given by publication in the Federal Register on July 21, 1975 (40 FR 30534). No petition to intervene, notice of intervention, or protest to the granting of the application to amend has been filed in this proceeding.

The Commission finds: It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the Commission's order issued November 10, 1971, in Docket No. CP71-268 be amended as hereinafter ordered.

The Commission orders: (A) The Commission's order issued November 10, 1971, in Docket No. CP71-268 is amended by authorizing two additional exchange points, at Marshall and Tyler, Texas, for the exchange of natural gas with Entex, as hereinbefore described and as set forth in the application to amend in this proceeding. In all other respects, said order shall remain in full force and effect.

(B) The authorization granted by paragraph (A) above is conditioned upon Applicant's compliance with all applicable Commission Regulations under the Natural Gas Act and particularly the general terms and conditions set forth in Part 154 and in paragraphs (a), (c) (3), and (e) of Section 157.20 of such Regulations.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33521 Filed 12-11-75;8:45 am]

[Docket No. E-6943]

U.S. DEPARTMENT OF THE INTERIOR SOUTHWESTERN POWER ADMINISTRATION

Order Extending Confirmation and Approval of Rate Schedule

DECEMBER 4, 1975.

The Secretary of Interior, acting upon behalf of the Southwestern Power Ad-

ministration (SWPA) pursuant to Section 5 of the Flood Control Act of 1944 (58 Stat. 890), tendered on September 30, 1975 a letter request for extension not exceeding 30 days of Commission approval and confirmation of the present rate for the sale of the entire output of the Narrows Dam Project to Tex-La Electric Cooperatives, Inc. (Tex-La) for an amount of $465,000 per year, as initially approved by Commission order issued January 22, 1971 for the period ending June 30, 1975. By letter dated October 30, 1975, the Department of the Interior amended its letter of September 30, 1975 to request an extension of confirmation and approval of the above mentioned rate for a period not to exceed 90 days from September 30, 1975.

On August 4, 1975, in this Docket, the Commission extended confirmation and approval of rates for the sale of Narrows Dam power and energy to Tex-La for a period ending not later than September 30, 1975. SWPA scheduled a public hearing to determine the necessity of increasing the rates and charges in order to demonstrate repayment of the power investment at a 50 year rate. Interested parties were invited to participate in the rate setting process. The hearing, originally schedule for July 9, was not held until July 24 and 25, 1975, in SWPA offices in Tulsa.

The Department of the Interior found it impossible to submit a proposal for a new rate by September 30, 1975. The inability to submit a timely proposal was caused by the delay in the holding of the hearing and analyzing the voluminous testimony given therein.

Public notice of the SWPA request was issued on October 16, 1975, and published in the Federal Register on October 22, 1975 (40 F.R. 49408), requesting the submittal of written comments or suggestions on or before October 22, 1975. No comments or suggestions were received.

Extension of Commission approval and confirmation of SWPA's current rate and charge for the sale of Narrows Dam Project power will afford SWPA additional time in which to propose and tender a new rate adjusted to recoup revenues sufficient to satisfy the payout requirements of the Flood Control Act of 1944.

The Commission finds: The extension of approval of SWPA's rate and charge for the sale of Narrows Dam Project power and energy to Tex-La, as hereinafter provided will not be inconsistent with the provisions of the Flood Control Act of 1944.

The Commission orders: The confirmation and approval of SWPA's rate and charge for the sale of power and energy from the Narrows Dam Project to Tex-La, as set forth in the Commission's order of January 22, 1971 therein, is hereby extended for the period ending not later than December 29, 1975.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33486 Filed 12-11-75;8:45 am]

[Docket No. RP76-41]

VALLEY GAS TRANSMISSION, INC.

Proposed Change in Rates

DECEMBER 4, 1975.

Take notice that on November 21, 1975, Valley Gas Transmission, Inc. (Valley) filed a notice of change in rates with respect to the sale of gas for resale in interstate commerce to Tennessee Gas Pipeline Company, a Division of Tenneco Inc., United Gas Pipeline Company, and National Fuel Gas and Supply Corporation.

Valley proposes to institute in place of its present fixed gathering charge a cost of service tariff by which it will recover from its customers each month the actual cost of rendering service to its customers, including a fixed rate of return of 10.435 percent. In support of its cost of service tariff, Valley stresses that, aside from its purchased gas costs, its total cost of service is less than $800,000; that it is a true gatherer and not a long-haul pipeline; that most of its presently connected production areas are old, largely depleted fields whose production is marginal; and a small decline in average day sales would reduce its net income to zero. Valley also filed an alternative tariff sheet with the fixed gathering charge of 11.36¢ per Mcf to be placed in effect on an interim basis if the Commission should not be able to place the proposed cost of service tariff in effect on the proposed date.

The proposed effective date of the cost of service tariff is January 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commisison's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33469 Filed 12-11-75;8:45 am]

[Docket No. ER76-323]

GREEN MOUNTAIN POWER CORP.

Filing of Transmission Contract

DECEMBER 9, 1975.

Take notice that on November 28, 1975, Green Mountain Power Corporation (Green Mountain) tendered for filing as a Rate Schedule a Transmission Contract between Green Mountain and Vermont Electric Co-operative, Inc. (Vermont Co-op) dated November 1, 1975.

The proposed Rate Schedule would replace FPC Rate Schedule No. 25 covering a contract with Vermont Co-op dated December 1, 1965, and a previous contract dated August 24, 1965 which, according to Green Mountain, was filed with the Commission but was not assigned a separate rate schedule number. Green Mountain states that these Rate Schedules became inactive as of October 28, 1973, but have not been formally cancelled.

The proposed contract provides for 5,000 KW of transmission line capacity to be furnished by Green Mountain to Vermont Co-op at various interconnecting points on the sytsems.

Green Mountain requests the Commission to waive its 30-day notice period and permit the Transmission Contract to become effective on November 1, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-33623 Filed 12-11-75;8:45 am]

GENERAL SERVICES AMINISTRATION

[Federal Property Management Regs.; Temporary Reg. F-365]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Utah Public Service Commission, involving the rate increase application of the Utah Power and Light Company.

2. *Effective date.* This regulation is effective November 3, 1975.

3. *Delegation.* (a) Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)) authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Utah Public Service Commission concerning the rate increase application of the Utah Power and Light Company (Docket No. 7167).

(b) The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

(c) This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be ex-

ercised in cooperation with the responsible officers, officials, and employees thereof.

JACK ECKERD,
Administrator of General Services.

DECEMBER 3, 1975.

[FR Doc.75-33433 Filed 12-11-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

FEDERAL GRAPHICS EVALUATION ADVISORY PANEL

Meeting

Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Federal Graphics Evaluation Advisory Panel to the National Council on the Arts will be held on January 9, 1976 from 9:30 a.m.-5:30 p.m. in the 11th floor graphics conference room (1127) of the Columbia Plaza Office Building, 2401 E Street, NW., Washington, D.C.

A portion of this meeting will be open to the public from 9:30 a.m.-11 a.m. on a space available basis. Accommodations are limited. During this session, representatives from the General Accounting Office will brief the design staff at the Endowment on the communication aims and problems encountered in their graphic shops.

The remaining session of this meeting from 1 p.m.-5:30 p.m. is for the purpose of Panel Review, discusion, evaluation, and recommendation on Federal Graphics under the National Foundation on the Arts and the Humanities Act of 1965, as amended in accordance with the President's Directives of May 16, 1972, August 23, 1974, and June 26, 1975 on Improvement of Federal Graphics. In accordance with the determination of the Chairman published in the Federal Register of June 16, 1975, these sessions, which involve matters exempt from the requirements of public disclosure under the provision of the Freedom of Information Act (5 U.S.C. 552 (b), (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.75-33559 Filed 12-11-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-261]

CAROLINA POWER & LIGHT CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 15 to Facility Operating License No. DPR-23 issued to Carolina Power & Light Company which revised Technical Specifications for operation of the H. B. Robinson Unit 2, located in Darlington County, Hartsville, South Carolina. The amendment is effective as of its date of issuance.

The amendment establishes operating limits in the Technical Specifications based upon an evaluation of ECCS performance calculated in accordance with an acceptable evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR 50.46, and revises provisions related to the replacement of 52 fuel assemblies in the Robinson-2 core with fuel assemblies of a different design, constituting refueling of the core for operation with Cycle 4.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on October 31, 1975 (40 FR 50753). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated October 14, 1975, as supported by correspondence dated August 3, August 22, October 17, November 13, November 18, and November 24, 1975, (2) Amendment No. 15 to License No. DPR-23, with Change No. 40, (3) the Commission's related Safety Evaluation, (4) the Commission's Negative Declaration dated December 2, 1975, which is being published concurrently with this notice, and (5) the Commission's associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Hartsville Memorial Library, Home & Fifth Avenues, Hartsville, South Carolina.

A copy of items (2), (3), (4), and (5) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 3d day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.75-33452 Filed 12-11-75;8:45 am]

[Docket No. 50-331]

IOWA ELECTRIC LIGHT AND POWER CO., CENTRAL IOWA POWER COOPERATIVE AND CORN BELT POWER COOPERATIVE

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company, Central Iowa Power Cooperative Corn Belt Power Cooperative which revised Technical Specifications for operation of the Duane Arnold Energy Center, located in Linn County, Iowa. The amendment is effective 30 days from the date of issuance.

The amendment modifies the reporting requirements of the Technical Specifications for the Duane Arnold Energy Center.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated November 26, 1974, (2) Amendment No. 12 to License No. DPR-49, with Change No. 13 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Cedar Rapids Public Library, 426 Third Avenue, SE., Cedar Rapids, Iowa 52401.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 2d day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.75-33454 Filed 12-11-75;8:45 am]

[Docket No. 50-261]

H. B. ROBINSON STEAM ELECTRIC PLANT UNIT 2

Negative Declaration Regarding Proposed Changes to Technical Specifications of License DPR-23

The Nuclear Regulatory Commission (the Commission) has considered the issuance of changes to the Technical Specifications of Facility Operating License No. DPR-23. These changes would au-

thorize the Carolina Power and Light Company (the licensee) to operate the H. B. Robinson Steam Electric Plant, Unit 2 (located in Darlington County, Hartsville, South Carolina), with limiting conditions associated with fuel assembly specific power resulting from application of the Acceptance Criteria for Emergency Core Cooling System (ECCS).

The U.S. Nuclear Regulatory Commission, Division of Reactor Licensing, has prepared an environmental impact appraisal for the proposed changes to the Technical Specifications of License No. DPR-23, H. B. Robinson Steam Electric Plant, Unit 2, described above. On the basis of this appraisal, the Commission has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the proposed action other than that which has already been predicted and described in the Commission's Final Environmental Statement for H. B. Robinson Steam Electric Plant. Unit 2. published in April 1975.

The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Hartsville Memorial Library, Home and Fifth Avenues, Hartsville, South Carolina.

Dated at Rockville, Md., this 2d day of December 1975.

For the Nuclear Regulatory Commission.

WILLIAM H. REGAN, Jr.,
Chief, Environmental Projects Branch No. 4, Division of Reactor Licensing.

[FR Doc.75-33453 Filed 12-11-75;8:45 am]

[Docket Nos. 50-266, 50-301]

POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

Negative Declaration Regarding Proposed Changes to Technical Specifications of Licenses Nos. DPR-24 and DPR-27

The Nuclear Regulatory Commission (the Commission) has considered the issuance of changes to Technical Specifications 15.3.8 and 15.5.4 of Facility Operating Licenses Nos. DPR-24 and DPR-27 for Point Beach Nuclear Plant Units 1 and 2 in Manitowoc County, Wisconsin. The changes would authorize the licensees, Wisconsin Electric Power Company and Wisconsin Michigan Power Company, to expand the capacity of their spent fuel storage pool. By replacing four storage racks with six new ones, the licensees could increase the storage capacity for irradiated fuel assemblies from 208 to 351 assemblies.

The Commission's Division of Reactor Licensing has appraised the environmental impact of the proposed changes. On the basis of this appraisal, the Commission has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the proposed action other than those impacts described in the Commission's Final Environmental Statement of May 1972 concerning the operation of Point Beach Units 1 and 2.

The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Documents Department, Library, University of Wisconsin—Stevens Point, Stevens Point, Wisconsin, 54481.

Dated at Rockville, Md., this 10 day of October 1975.

For the Nuclear Regulatory Commission.

GORDON K. DICKER,
Chief, Environmental Projects Branch No. 2, Division of Reactor Licensing.

[FR Doc.75-33455 Filed 12-11-75;8:45 am]

[Docket No. P-558-A]

SAN DIEGO GAS AND ELECTRIC CO.

Notice of Receipt of Partial Application for Construction Permits and Facility Licenses: Time for Submission of Views on Antitrust Matters

The San Diego Gas and Electric Company, pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated Ocotber 29, 1975, in connection with their plans to construct and operate two generating units utilizing two pressurized water reactors. Each reactor will be designed for initial operation at approximately 2800 megawatts thermal, with a net electrical output of approximately 900 megawatts. The facility, designated as the Sundesert Nuclear Plant, Units 1 and 2, will be located in Riverside County, California, about 16 miles southwest of Blythe, California, and 50 miles north-northwest of Yuma, Arizona. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portion of the application consisting of a Preliminary Safety Analysis Report accompanied by an Environmental Report, pursuant to Section 2.101 of Part 2, is expected to be filed in July, 1976. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

The San Diego Gas and Electric Company has invited other Southern California utilities to participate in the ownership and capacity of these units. As utilities indicate their interest, additional antitrust information will be submitted for them.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555; the Palo Verde Valley District Library, 125 West Chanslorway, Blythe, California 92255; the Federal Archives and Records Center, 24000 Avila Road, Laguna, California 92677; and the U.S. Nuclear Regulatory Commission, Region V, Inspection and Enforcement, 1990 North California Boulevard, Walnut Creek, California 94596. Docket No. P-558-A has been assigned to the application and it should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Office of Antitrust and Indemnity, Office of Nuclear Reactor Regulation on or before February 3, 1976.

Dated at Bethesda, Maryland, this 1st day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT A. CLARK,
Chief Gas Cooled Reactors Branch Division of Reactor Licensing.

[FR Doc.75-32815 Filed 12-4-75;8:45 am]

[Docket No. 50-29]

YANKEE ATOMIC ELECTRIC CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 21 to Facility Operating License No. DPR-3 issued to Yankee Atomic Electric Company which revised Technical Specifications for operation of the Yankee Atomic Power Station located in Rowe, Massachusetts. The amendment is effective as of its date of issuance.

The amendment (1) incorporates the licensee's performance analysis for the current reload core (Core XII) in Section B of the Technical Specifications, and (2) changes operating limits and adds requirements in the Technical Specifications for compliance with the provisions of 10 CFR Part 50, § 50.46 of the Commission's regulations thus terminating the limitations imposed on the facility by the Commission's December 27, 1974 Order for Modification of License.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER October 17, 1975 (40 FR 48735). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the applications for

amendment dated July 14, 1975 [as supplemented October 10, October 28, November 7 (Proprietary Information appended), November 21, and November 26, 1975]; July 8, 1975 (as supplemented November 24, and November 26, 1975; and September 23, 1975; (2) Amendment No. 21 to License No. DPR–3, with Change No. 126, (3) the Commission's related Safety Evaluation; and (4) the Commission's Negative Declaration dated November 5, 1975, which is being published concurrently with this notice, and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Greenfield Public Library, 402 Main Street, Greenfield, Massachusetts 01581.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 4th day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-33456 Filed 12-11-75;8:45 am]

[Docket No. 50-29]

YANKEE ROWE ATOMIC POWER PLANT

Negative Declaration Regarding Proposed Changes to Technical Specifications of License DPR–3

The Nuclear Regulatory Commission (the Commission) has considered the issuance of changes to the Technical Specifications of Facility Operating License No. DPR–3. These changes would authorize the Yankee Atomic Electric Company (the licensee) to operate the Yankee Rowe Atomic Power Plant (located in Rowe, Massachusetts) with changes to limiting conditions for operation associated with application of the Acceptance Criteria for Emergency Core Cooling System (ECCS). This action is being taken in conjunction with core changeout for Core XII.

The U.S. Nuclear Regulatory Commission, Division of Reactor Licensing, has prepared an environmental impact appraisal for the proposed changes to the Technical Specifications of License No. DPR–3, Yankee Rowe Atomic Power Plant, mentioned above. On the basis of this appraisal, the Commission has concluded that an environmental impact statement for the particular action is not warranted because there will be no environmental impact attributable to the proposed acion. The environmental impast appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Greenfield Public Library, 402 Main Street, Greenfield, Massachusetts.

Dated at Rockville, Md., this 5th day of November.

For the Nuclear Regulatory Commission.

WM. H. REGAN, Jr.,
Chief, Environmental Projects Branch No. 4 Division of Reactor Licensing.

[FR Doc.75-33457 Filed 12-11-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 20–1048A261, 20–1048A263, 20–1048A264, 20–1048A271, 20–1048A272, 20–1048A273]

ASCOT OILS, INC.

Temporary Suspension Order and Opportunity for Hearing

In the matter of the following offering sheet(s) filed by Ascot Oils, Inc.:

(File No. 20–1048A261) on July 28, 1975, covering non-producing working interests in the Ascot Oils, Inc.—Huestis No. 1 Lease.

(File No. 20–1048A263) on August 1, 1975, covering non-producing working interests in the Ascot Oils, Inc.—Mulhall No. 1 Lease.

(File No. 20–1048A264) on August 8, 1975, covering non-producing working interests in the Ascot Oils, Inc.—Wright No. 1 Lease.

(File No. 20–1048A271) on October 28, 1975, covering non-producing working interests in the Ascot Oils, Inc.—Johnson No. 1 Lease.

(File No. 20–1048A272) on November 3, 1975, covering non-producing working interests in the Ascot Oils, Inc.—Huddleston No. A–1 Lease.

(File No. 20–1048A273) on November 14, 1975, covering non-producing working interests in the Ascot Oils, Inc.—Wylie No. 1 Lease.

Ascot Oils, Inc. having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the general rules and regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheets; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for the Huestis No. 1, Mulhall No. 1, and Wright No. 1 offerings under Regulation B because Ascot Oils, Inc. failed to comply with Rule 310(b) (17 CFR 230.310(b)) by failing to deliver the offering sheet to the investor at or prior to the time of the initial offer to sell.

2. No exemption is available for the Huestis No. 1, Mulhall No. 1, and Wright No. 1 offerings under Regulation B because Ascot Oils, Inc. failed to comply with Rule 310(d) (17 CFR 230.310(d)) by failing to deliver the offering sheet to the investor 48 hours before the sale was made.

3. No exemption is available for the Huestis No. 1, Mulhall No. 1 and Wright No. 1 offerings under Regulation B because Ascot Oils, Inc. failed to comply with Rule 318(b) (17 CFR 230.318(b)) by utilizing, in addition to the offering sheets, prohibited sales literature in connection with the offering of securities.

4. No exemption is available for the Johnson No. 1, Huddleston No. A–1, and Wylie No. 1 offerings under Regulation B according to Rule 306(a)(2) (17 CFR 230.306(a)(ii)) because Belmont Oil Co., an affiliate of Ascot Oils, Inc., was restrained and preliminarily enjoined on November 3, 1975, by the Harris County District Court, in Houston, Texas, from offering or selling securities within and from the state of Texas in violation of the securities registration, broker-dealer registration, and anti-fraud provisions of the Securities Act of the state of Texas.

5. No exemption is available for the Johnson #1, Huddleston #A–1, and Wylie #1 offerings under Regulation B according to Rule 306(a)(2) (17 CFR 230.306(a)(ii) because Arch L. French, a vice-president of Ascot Oils, Inc., was restrained and preliminarily enjoined on November 3, 1975, by the Harris County District Court in Houston, Texas, from offering or selling securities within and from the state of Texas in violation of the securities registration, broker-dealer registration and anti-fraud provisions of the Securities Act of the state of Texas.

6. No exemption is available for the Johnson #1, Huddleston #A–1, and Wylie #1 offerings under Regulation B because the offering sheets on file with the Commission fail to comply with Rules 330(a) and 330(b) (17 CFR 230.330 (a) and (b)) of Regulation B in that the offering sheets did not disclose to prospective investors that an affiliate and an officer of Ascot Oils, Inc. were restrained and preliminarily enjoined on November 3, 1975, by the Harris County District Court, in Houston, Texas, from offering and selling securities within and from the state of Texas in violation of the securities registration, broker-dealer registration, and anti-fraud provisions of the Securities Act of the state of Texas.

It is ordered, Pursuant to Rule 334(a) of the general rules and regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under section 3(b) of said Act with respect to said offering sheets be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person on whose behalf said offering sheets were filed, be and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be des-

ignated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that if such a person does request a hearing pursuant to Rule 336 of Regulation B that such person shall file an answer to the allegations contained in this order within 15 days of requesting such a hearing.

Notice is directed to Rule 7(c) of the Commission's rules of practice which provides that any allegations not denied shall be deemed to be admitted.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 5, 1975.

[FR Doc.75-33549 Filed 12-11-75;8:45 am]

[File No. 20-2001A23, 20-2001A24]

BELMONT OIL CO.

Temporary Suspension Order and Opportunity for Hearing

In the matter of the following offering sheets filed by Belmont Oil Company:

(File No. 20-2001A23) on March 3, 1975, covering non-producing working interests in the Belmont Oil Company—Browder No. 1 Lease.

(File No. 20-2001A24) on March 17, 1975, covering non-producing working interests in the Belmont Oil Company—Cockrell No. 1 Lease.

Belmont Oil Company having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the general rules and regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheets; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for these offerings under Regulation B because Belmont Oil Company failed to comply with Rule 310(b) (17 CFR 230.310(b)) by failing to deliver the offering sheet to the investor at or prior to the time of the initial offer to sell.

2. No exemption is available for these offerings under Regulation B because Belmont Oil Company failed to comply with Rule 310(d) (17 CFR 230.310(d)) by failing to deliver the offering sheet to the investor 48 hours before the sale was made.

3. No exemption is available for these offerings under Regulation B because Belmont Oil Company failed to comply with Rule 318(b) (17 CFR 230.318(b)) by utilizing, in addition to the offering sheets, prohibited sales literature in connection with the offering of securities.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under section 3(b) of said Act with respect to said offering sheets be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheets were filed, be and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that if such a person does request a hearing pursuant to Rule 336 of Regulation B that such person shall file an answer to the allegations contained in this order within 15 days of requesting such a hearing.

Notice is directed to Rule 7(c) of the Commission's rules of practice which provides that any allegations not denied shall be deemed to be admitted.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 5, 1975.

[FR Doc.75-33550 Filed 12-11-75;8:45 am]

[70-5776]

CONSOLIDATED NATURAL GAS CO. ET AL.

Proposed Open Account Advances to Subsidiary Companies by Parent Company in Connection With Intrasystem Prepayment of Promissory Notes and Related Transactions

Notice is hereby given that Consolidated Natural Gas Company ("Consolidated"), 30 Rockefeller Plaza, New York, New York 10020, a registered holding company, and its subsidiary companies, CNG Producing Company ("CNG Producing"), Consolidated Gas Supply Corporation ("Gas Supply"), The East Ohio Gas Company ("East Ohio"), The Peoples Natural Gas Company ("Peoples"), and West Ohio Gas Company ("West Ohio"), have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9(a), 10, and 12(b) of the Act and Rules 42(b)(2), 45 and 50(a)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

It is stated that Consolidated's distribution subsidiaries seasonally accumulate cash over and above current requirements because of their large winter heating business. Other subsidiaries, presently engaged in developing gas supply, have little or no operating cash flow and regularly require capital financing from Consolidated. Therefore, Consolidated may be making short-term borrowings when distribution subsidiaries are making temporary money market investments outside the Consolidated System. It is stated that it would be advantageous to alleviate this situation, and the present filing is designed to establish financing procedures that optimize the internal utilization of excess cash funds accumulated within the System.

It is proposed that the following subsidiaries make temporary prepayments on long-term notes held by Consolidated from excess cash funds, from time to time prior to December 31, 1976, not exceeding at any time the aggregate amounts set forth below:

CNG Producing	$10,000,000
Gas Supply	25,000,000
East Ohio	35,000,000
Peoples	15,000,000
West Ohio	3,500,000
	$88,500,000

Consolidated estimates that the aggregate prepayment of $88,500,000 is the maximum that can be utilized for the temporary financing of other subsidiaries in the System during 1976.

The long-term notes temporarily prepaid by an individual subsidiary will be those bearing the highest interest rate outstanding at the time of each prepayment. Interest on such notes will cease upon prepayment and start again upon reinstatement of the notes.

As funds are thereafter required by such subsidiary for corporate purposes, including construction, it is proposed that advances be made on open account to the subsidiary by Consolidated in an aggregate amount not to exceed the amount of long-term notes previously prepaid, less any current maturities applicable to notes which have matured subsequent to the prepayment dates. The open account advances will bear interest at the same rate or rates as borne by the equivalent principal amounts of the notes previously prepaid by such subsidiary during 1976, but in reverse order to that of the prepayments, i.e., from the lowest rate on the notes previ-

ously prepaid to the highest rate. Interest on the open account advances will commence on the date of the advance and will become due on June 30, 1976, and December 31, 1976, and/or on the date such advances are repaid by the reinstatement of the prepaid notes.

It is proposed that open account advances to a subsidiary be increased or decreased from time to time in accordance with variations in the cash flow of the subsidiary. However, at no time will the advances outstanding be in excess of the notes prepaid. At such time as the open account advances equal the aggregate amount of the prepaid notes, or in any event not later than December 31, 1976, the notes prepaid by a subsidiary will be reinstated in repayment of the related outstanding open account advances made to the subsidiary by Consolidated. However, if the aggregate of the notes prepaid exceeds such advances at the end of 1976, Consolidated proposes to make cash repayment of the difference in order to effect reinstatement of the proposed notes in full. No financing of any subsidiary which may be presently or subsequently authorized by this Commission in connection with the construction or gas storage programs of any such subsidiary will be consummated until such time as advances have been made in amount equal to the amount of notes prepaid.

It is stated that the proposed transactions will be beneficial to the System because they will: (1) Permit subsidiary companies with excess cash to prepay temporarily long-term notes held by Consolidated, with a resulting reduction in their interest expense; (2) make available to Consolidated a temporary cash source for the financing of other companies within the System; and (3) permit Consolidated, which obtains all external financing required by the System, to consequently defer or prepay short-term financing such as inventory loans with banks and commercial paper borrowings for working capital.

The expenses to be incurred in connection with the proposed transactions are estimated not to exceed $2,600. It is stated that the Public Service Commission of West Virginia has jurisdiction over the prepayment and reactivation of the long-term notes and the short-term borrowings proposed by Supply Corporation and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The applicants-declarants request that authority be granted to file certificates under Rule 24 reporting transactions consummated pursuant to this filing on a quarterly basis.

Notice is further given that any interested person may, not later than January 5, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-33546 Filed 12-11-75;8:45 am]

[File No. 500-1]

FRANKLIN PROPERTIES INC.

Suspension of Trading

DECEMBER 8, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Franklin Properties Incorporated, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1:47 p.m., (e.s.t.) on December 8, 1975 through midnight (e.s.t.) on December 17, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-33547 Filed 12-11-75;8:45 am]

[Release No. 34-11904; File Nos. 601-1 etc.]

JAPAN SECURITIES CLEARING CORP. ET AL.

Filing of Applications for Exemption From Registration as Clearing Agencies

The following entities have made application for exemption from registration as clearing agencies pursuant to Rule 17Ab2-1 (17 CFR 240.17Ab2-1) under the Securities Exchange Act of 1934 (the "Act"):

Japan Securities Clearing Corporation—File No. 601-1
The Toronto—Dominion Bank—File No. 601-2
Mercantile Trust Company National Association—File No. 601-3
State Street Boston Securities Service Corporation—File 601-4
The Cleveland Trust Company—File No. 601-5
The Royal Bank of Canada New York Agency—File No. 601-6
The Fort Worth National Bank—File No. 601-7
Southern National Bank of Houston—File No. 601-8
First National Boston Clearance Corporation—File No. 601-9
The First National Bank of Boston—File No. 601-10
FNB Financial Company—File No. 601-11
Hartford Trust Company of New York—File No. 601-12
The Boatmen's National Bank of St. Louis—File No. 601-13

Subsection (b) of Rule 17Ab2-1 under the Act provides that any applicant for exemption from registration as a clearing agency whose application is filed with the Commission on or before November 24, 1975, shall, from December 1, 1975 until the Commission grants an exemption from registration, be exempt from the registration provisions of section 17A (b) of the Act and the rules and regulations thereunder and, unless the Commission shall otherwise provide by rule or by order, the provisions of the Act and the rules and regulations thereunder which would be applicable to clearing agencies as a result of registration under the Act.

Interested persons are invited to submit written data, views and arguments concerning the foregoing applications for exemption from registration on or before January 23, 1976.

Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to the appropriate file number.

Copies of the applications and of all written comments will be available for inspection at the Securities and Exchange Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. 20006.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 5, 1975.

[FR Doc.75-33551 Filed 12-11-75;8:45 am]

[812-3849]

VANCE, SANDERS EXCHANGE FUND

Filing of Applications for Exemption From Certain Provisions

Notice is hereby given that Vance, Sanders Exchange Fund, a California limited partnership ("Applicant"), One Beacon Street, Boston, Massachusetts 02108, has filed an Application on August 15, 1975 and an amendment thereto on December 5, 1975, for an order of exemption from certain provisions of section 2(a)(19) of the Investment Company Act of 1940 ("Investment Company Act"). All interested persons are referred to the application on file with

the Commission for a statement of Applicant's representations, which are summarized below.

Applicant states that it is a limited partnership which filed its Certificate and Agreement of Limited Partnership ("Agreement") in California on August 14, 1975 under the California Limited Partnership Act ("California Act"). It filed a registration statement on Form N-8A with the Commission on August 15, 1975 as an open-end diversified management investment company. Applicant further states that although it does not intend continuously to offer its shares, it reserves the right to do so.

Applicant represents that it intends to provide an investment medium to those investors holding blocks of individual securities with large unrealized appreciation who wish to exchange such holdings for shares of Applicant without incurring federal capital gains tax liability by reason of the exchange. In this regard, Applicant states that it has received a ruling ("ruling") on April 28, 1975, which was amended on October 15, 1975 and October 29, 1975, from the Internal Revenue Service ("IRS") that it will be taxed as a partnership and that no gain will be recognized to Applicant or any of its limited partners on a contribution of stocks or securities in exchange for an interest in Applicant. Applicant has made the ruling a part of its application. It further states that the ruling was granted because Applicant lacks the corporate characteristics of limited liability and continuity of life, a determination made by IRS in reliance on the fact that Applicant was organized under the California Act.

Applicant indicates that it was organized under California Law to permit limited partners to exercise certain rights required by the Investment Company Act. It further represents that the sale of shares to the public is conditioned upon the receipt of an opinion of Applicant's counsel that it has been legally formed and organized and is validly existing as a limited partnership under the California Act. Applicant states that its counsel is prepared to render such an opinion.

As a limited partnership, Applicant states, it will have two classes of partners and limited partners (collectively referred to as "partners"). It further states that the entire interest of the partners will be divided into shares of partnership interest. Applicant represents that all shares are redeemable, have equal rights and equal participation in the profits and losses of Applicant, and have one vote per share on all matters voted upon by partners.

Applicant states that initially there are four general partners of the Fund, of which three are individuals and one a corporation, and all of which are interested persons of Applicant for reasons other than being general partners of Applicant. It further states that prior to the public offering of its shares certain of the managing general partners will resign and successors appointed so that there will be five general partners, including one corporate general partner, Vance, Sanders & Company, Inc. ("Vance, Sanders"), which is its investment adviser, and four individual general partners, three of which will not be interested persons of Applicant except by reason of being partners of Applicant. Applicant represents that any general partner which is not a natural person will be a non-managing general partner and excluded from participation in the management of Applicant.

Applicant states that the general partners who are natural persons ("managing partners") will perform the same functions as directors of incorporated investment companies registered under the Investment Company Act, and that managing partners will each have one vote and must act by majority vote of all such partners at a meeting or by unanimous written consent without a meeting, unless the Investment Company Act otherwise provides. The managing general partners may appoint agents to perform duties on behalf of Applicant.

Applicant represents that a managing general partner may retire by giving not less than 180 days' written notice to the other general partners, and will be removed as a general partner if the partners fail to reelect him at any annual meeting. Additional general partners may be admitted by vote of the partners. Applicant states that, if at any time the number of managing partners is reduced to less than three, the remaining managing partners will, within 120 days, call a meeting of the partners for the purpose of electing an additional managing partner or partners so as to restore the number of managing partners to at least three.

In order to provide a continuing entity available to choose successor general partners and continue the partnership, Vance, Sanders will undertake that it will stand for election as a non-managing general partner at each election so long as its Investment Advisory Agreement with Applicant, which is subject to periodic renewal and approval by the fund's shareholders, has not been terminated.

Under the terms of the Agreement, Applicant will continue in existence until December 31, 2071, unless sooner terminated in the event that Applicant disposes of all of its assets, or partners holding a majority of the outstanding shares vote to terminate the partnership; or in the event of the death, withdrawal, retirement, dissolution, assignment for the benefit of creditors, filing of a petition of bankruptcy, adjudication of bankruptcy, insanity or incompetency of any of the general partners, unless the remaining general partners elect to continue the business of Applicant in accordance with the terms of the Agreement.

Applicant represents that IRS has imposed as a condition of granting a favorable ruling that the general partners must have a 1 percent interest at all times in all items of gain and loss of the partnership, and that the general partners have met this condition by purchasing 1 percent of the shares of the fund. Apart from the shares owned by the managing general partners, Vance, Sanders has undertaken to own at all times 1 percent of the outstanding shares while Vance, Sanders is a non-managing general partner or investment adviser to Applicant. Applicant states that Vance, Sanders has also undertaken that in the event that Vance, Sanders decides to resign as a non-managing general partner or investment adviser, it will give Applicant two years' notice of such decision, and if Applicant terminates the investment advisory agreement, Vance, Sanders will remain as a non-managing general partner and will own 1 percent of all outstanding shares until the earlier occurrence of either the conclusion of a one-year period subsequent to such termination or the appointment of a successor investment adviser.

In addition, Applicant undertakes that it will carry a certain brokers blanket bond, covering both its employees and general partners, which includes coverage for trading losses; and that it will carry a certain errors and omissions insurance policy.

Applicant states that it intends to offer and sell its shares of partnership interest to prospective investors in exchange for securities that will be solicited for a period of time which will be described in Applicant's prospectus, but which has not yet been determined. Prospective investors who wish to become limited partners will deposit their securities with an escrow agent, together with stock powers, a signed copy of the Agreement, and an appropriate power of attorney. At the end of the solicitation period each prospective investor will receive a report setting forth the securities that have been accepted by the managing partners, and will have a period of time in which to withdraw the deposited securities; at the end of this period, the deposited securities not so withdrawn will be exchanged for shares of the fund so that, as of the exchange date, all shareholders of Applicant will be limited partners and will be issued shares.

Section 10(a) of the Investment Company Act states that no registered investment company shall have a board of directors more than 60 percentum of the members of which are persons who are interested persons of such registered company.

Section 2(a)(19) of the Investment Company Act provides in part that an "interested person" of another person, when used with respect to an investment company, means (1) any affiliated person of such company and (2) any interested person of any investment adviser for such company which means, in part, any affiliated person of such investment adviser. Section 2(a)(3)(D) provides in part that "affiliated person" of another person means any partner or copartner of such person. Section 2(a)(28) states that "person" means a natural person or a company.

Furthermore, section 2(a)(12) in part, defines "director" to include any director of a corporation or any person performing similar functions with respect to any organization, whether incorporated or unincorporated.

Applicant suggests that unless it and its general partners are exempted from the provisions of section 2(a)(19), Ap-

plicant will be unable to comply with the requirements of section 10(a) because all of its managing general partners, who perform functions similar to those performed by directors of a corporation, are interested persons of Applicant by reason of being (1) partners and thus affiliates of the investment company and (2) partners and thus affiliates of the investment adviser which is a non-managing general partner of Applicant, and therefore interested persons of the investment company.

Applicant asserts that it is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act to exempt Applicant and its general partners from the provisions of section 2(a)(19) to the extent that the Applicant's general partners would otherwise be deemed "interested persons" solely because they are "partners" in the investment company partnership.

Section 6(c) of the Investment Company Act provides in part that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision or provisions of the Investment Company Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Investment Company Act.

Notice is further given that any interested person may, not later than December 31, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service by affidavit (or in case of an attorney-at-law by certificate) shall be filed contemporaneously with a request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the Application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-33548 Filed 12-11-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Application Number 03/03-5125]

EAST WEST UNITED INVESTMENT CO.

Application for a License as a Small Business Investment Company

An application to operate as a small business investment company under the provisions of section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661, et seq.) has been filed by East West United Investment Company (Applicant), with the Small Business Administration pursuant to 13 CFR 107.102 (1975).

The officers and directors of the applicant are as follows:

Bui Trac, Chairman of the Board, 903 Layton Street, McLean, Virginia 22101.
Tran Qui Than, President, Director, 745 Keeler Avenue, Berkeley, California 94708.
Doan Trinh Giac, Vice President, Secretary, Treasurer, Director, 7325 Yates Court, McLean, Virginia 22101.

The applicant will maintain its principal place of business at 1340 Old Chain Bridge Road, Room 306, McLean, Virginia 22101.

It will begin operations with $500,000 of private capital derived from the sale of 500 shares of common stock to a maximum of seven investors.

As a small business investment company under Section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise ssytem is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owner and management and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA rules and regulations.

Any person may, on or before December 29, 1975, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in McLean, Virginia.

(Catalog of Federal Domestic Assistance Programs Number 59.011 Small Business Investment Companies)

Dated: December 8, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-33435 Filed 12-11-75;8:45 am]

SMALL BUSINESS INVESTMENT COMPANIES

Policy Concerning Capitalization of Licensee Where There Are Classes of Stock With Inequitable Voting Rights

In accordance with section 3 of the Administrative Procedure Act (5 U.S.C. 552), the Small Business Administration on February 17, 1960 published for the guidance of the public the following statement of general policy with respect to inequitable apportionment and concentration of stock by an applicant for an SBIC (Small Business Investment Company) license pursuant to section 301 of the Small Business Investment Act (15 U.S.C. 661 et seq.):

Whenever capitalization of a Licensee is to consist of more than one class of stock, the voting rights and other rights and remedies may not be inequitable or discriminatory, and may not unduly concentrate control or management of the Licensee through pyramiding, inequitable methods, or inequitable distribution. Full disclosure of all voting rights and other rights and remedies of all classes of stock must be made to all shareholders prior to their purchase of stock.

(Amdt. 1, SBIC Regulation, 25 FR 1397, February 17, 1960)

This policy statement was thereafter carried over and republished, unchanged, as part of Revisions 1, 2, 3 and 4 of the SBIC Regulation (26 FR 8232, August 31, 1961, 27 FR 9743, October 2, 1962, 29 FR 16946, December 10, 1964 and 33 FR 326, January 9, 1968). With the promulgation of Revision 5 on November 7, 1973, republication was discontinued, primarily on the ground that further publication would no longer serve any useful purpose. (See Notice of Proposed Rulemaking for Revision 5, 33 FR 24028, September 5, 1973 and Revision 5, 38 FR 30836, November 7, 1973.)

Because of the immediate need to provide as great an amount of venture financing to the Nation's small businesses through new and existing small business investment companies (SBIC's), SBA has decided to clarify as well as modify this policy with a view to permitting the capitalization of SBIC's whereby the managers of an SBIC may obtain a disproportionate share of the voting rights of an SBIC for values that are less than the amounts being invested by outside "non-managers" investors.

This will allow investors not familiar with the operations and management of venture capital companies to make their funds available for "risk" financing. Further, managers of such SBIC's, who lack sufficient funds to capitalize an SBIC, will be able to operate and/or control an SBIC for a minimum investment with a view towards maximizing capital gains for their investors and themselves. This is not an unusual method to compensate and reward managers of investment companies when major private investors have other areas of interest to occupy their attention.

Where such capital structures are proposed, SBA will require (as it did previously) that full disclosure must be made so that SBIC investors are fully aware of the disproportionate control as com-

pared to funds invested, and the potential dilution of their equity and future earnings. To assure that such disclosure is made SBA will require written certification that each such investor has read a prospectus, subscription agreement or other stock offering material containing information regarding the disproportionate ownership features and earnings dilution features. All rights and privileges accruing to the investor will also be clearly described.

It is felt that "sophisticated" investors will be fully aware of the dilution and inequitable voting rights provisions and will make their investment judgments accordingly.

This policy statement is not intended to override (1) conflicting State statutes or judicial precedents otherwise applicable to the license applicant or (2) Federal securities laws administered by the Securities and Exchange Commission. Each applicant will be required, as part of SBA's licensing procedure, to make full disclosure to investors and to establish in accordance with § 107.803, by opinion of independent counsel or other appropriate documentation, that its proposed method of allocating equity securities complies with applicable State and Federal law.

This announcement is published pursuant to section 3 of the Administrative Procedure Act (5 U.S.C.A. 52(a)(1)(D)) requiring Federal agencies to publish in the FEDERAL REGISTER for the guidance of the public—"* * * statements of general policy * * * formulated and adopted by the agency." As a general statement of policy, it is exempted by 5 U.S.C.A. 553(b) * * * (A) and 5 U.S.C.A. 553(d)(2) from the public participation/comment procedure and the 30-day postponed effective date requirement specified by 5 U.S.C.A. 553(c) and (d), respectively.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 5, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.75-33434 Filed 12-11-75;8:45 am]

[License No. 01/01-0021]

SCI-TRONICS FUND, INC.

Filing of Application for Transfer of Control

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the regulations governing small business investment companies (13 CFR 107.701 (1975)) for the transfer of control of Sci-Tronics Fund, Inc. (the Applicant), License No. 01/01-0031, 43 Spring Street, Nashua, New Hampshire 03060, a Federal licensee under the Small Business Investment Act of 1958, as amended (Act).

The Applicant was licensed on October 13, 1961, with paid-in capital and paid-in surplus of $157,500. As of March 31, 1975, its private capital amounted to $372,100. The Applicant has 159,670 shares of Common Stock issued and outstanding.

Initially, Messrs. Carl H. Novotny and Robert P. Walker (Novotny and Walker) each purchased 40,000 shares, for a total of 80,000 shares or 50.1 percent, of the Applicant's Common Stock from certain shareholders, including certain members of the Applicant's Board of Directors. Subsequently, Messrs. Novotny and Walker submitted a tender offer to all shareholders of the Applicant to purchase all the outstanding shares of Common Stock of the Applicant. The right to tender under the offer has expired. Messrs. Novotny and Walker purchased 131,923 or 82.62 percent of the Applicant's outstanding Common Stock.

The names and address of the contemplated officers and directors of the Applicant are as follows:

Name and Title

Carl H. Novotny, President and Director, 12 Countryside Road, South Natick, Massachusetts 01760.

Robert P. Walker, Treasurer and Director, 106 Bradlee Avenue, Swampscott, Massachusetts 01907.

Allen (NMI) Goodman, Director, 37 Reservoir Drive, Newton, Massachusetts 02158.

The Applicant will pay a management fee to a management company controlled by Messrs. Novotny and Walker to cover all annual remuneration and other emoluments of officers and directors, clerical staff, and certain other expenses incurred in the operation of the Applicant.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed transferees and the probability of successful operation of the Applicant under their control and management in accordance with the Act and Regulations.

A similar notice was published by the proposed transferees in a newspaper of general circulation in Nashua, New Hampshire, and no adverse comments were received.

Unless any adverse comments are received by the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416 by December 26, 1975, SBA intends to approve the proposed transfer of control.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 10, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-33711 Filed 12-11-75;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-357]

AIRCO VACUUM METALS

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 25, 1975 the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Oil, Chemical and Atomic Workers Union on behalf of the workers and former workers of Airco Vacuum Metals, Berkeley, California, a division of Airco, Incorporated, Montvale, New Jersey (TA-W-357). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with stainless steel produced by Airco Vacuum Metals or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 25th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33570 Filed 12-11-75;8:45 am]

[TA-W-355]

CTS OF BERNE, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 25, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of CTS of Berne, Incorporated, Berne, Indiana, a subsidiary of CTS Corporation, Elkhart, Indiana (TA-W-355). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with electronic components produced by CTS of Berne, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 25th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33571 Filed 12-11-75;8:45 am]

[TA-W-191]

CAMBRIDGE TAILORING CO., INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-191; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sport coats, slacks and top coats at Cambridge Tailoring Co., Inc.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 46369) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Cambridge Tailoring Company, its customers, industry analysts, and Department files, the U.S. Department of Commerce, and the U.S. International Trade Commission.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. Hourly employment and average weekly hours worked at Cambridge Tailoring Company declined 2 percent and 7 percent, respectively, from 1973 to 1974 and declined 3 percent and 21 percent, respectively, in the first eight months of 1975 compared to the like period in 1974.

Sales or production, or both, have decreased absolutely. Sales and production at Cambridge Tailoring Company increased 4 percent from 1973 to 1974 and then declined 22 percent in the first eight months of 1975 compared to the like period of 1974.

Increased imports contributed importantly. Imports of made to measure tailored suits, sport coats and trousers are not separately identified in the Tariff Schedules of the United States but are included with the aggregate data on imports of tailored suits, sport coats and trousers. Imports of made to measure men's apparel are believed to be negligible.

Imports of men's tailored suits, sportcoats, trousers and overcoats, which are predominantly ready-made, have had little impact on sales of Cambridge Tailoring Company. Most of the company's customers are small tailor shops that purchase and sell only customized (made-to-measure) men's apparel manufactured by the Cambridge Tailoring Company. These customers reduced purchases from Cambridge because of the general decline in consumer demand for such apparel.

Sales, production and employment declines experienced by Cambridge Tailoring Company in the first eight months of 1975 are the result of decreased demand for men's custom tailored suits, sportcoats, trousers and overcoats associated with the U.S. economic recession.

Consequently, it is concluded that increased imports did not contribute importantly to the total or partial separations of workers of the Cambridge Tailoring Company.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits, sportcoats, trousers and overcoats produced at the Cambridge Tailoring Company, Inc., did not contribute importantly to the total or partial separations of the workers of such firm.

Signed at Washington, D.C. this 28th day of November 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.75-33582 Filed 12-11-75;8:46 am]

[TA-W-184]

CROSS COUNTRY CLOTHES, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, the Department of Labor herein presents the results of TA-W-184; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America (AFL-CIO) on behalf of workers and former workers producing men's suits and sportcoats at the Northampton, Pa. and the Whitehall, Pa. plants of Cross Country Clothes, Inc.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 46370) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Cross Country Clothes, Inc., its customers, industry analysts and Department files; the U.S. Department of Commerce and the U.S. International Trade Commission.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. Average annual employment of production workers at the Northampton plant declined 5.1 percent in 1974 from 1973 levels and declined 26.3 percent in the first three quarters of 1975 compared to the first three quarters of 1974.

Average employment at the Whitehall plant declined sharply in late 1974 and during the first seven months of 1975. Employment of production workers at the Whitehall plant declined 49.3 percent in the first three quarters of 1975 compared to the first three quarters of 1974.

Sales or production, or both, have decreased absolutely. Total sales by Cross Country of men's suits and sportcoats declined 18.3 percent from 1973 to 1974 and 25.2 percent in the first ten months of 1975 when compared to the like period in 1974.

Production of men's suits and sportcoats at both plants of Cross Country Clothes is based upon orders received. Production of men's suits and coats at the Northampton plant declined 3.8 percent from 1973 to 1974. During the first three quarters of 1975, production declined 42.2 percent from the comparable period in 1974.

Production of men's suit coats and sportcoats at the Whitehall plant declined 58.1 percent in the first three quarters of 1975 compared to the like period in 1974.

Increased imports contributed importantly. The evidence developed in the Department's investigation indicates that as prices of imported men's suits and sport coats became more attractive to a major customer of Cross Country, they switched from Cross Country's products to the lower-priced imported products. The increase in imports of lower-priced competitive products caused separations of workers at the Whitehall and Northampton plants.

Imports of men's and boys' tailored suits increased their share of domestic consumption and production each year from 1971 to 1973. After declining slightly from 1973 to 1974, the ratio of imports to domestic production increased nearly threefold in the first seven months of 1975 compared to the first seven months of 1974.

In recent years, there has been a trend in men's fashions toward a mixed and coordinated look as well as toward a more casual look. Leisure suits have replaced traditional suits and sportswear, especially among the younger generation. Countries which export slacks, sportcoats and/or suits (including leisure suits) which are like or directly competitive with men's tailored apparel produced by domestic manufacturers have agreed to limit increases of such exports to the U.S. because of actual or potential market disruption.

A survey of major apparel distributors being conducted by the Office of Trade Adjustment Assistance, including large U.S. chain stores, indicates to date that the ratio of purchases of imported tailored men's suits and sportcoats increased from 10.0 percent in 1973 to 12.0 percent in 1974.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits and sportcoats produced at the Northampton, Pennsylvania and Whitehall, Pennsylvania plants of Cross Country Clothes, Inc. contributed importantly to the total or partial separation of the workers of the two plants. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers at the Northampton, Pennsylvania plant of Cross Country Clothes, Incorporated who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Trade Act of 1974.

All hourly, piecework, and salaried workers of the Whitehall, Pennsylvania plant of Cross Country Clothes, Incorporated who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Trade Act of 1974.

Signed at Washington, D.C. this 28th day of November 1975.

GLORIA G. PRATT,
Director, Office of Foreign Economic Policy.

[FR Doc.75-33585 Filed 12-11-75;8:45 am]

[TA-W-367]

DEAN CLOTHING, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Dean Clothing, Incorporated, Brooklyn, New York (TA-W-367). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and boys' tailored clothing produced by Dean Clothing, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33572 Filed 12-11-75;8:45 am]

[TA-W-193]

DEANSGATE, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-193; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sportcoats, and trousers at Deansgate, Inc.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 46370) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Deansgate, Inc., its customers, industry analysts, and Department files, the U.S. Department of Commerce, and the U.S. International Trade Commission.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 6 percent in fiscal year 1975 compared to fiscal year 1974. Average weekly hours declined 3 percent in fiscal year 1975 compared to fiscal year 1974.

Sales or production, or both, have decreased absolutely. Sales company-wide at Deansgate, Inc. declined 15 percent in fiscal year 1975 compared to fiscal year 1974. Production declined 16 percent in fiscal year 1975 compared to fiscal year 1974.

Increased imports contributed importantly. Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. The relative share of imports declined slightly from 1973 to 1974, then increased sharply both absolute and relative to domestic production in the first 7 months of 1975 compared to the same period in 1974.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in 1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent in 1972 to 19.7 percent and 16.4 percent in 1974. The ratio of imports to domestic production increased sharply from 23.2 percent in the first seven months of 1974 to 44.2 percent in the first seven months of 1975.

The evidence developed in the Department's investigation indicates that as prices of imported men's suits, sportcoats and trousers became more attractive to customers of Deansgate they switched from Deansgate's products to the lower-priced imported products. The increase in imports of lower-priced competitive products caused separations of workers at Deansgate's plant.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits, sportcoats, and trousers produced at the Deansgate plant contributed importantly to the total or partial separation of the workers of that plant.

I note that in August 1975, the Department of Commerce certified Deansgate, Inc., as eligible to receive adjustment assistance. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers at the New Orleans, Louisiana plant of Deansgate, Incorporated who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 28th day of November 1975.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.75-33586 Filed 12-11-75;8:45 am]

[TA-W-174]

F. JOSEPH LAMB CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-174; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 23, 1975 in response to a worker petition received on September 22, 1975, which was withdrawn and refiled on October 30, 1975 by the United Automobile, Aerospace and Agricultural Implement Workers of America on behalf of workers and former workers producing special automated automotive machinery at the Dequindre Avenue plant of the F. Joseph Lamb Company, Warren, Michigan.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 45485) on October 2, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the F. Joseph Lamb Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 23 percent in the first nine months of 1975 compared to the like period in 1974. Average weekly hours declined 14 percent in the first nine months of 1975 compared to the like period in 1974.

Sales of production, or both, have decreased absolutely. Production at the Dequindre Avenue plant declined 27 percent in the first nine months of 1975 compared to the like period in 1974.

Increased imports contributed importantly. There are no known imports of transfer machines or machine tool systems like or directly competitive with those produced at the Dequindre Avenue plant.

The evidence developed by the Department's investigation indicated that the importation of transfer machines or mchine tool systems is restricted by the requirement of building to customer specifications. The need for close coordination of design, performance standards, and station set-ups precludes market penetration by foreign manufacturers.

Major customer of F. Joseph Lamb Company did not shift their orders to foreign producers or other domestic manufacturers. Reduced purchases were the result of declining capital expenditures due to the business recession.

The Department's investigation further indicates that the alleged transfer of certain sub-assembly operations to F. Joseph Lamb's subsidiary in Windsor, Ontario did not occur. Sub-assemblies for transfer machines have never been built at the Windsor plant for shipment to the United States. The operations performed at the Windsor plant were the final assembly of the machine tool system. Such final assembly operations have never been performed at the Dequindre plant.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with sub-assemblies for steering line transfer machines produced at the Dequindre plant of the F. Joseph Lamb Company did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 2nd day of December 1975.

GLORIA G. PRATT,
Director,
Office of Foreign Economic Policy.

[FR Doc.75-33583 Filed 12-11-75;8:45 am]

[TA-W-362]

FINE CRAFT COAT CO., INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Fine Craft Coat Company, Incorporated, Brooklyn, New York (TA-W-362). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and boys' suit jackets, sport jackets, suits & coats produced by Fine Craft Coat Company, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-33573 Filed 12-11-75;8:45 am]

[TA-W-151]

GTE SYLVANIA

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-151; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 16, 1975 in response to a worker petition received on September 15, 1975 which was filed by the International Union of Electrical, Radio and Machine Workers on behalf of workers formerly producing monochrome television receivers at the Batavia, New York plant of GTE Sylvania.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 44212) on September 25, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of GTE Sylvania, its customers, the U.S. Department of Commerce, U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. Average quarterly employment increased in each of the first three quarters of 1974 above the level in the respective quarter of 1973. From the fourth quarter of 1974 to the third quarter of 1975 average quarterly employment declined below the level in the respective prior year quarter. In the second quarter and third quarter of 1975, average quarterly employment was 33.8 percent and 37.9 percent respectively below the level of the same quarter of 1974.

Reductions in employment related to the transfer of production by the company to Taiwan began during the first week of September 1975. Further separations resulting from the transfer are scheduled for December 1975.

Sales or production, or both, have decreased absolutely. Sales increased 9.9 percent from 1972 to 1973 and 0.9 percent from 1973 to 1974. Sales in the first three quarters of 1975 declined 18.4 percent from the comparable period of 1974.

Production of monochrome television receivers at Batavia increased 40.8 percent from 1972 to 1973 and 65.5 percent from 1973 to 1974. Monochrome production declined 52.4 percent in the first three quarters of 1975 from the comparable period of 1974.

In September 1975, the monthly production rate of monochrome sets at Batavia was reduced 24.4 percent below the August 1975 level as a direct result of the transfer of production to Taiwan. In December 1975, the monthly production rate of monochrome sets will be reduced 73.2 percent below the monthly level of August 1975.

Increased imports contributed importantly. Imports of monochrome television receivers like or directly competitive with those produced at the Batavia plant of GTE Sylvania have constituted an increasing percentage of domestic production and consumption in recent years. The ratios of imports to domestic production and consumption measured by quantity, increased from 200.1 percent and 67.6 percent, respectively, in the twelve months ending August 31, 1974 to 208.1 percent and 68.9 percent, respectively, in the twelve months ending August 31, 1975.

The evidence developed in the course of the Department's investigation indicates that in recent years domestic manufacturers of monochrome televisions have increasingly transferred production to overseas facilities. In 1970, 23 percent of all monochrome sets sold under a domestic label were actually manufactured at an overseas facility; in 1972, the percentage increased to 44 percent. Foreign subsidiaries of domestic manufacturers accounted for 31 percent of total imports in 1970, and 49 percent in 1972. Data on overseas manufacturing by domestic producers is not available after 1972.

GTE Sylvania, with its purchase of Philco in 1974, acquired a facility in Taiwan for the manufacture of monochrome sets. Sylvania's decision to transfer production of monochrome sets from Batavia to Taiwan was caused by the

necessity to compete with imported sets on the basis of price. Imported sets, primarily from Taiwan and Korea, are assembled by low-wage workers. Sylvania found that its Batavia plant was not capable of staying price-competitive with imports, because of the labor-intensive nature of television manufacturing. Company imports of monochrome receivers from Taiwan began during the fourth quarter of 1975, and production was reduced simultaneously at Batavia.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with monochrome television receivers produced at the Batavia plant contributed importantly to the total or partial separations of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly workers engaged in employment related to the production of monochrome television receivers at the Batavia, New York plant of GTE Sylvania who became totally or partially separated from employment on or after August 31, 1975, as a direct result of a transfer of production by GTE Sylvania to an overseas facility, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 14th day of November 1975.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.75-33588 Filed 12-11-75;8:45 am]

[TA-W-356]

GTE SYLVANIA, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 25, 1975 the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of GTE Sylvania, Incorporated, Altoona, Pennsylvania, a subsidiary of General Telephone and Electronics, Incorporated, Stanford, Connecticut (TA-W-356). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with electronic receiving tubes produced by GTE Sylvania, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 25th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33574 Filed 12-11-75;8:45 am]

[TA-W-110]

GENERAL COAT MANUFACTURING CO.

Revised Certification of Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, on October 5, 1975, the Department of Labor issued a certification of eligibility to apply for adjustment assistance applicable to certain workers and former workers of the General Coat Manufacturing Company, Baltimore, Maryland (TA-W-110). The Notice of Certification was published in the FEDERAL REGISTER (40 FR 48412) on October 15, 1975.

At the request of the petitioners and officials of the General Coat Manufacturing Company, a further investigation was instituted by the Acting Director of the Office of Trade Adjustment Assistance. The evidence developed in the further investigation indicated certain workers employed on the cutting floor became totally or partially separated prior to March 3, 1975. Since the intent of the certification was to cover such workers, the certification issued on October 5, 1975 is hereby revised to include such workers not previously covered.

The revised certification is hereby made as follows:

All hourly, piecework, and salaried workers of the General Coat Manufacturing Company, Baltimore, Maryland, who became totally or partially separated from employment on or after February 14, 1975 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 28th day of November 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.75-33587 Filed 12-11-75;8:45 am]

[TA-W-361]

GULANT & MASLIN, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalagamated Clothing Workers of America on behalf of the workers and former workers of Gulant & Masline, Incorporated, Brooklyn, New York (TA-W-361). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits, leisure suits, and sport jackets produced by Gulant & Masline, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33575 Filed 12-11-75;8:45 am]

[TA-W-358]

JONES AND LAUGHLIN STEEL CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 25, 1975 the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the

workers and former workers of Jones and Laughlin Steel Corporation, Warren, Michigan, a wholly owned subsidiary of LTV, Incorporated, Dallas, Texas (TA-W-358). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with speciality steel, bars, rounds, slabs, billets produced by Jones and Laughlin Steel Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 25th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33576 Filed 12-11-75;8:45 am]

[TA-W-190]

KNICKERBOCKER CLOTHING CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-190; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing tailored suits and sportcoats at the St. Louis plant of the Knickerbocker Clothing Company, St. Louis, Missouri.

The notice of investigation was published in the FEDERAL RECORD (40 FR 46372) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Knickerbocker Clothing Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, the Federal Reserve Board, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. Employment at the Knickerbocker Clothing Company could not be separately identified as to hourly and salaried. Average number of employees declined 18 percent from 1973 to 1974. Employment declined 29 and 60 percent in the third and fourth quarters of 1974, respectively, from the same quarters previous year. In the last six months of 1974, employment dropped 44 percent from the same period in 1973. All production employees were separated in October 1974.

Sales or production, or both, have decreased absolutely. Sales of suits and sportcoats at the St. Louis plant dropped 13 percent from 1972 to 1973 and 38 percent from 1973 to 1974. In each quarter of 1974 sales declined from the same quarter previous year. Sales declined 83 percent in the fourth quarter of 1974 from the fourth quarter of 1973. In the last six months of 1974, sales declined 36 percent from the last six months of 1973.

Production of suit coats and sportcoats at Knickerbocker fell 4 percent from 1972 to 1973 and 33 percent from 1973 to 1974. Production declined in each quarter of 1974 from the same quarter previous year. In the fourth quarter of 1974, production declined 88 percent from the same quarter of the previous year. In the last six months of 1974, production declined 32 percent from the same period in 1973. All production was terminated in October 1974.

Increased imports contributed importantly. Imports of men's and boys' suits and sportcoats declined from 1973 to 1974. Consumption of suits and sportcoats also declined. Industry analysts attribute declining consumption of these articles to fashion changes.

In recent years, there has been a trend in men's fashions toward a mixed and coordinated look as well as casual look. Leisure suits have replaced traditional suits and sportswear, especially among the younger generation.

Most of the company's customers are located in relatively small midwestern communities where the major competition is from a large U.S. retail chain. That chain does not purchase imported men's and boys' suits or sportscoats and stopped purchasing imported slacks after the first 6 months of 1974. Most of the customers surveyed indicated that they did not sell imported suits, sportcoats, or leisure suits. Some customers indicated that they did purchase imported goods, but such goods accounted for a relatively small proportion of their sales. The Knickerbocker Company itself has contracted out its menswear needs to an eastern manufacturer and does not sell imported menswear.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with sportcoats and suit coats produced at the Knickerbocker Clothing Company, St. Louis, Missouri did not contribute importantly to the total or partial separation of the workers of that plant.

Signed at Washington, D.C. this 28th day of November 1975.

GLORIA G. PRATT,
Director, Office of Foreign Economic Policy.

[FR Doc.75-33584 filed 12-11-75;8:45 am]

[TA-W-360]

LABIENTO CLOTHING, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Labiento Clothing, Incorporated, Brooklyn, New York (TA-W-360). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and boys' suits, sport jackets and suburban jackets produced by Labiento Clothing, Incorporated or an appropriate subdivision thereof have contributed importantly to

an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33577 Filed 12-11-75;8:45 am]

[TA-W-359]

QUALITY COMPONENTS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 25, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the on behalf of the workers and former workers of Quality Components, Incorporated, St. Marys, Pennsylvania (TA-W-359). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with fixed composition molded capacitors, molded coil forms, both iron & bakelite & molded terminal boards produced by Quality Components, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 25th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33578 Filed 12-11-75;8:45 am]

[TA-W-364]

SIDMAR CLOTHING CO., INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalagamated Clothing Workers of America on behalf of the workers and former workers of Sidmar Clothing Company, Incorporated, New York, New York (TA-W-364). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suit jackets, sportcoats, uniform jackets, & leisure jackets produced by Sidmar Clothing Company, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33579 Filed 12-11-75;8:45 am]

[TA-W-366]

SPILTON BROTHERS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Spilton Brothers, Incorporated, New York, New York (TA-W-366). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's sport jackets, leisure suits & suit jackets produced by Spilton Brothers, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33580 Filed 12-11-75;8:45 am]

[TA-W-365]

VICALE-CATANIA CLOTHING LTD.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On November 28, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Vicale-Cantania Clothing Ltd., New York, New York (TA-W-365). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and ladies jackets produced by Vicale-Catania Clothing Ltd. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 22, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 28th day of November 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-33581 Filed 12-11-75;8:45 am]

Wage and Hour Division

FULL-TIME STUDENTS EMPLOYED IN RETAIL AND SERVICE ESTABLISHMENTS

Certificates Authorizing Employment at Subminimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on the employment of full-time students (29 CFR 519), and Administrative Order 621 (36 FR 12819), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates not less than 85 percent of the wage rates otherwise applicable under section 6 of the Act.

The establishments listed hereinafter are department, variety and miscellaneous general merchandise stores engaged in the selling of a number of lines of merchandise, such as dry goods, home furnishings, small wares and hardware.

These special certificates authorize the establishments listed to employ full-time students at subminimum wage rates for up to 10 percent of the total hours of all employees of the establishment during any month.

The authority provided by any of these certificates was not effective before March 21, 1975, and expires not later than June 20, 1976, but in no instance does the effective period of any one certificate exceed one year.

Adams Trading Center: 1118 Headland Highway and 1543 Reeves, Dothan, AL.

Albert J. Mansmann Company, 5911-19 Penn Mall, Pittsburgh, PA.

Anderson Brothers & Foster, 121-127 West Seventh Street, Columbia, TN.

Annes Department Store, 4810-20 North Milwaukee Avenue, Chicago, IL.

Atlas 5 & 10, Inc., 179 Main Street, Fort Lee, NJ.

Aziz Bros. Department Store, 1101 East Elizabeth Street, Brownsville, TX.

Banner's, Inc., 1054 South Main Street, Los Angeles, CA.

Bargain Town U. S. A., Inc.: No. 6, Alabaster, AL; No. 9, Albertville, AL; No. 15, Alexander City, AL; No. 26, Bessemer, AL; No. 7, Birmingham, AL; No. 1, Clanton, AL; No. 8, Cullman, AL; No. 21, Dora, AL; No. 16, Eufaula, AL; No. 4, Fairfield, AL; No. 34, Fayette, AL; No. 25, Fort Payne, AL; No. 33, Gardendale, AL; No. 12, Graysville, AL; No. 29, Greenville, AL; No. 10, Jasper, AL; No. 3, Leeds, AL; No. 5, Pell City, AL; No. 22, Russellville, AL; No. 2, Scottsboro, AL; No. 31, Sylacauga, AL; No. 20, Tallassee, AL.

Bellex Department Stores, Inc.: 2601 Memorial Parkway NW., Huntsville, AL; 300 Azalea Road, Mobile, AL; 810 South Boulevard West, Montgomery, AL; Highway 75 and Glenn Avenue, Sioux City, IA; 7000 Veterans Memorial Hiway, Metairie, LA; 3821 Menaul Boulevard NE., Albuquerque, NM; 711 Troy-Schenectady Road, Lathan, NY; 2650 Carner Avenue, Charleston, SC.

Belmill Discount Center, 100 Commercial Street, Marseilles, IL.

Ben Franklin Store: 18410 East Colima Road, Rowland Heights, CA; 209 East Main Street, Clarinda, IA; No. 2300, Buras, LA; 125 North 5th Avenue, Princeton, MN; Waconia, MN; 620 West Lockling Avenue, Brookfield, MO; 1133 South Main Street, Maryville, MO; 1705 East Ninth Street, Trenton, MO; 18-22 West Park Street, Butte, MT; No. 4850, Albuquerque, NM; 276 Kearny Avenue, Kearny, NJ; No. 3930, Mifflintown, PA; No. 3048, Newport, PA.

Big State Shopping Plaza, Railhead Avenue at Industrial Park, Flagstaff, AZ.

Big Town Super Mart, Inc.: 1211 Tower Boulevard, Lorain, OH; 3883 Center Ridge Road, North Ridgeville, OH.

Big V Store: Shakopee Shops Center, Shakopee, MN; St. Croix Mall, Stillwater, MN.

Bondi's, 214 North Tremont Street, Kewanee, IL.

W. W. Bradley & Company, Inc., 222 Walworth Avenue, Delavan, WI.

Brendle's, Inc.: 4411 Chapel Hill Boulevard, Durham, NC; 1919 North Bridge Street Extension, Elkin, NC; 331 Standard Street, Elkin, NC; 1501 East Bessemer Avenue, Greensboro, NC; 871 Highland Avenue, Hickory, NC; 2910 Peters Creek Parkway, Winston-Salem, NC.

Britts: Danville Manor, Danville, KY; No. 6284, Gloversville, NY.

Brownsberger Stores, Inc., 313 Broadway, Monett, MO.

Bruce V. Smith, Inc., Jacobus, PA.

Busick's, Inc., McLaurin Mart, Pearl, MS.

C & R Realty, Inc., 1 Mill Street, Dover, NH.

Campbell-Bell, Inc., 9-13 South Block Street, Fayetteville, AR.

Capin's El Paso Store, 125-129 Morley Avenue, Nogales, AZ.

Carson Pirie Scott & Company: 37-39 North Vermilion, Danville, IL; 301 North Water Street, Decatur, IL; 400 East Main Street, Galesburgh, IL; 145 South Schuyler Avenue, Kankakee, IL; 111-113 North Tremont, Kewanee, IL; 818 La Salle Street, Ottawa, IL; 124 South West Adams and 4501 War Memorial, Peoria, IL; 500-504 Maine, Quincy, IL; 100 Lincoln Square, Urbana, IL; Marquette Mall, Michigan City, IN.

The Charles Company, Inc.: 109 South Main Street, Bryan, OH; 402-04 Clinton Street, Definance, OH; 141 West Main Street, Deshler, OH; 729 North Perry Street, Napoleon, OH.

Charles H. Bear & Company, Inc., 1-11 West Market Street, York, PA.

The Charles V. Weise Company: Beloit Plaza, Beloit, WI; 2500 Milton Avenue, Janesville, WI.

Collins Department Store: 114 West Main Street, Aberdeen, NC; 119 Broadway, Black Mountain, NC; Cotswold Shopping Center, Freedom Village Shopping Center and 469 Tryon Mall, Charlotte, NC; Eutaw Shopping Center, Fayetteville, NC; New River Shopping Center, Jacksonville, NC; Union Village Shopping Center, Monroe, NC; 131 West Main Street, Williamston, NC; Coastal Mall Shopping Center, Conway, SC; Main Street, Lake City, SC; 117-123 South Main Street, Lancaster, SC; Myrtle Square Shopping Center, Myrtle Beach, SC.

Community Discount Centers, Inc.: 6231 West Melton Road, Gary, IN; 8341 Wicker Park, Highland, IN; 3600 52nd Street, Kenosha, WI.

Cost Plus Store, Inc.: The Mall, West Fourth Street, Fordyce, AR; 224–236 West Broadway, Forrest City, AR; Southgate Shopping Center, Highway 71 South, Rogers, AR; 706 Bolton Avenue, Alexandria, LA; 117 Louisiana Avenue, Ferriday, LA; Breaux Road & Louisiana Avenue, Lafayette, LA; 201 Natchez, Opelousas, LA; Tamany Mall Shopping Center, Slidell, LA; 405 South Pine, Vivian, LA; Bay View Shopping Center, Biloxi, MS; 615 Pass Road, Gulfport, MS; 420 West Trudgeon, Henryetta, OK; 202 East Duke, Hugo, OK; 201 Corsicana, Athens, TX; Jones Shopping Center, Daingerfield, TX; 410 East Clarksville, Paris, TX.

Country Discounter, Inc., Fair Haven, VT.

R. E. Cox & Company: 6370 Camp Bowie, 4033 East Belknap, 3616 East Lancaster and 2517 West Berry, Forth Worth, TX; 501 Westview Village, Waco, TX.

Cruse and Company, 615 Main Street, Beech Grove, IN.

Danks & Company: 152 East Market Street, Lewiston, PA; Room 1, Nittany Mall and 148 South Allen Street, State College, PA.

Dils Brothers & Company, 521–529 Market Street, Parkersburg, WV.

The Dixie Store, 415–17 Chickasha Avenue, Chickasha, OK.

Dodd's 5–10–25¢ Stores, Inc.: 825 State Street, Cayce, SC; 109–111 Main Street, Lexington, SC.

Doughboys of Garvey, Inc., 8334 East Garvey Avenue, Rosemead, CA.

Drews Stores Corporation: 12930 West Bluemound Road, Elm Grove, WI; 5641 Broad Street, Greendale, WI; 5720 South 108th Street, Hales Corners, WI; No. 53029, Hartland, WI; 8713 North Port Washington Road, 8721 West Fondulac Avenue and 5027 West Howard Avenue, Milwaukee, WI; 8770 South Howell Avenue, Oak Creek, WI; 1027 Milwaukee Avenue, South Milwaukee, WI; North 64 West 24333 Main Street, Sussex, WI; 7609 Harwood Avenue, Wauwatosa, WI.

Drucker's Inc., 15 Park Avenue, Rutherford, NJ.

Dryden's Department Store, 4343 Lincoln Avenue, Groves, TX.

Eagle Stores Company, Inc., No. 343, Orange, VA.

Easter's Family Center, Town Line Road, Creston, IA.

Economy Department Store, Stanhope, NJ.

Edwards 5 & 10, Boardwalk & North Division Street, Ocean City, MD.

V. J. Elmore Store: No. 73, Alabaster, AL; No. 144, Albertville, AL; No. 148, Birmingham, AL; No. 142, Clanton, AL; No. 69, Cullman, AL; No. 112, Dothan, AL; No. 152, Fayette, AL; No. 161, Foley, AL; No. 76, Fort Payne, AL; No. 105, Gardendale, AL; No. 13, Greenville, AL; No. 163, Hamilton, AL; No. 99, Montgomery, AL; No. 90, Muscle Shoals, AL; No. 137, Oneonta, AL; No. 95, Oxford, AL; No. 54, Pell City, AL; No. 89, Prattville, AL; No. 166, Sumiton, AL; No. 102, Sylacauga, AL; No. 100, Troy, AL; No. 94, Tuscaloosa, AL; No. 136, Tuskegee, AL; No. 146, Union Springs, AL; No. 157, Wetumpka, AL; No. 132 Fernandina Beach, FL; No. 134, Americus, GA; No. 158, Buford, GA; No. 156, Calhoun, GA; No. 162, Commerce, GA; No. 86 Conyers, GA; No. 143, Cornelia, GA; No. 165, Dawson, GA; No. 130, Douglas, GA; No. 164, Douglasville, GA; No. 119, Fayetteville, GA; No. 150, Fort Valley, GA; No. 107, Lawrenceville, GA; No. 140, McDonough, GA; No. 155, Manchester, GA; No. 133, Swainsboro, GA; No. 159, Toccoa, GA; No. 120, Vidalia, GA; No. 139, Warner Robins, GA; No. 135, Winder, GA; No. 167, Iuka, MS; No. 79, Athens, TN; No. 151, Dayton, TN; No. 84, Dickson, TN; No. 147, Martin, TN; No. 108, Paris, TN; No. 149, South Pittsburg, TN.

M. Epstein, Inc.: 34 Livingston Mall, Livingston, NJ; 32 Park Place, Morristown, NJ.

The Fair, Inc.: Northgate Mall and Oil Center Shopping Center, Lafayette, LA; Southgate Shopping Center, Lake Charles, LA; Eastgate Shopping Center, Monroe, LA; 1100 Ludington Street, Escanaba, MI; 2300 Alexandria Drive, Baytown, TX; Gaylynn Center, 600 Orleans Street and 250 Parkdale Mall, Beaumount, TX; Manor East Mall, Bryan, TX; The Strand Mall, Galveston, TX; Northview Plaza, Nacogdoches, TX; 1035 Nederland Avenue, Nederland, TX; Northway Plaza, Orange, TX; Jefferson City Shopping Center, Twin City Highway, Port Arthur, TX; 2002 11th Avenue, Texas City, TX.

Fremin's Food & Furniture, Inc., 711 Corinne Street, New Iberia, LA.

Friedlands, 38 West Blackwell Street, Dover, NJ.

Froug's: 101 Phoenix Village Mall, Fort Smith, AR; 500 Plaza Court, Sand Springs, OK; Admiral Place & Memorial Drive, 36th Street North & Hartford, 5117 South Peoria, 325 South Main Street, 2128 South Yale, 4289 Southwest Boulevard, 419 West Second Street, 9070 East 31st Street and 4103 South Yale, Tulsa, OK.

Garner Alvis Company, 109 North Rice, Hamilton, TX.

Gem Wholesale Company, 109–119 North Fifth Street, Alpine, TX.

Gene's Department Store, Melcroft, PA.

Gibson Products Company: Southview Shopping Center, Mobile, AL; Plaza Shopping Center, Benton, AR; Highway 79 South, Camden, AR; Highway 70, DeQueen, AR; 1011 West Fourth Street, Fordyce, AR; Highway 25 North, Heber Springs, AR; 14036 Sardis Road, Mabelvale, AR; Highway 67 South, Malvern, AR; 2401 Harding, Pine Bluff, AR; 706 West 22nd, Stuttgart, AR; 505 Bertrand, Lafayette, LA; Highland Park Shopping Center, Greenwood, MS; 2920 South Washington, Vicksburg, MS; 105 St. Paul Street, Henderson, TX; 220 Henderson Boulevard, Kilgore, TX; 2011 South Mobberly Avenue and 2900 West Marshall Avenue, Longview, TX; 2400 East End Boulevard, Marshall, TX; 1602 Ferguson Road, Mount Pleasant, TX; Southwest Mall, Texarkana, TX; 1133 Glendale Plaza, Salt Lake City, UT; 2199 West Hiway 40, Vernal, UT.

Gindlers Department Store: 100 East Third Street, Hallettsville, TX; 216 West Colorado Street, LaGrange, TX.

Globman's Inc., Martinsville, VA.

Goldblatt Brothers, Inc.: 9100 Commercial Avenue, 3149 Lincoln Avenue, 4700 South Ashland Avenue, 7975 South Cicero Avenue, 1615 West Chicago Avenue and 3311 West 26th Street, Chicago, IL; 1505 West King, Decatur, IL; 2430 North Harlem Avenue, Elmwood Park, IL; 3057 West 159th Street, Markham, IL; 1084 Mount Prospect Plaza, Mount Prospect, IL; McArthur & Outer Park Drive, Springfield IL; Town & Country Shopping Center, Mishawaka, IN; 1889 M–139 Fairplain Plaza, Benton Harbor, MI.

The Grand Leader, 424 Main Street, Liberty, TX.

W. T. Grant Company: No. 9067, Alhambra, CA; No. 629, Ashland, OH; St. Mary's Shopping Plaza, St. Mary's, PA.

Green's, 1400 McArthur Drive, Alexandria, LA.

Hart-Albin Company: Billings, MT; Richland Mall, Johnstown, PA; 955 Fourth Avenue, New Kensington, PA; 130 Market Street, Kittanning, PA; Washington Mall, Washington, PA.

Hellmans, Inc., 2202 Central Avenue, Kearney, NE.

G. R. Herberger's Inc.: 522 Broadway, Alexandria, MN; 330 Chestnut Street, Virginia, MN; 428 Main Street, La Crosse, WI; 25 North Main, Rice Lake, WI; 222 Third Street, Wausau, WI.

The Hickle Company, 125 West Main Street, Lancaster, OH.

Hilson Home Center, Inc., Dorset Street, South Burlington, VT.

Holman's Department Store, Inc., 642 Lighthouse Avenue, Pacific Grove, CA.

The Hub, 435 Market Street, Steubenville, OH.

Hub Frankel Company, Inc., 232–234 West Main Street, Danville, KY.

Hunt's Department Store, 110 East Sam Rayburn Drive, Bonham, TX.

Irene's, 923 Boardwalk, Atlantic City, NJ.

Jacobs Department Store, 190 Main Street, Paterson, NJ.

Joseph's Department Store, Inc., 127 South Front Street, Fremont, OH.

Keystone: Belvidere, NJ; 30 Tansboro Road, Berlin, NJ; 1468 Blackwood-Clementon Road, Clementon, NJ; Denville Plaza Shopping Center, Denville, NJ.

M. H. King Company: Idaho Street, Dillon, MT; 60 South Main, Brigham City, UT.

King's: 209 East 200 South, Clearfield, UT; 124 South Fort Lane, Layton, UT; 185 East Fourth North, Logan, UT; 80 North Main, Richfield, UT; Tremonton, UT.

Kline's Department Store, Inc., 515 West 14th Street, Chicago Heights, IL.

Korner Plaza, Inc., 68 West 66th Street, Minneapolis, MN.

S. S. Kresge Company: 109 East Second Street, Muscatine, IA; No. 4293, Decatur, IL; No. 4262, Dolton, IL; North Sixth Street, Monmouth, IL; No. 4154, North Aurora, IL; No. 9010, Bluffton, IN; No. 4226, Evansville, IN; No. 9027, Greensburg, IN; No. 9013, Greenfield, IN; No. 3260, Greenwood, IN; No. 3251, Indianapolis, IN; No. 9012, Jasper, IN; No. 3221, Jeffersonville, IN; No. 4304, Marion, IN; No. 4152, Mishawaka, IN; No. 9017, Seymour, IN; No. 9015, Shelbyville, IN; No. 3030, Tere Haute, IN; No. 4160, Des Moines, IA; No. 3155, Belleville, MI; No. 7032, Corunna, MI; No. 4352, Livonia, MI; No. 3239, Kansas City, MO; Nos. 4216 and 4270, St. Louis, MO; No. 585, Lincoln, NE; Nos. 4126 and 4130, Omaha, NE; No. 4258, Akron, OH; No. 4229, Austintown, OH; No. 3286, Brunswick, OH; No. 3100, Miamisburg, OH; No. 4257, Middleburg Heights, OH; Nos. 48 and 4264, Stow, OH; No. 4233, Youngstown, OH.

S. H. Kress & Company: No. 003, Anniston, AL; No. 005, Bessemer, AL. Nos. 007 and 023, Birmingham, AL; No. 011, Dothan, AL; No. 012, Enterprise, AL; No. 019, Mobile, AL; No. 021, Montgomery, AL; No. 025, Prichard, AL; Nos. 027 and 028, Selma, AL; No. 029, Tuscaloosa, AL; No. 367, Hot Springs, AR; No. 371, Pine Bluff, AR; No. 473, Baton Rouge, LA; No. 474, Gretna, LA; No. 476, Lake Charles, LA; No. 477, Monroe, LA; No. 479, New Orleans, LA; No. 481, Shreveport, LA; No. 179, Laurel, MS; No. 183, Natchez, MS; No. 184, Pascagoula, MS; No. 186, Tupelo, MS; No. 253, Hoboken, NJ; No. 257, Union City, NJ; No. 258, West New York, NJ; No. 515, Albuquerque, NM; No. 269, Brooklyn, NY; No. 276, Jamaica, NY; Nos. 260, 261, 263 and 267, New York, NY; No. 527, Chickasha, OK; No. 531, Guthrie, OK; No. 536, McAlester, OK; No. 539, Oklahoma City, OK; No. 543, Ponca City, OK; No. 547, Shawnee, OK; No. 550, Tulsa, OK; No. 937, Salem, OR; No. 289, Philadelphia, PA; Nos. 603 and 604, Austin, TX; No. 605, Beaumont, TX; No. 607, Brownville, TX; No. 609, Corpus Christi, TX; No. 613, Dallas, TX; No. 619, Del Rio, TX; No. 623, Eagle Pass, TX; Nos. 625 and 626, El Paso, TX; No. 631, Galveston, TX; No. 635, Greenville, TX; No. 637, Harlingen, TX; No. 639, Hillsboro, TX; Nos. 641 and 643, Houston, TX; No. 647, Laredo, TX; No. 652, Mc-

Allen, TX; No. 653, Paris, TX; No. 655, Port Arthur, TX; Nos. 658, 659 and 661, San Antonio, TX; Nos. 662 and 666, Seguin, TX; No. 664, Temple, TX; No. 667, Tyler, TX; No. 669, Waco, TX; No. 670, Waxahachie, TX; No. 941, Aberdeen, WA; Nos. 948 and 949, Seattle, WA; No. 958, Tacoma, WA.

LaBelle's Distributing: 10301 West Sixth Avenue and 2650 South Havana Street, Denver, CO.

La Feria Department Store: 406 West Commerce Street, 423 Southwest Military Drive and 7325 San Pedro, San Antonio, TX.

Lame Deer Trading, Inc., Lame Deer, MT.

M. H. Lamston, Inc.: 341 Main Street, Hackensack, NJ; 128 Woodbridge Center, Woodbridge, NJ; 215-08 73rd Avenue and 220-20 Horace Harding Boulevard, Bayside, NY; 2047 Bartow Avenue, Bronx, NY; 1713 Church Avenue and 44 Court Street, Brooklyn, NY; 850 Franklin Avenue, Garden City, NY; 37-47 74th Street, Jackson Heights, NY; 89-28 165th Street, Jamaica, NY; 69-73 Grand Avenue, Maspeth, NY; 39 Broadway, 2680 Broadway, 1484 First Avenue, 466 Lexington Avenue, 773 Lexington Avenue, 1251 Lexington Avenue, 477 Madison Avenue, 1227 Madison Avenue, 551 Ninth Avenue, 4 Park Avenue, 1082 Second Avenue, 346 Sixth Avenue, 1251 Sixth Avenue, 1381 Sixth Avenue, 275 Third Avenue, 1150 Third Avenue, 1279 Third Avenue, 273 West 23rd Street and 1485 York Avenue, New York, NY; 100 Mamaroneck Avenue, White Plains, NY.

Lane-Clinton, Inc., Clinton, NJ.

Larry-Rich Corporation, 9400 East 50 Highway, Raytown, MO.

LaVassers, Inc., 118 South Main Street, Jefferson, WI.

La Ville de Paris, 101-103 Morley Avenue, Nogales, AZ.

Leeds Department Store, 401 West Commerce, San Antonio, TX.

Leitchfield Mercantile Company, 32 Court Square, Leitchfield, KY.

Leonhard's, Inc., 3200 Dauphine Street, New Orleans, LA.

Lerman Brothers, Inc.: 217-19 St. Clair, Frankfort, KY; 803-04 Madison Street, Owenton, KY.

Levy Brothers, Inc.: 1065 Bloomfield Avenue, Clifton, NJ; 80 Broad Street, Elizabeth, NJ; 6305 Hadley Road, South Plainfield, NJ.

Lieberman Company, Floresville, TX.

Lintz Department Stores, Inc.: 119 West Oklahoma, Guthrie, OK; 1115 Chickasha, Paul's Valley, OK; 108 North Blackburn, Brady, TX; 193 West San Antonio, New Braunfels, TX; 101 South West Street, Uvalde, TX.

Lipofsky's, Inc., 118 South Cook Street, Barrington, IL.

Loveman, Joseph and Loeb: 1050 West Lake Mall, Bessemer, AL; 7680 Crestwood Boulevard and 216 North 19th Street, Birmingham, AL; 38 Western Hills Mall, Fairfield, AL; 1001 North Memorial Parkway, Huntsville, AL; 572 East Patton, Montgomery, AL.

McCabe Dry Goods Corporation, 1713 Third Avenue, Rock Falls, IL.

McCrory Store: No. 6135, Huntsville, AL; No. 6298, Hot Springs, AR; No. 6327, Alhambra, CA; No. 6347, Bakersfield, CA; No. 6498, Bell, CA; No. 6219, Buena Park, CA; No. 6098, Burbank, CA; Nos. 6223 and 6376, Compton, CA; No. 6364, Garden Grove, CA; No. 6179, Long Beach, CA; Nos. 6413, 6503 and 6506, Los Angeles, CA; No. 6141, Monterey Park; CA; No. 6406, San Diego, CA; Nos. 6159 and 6479, San Jose, CA; No. 6348, San Mateo, CA; No. 6221, Santa Barbara, CA; Nos. 6150 and 6482, Santa Monica, CA; No. 6516, Sunnyvale, CA; No. 1119, Bridgeport, CT; No. 6046, Hartford, CT; No. 6056, Torrington, CT; No. 649, Westport, CT; No. 331, East Dover, DE; No. 6287, Fort Lauderdale, FL; No. 636, Augusta, ME; No. 6521, Brunswick, ME; No. 6051, Caribou, ME; No. 6273, Dover-Foxcroft, ME; No. 6417, Ellsworth, ME; No. 6264, Farmington, ME; No. 6385, Lincoln, ME; No. 6362, Mars Hill, ME; No. 6249, Millinocket, ME; No. 6351, Norway, ME; No. 6238, Rockland, ME; No. 629, Sanford, ME; No. 621, Skowhegan, ME; No. 620, Waterville, ME; No. 6082, Gardner, MA; No. 6077, Newburyport, MA; No. 6102, North Adams, MA; No. 6331, North Attleboro, MA; No. 6290, Pittsfield, MA; No. 640, Southbridge, MA; No. 6192, Stoughton, MA; No. 6309, Wakefield, MA; No. 657, Wareham, MA; No. 6053, Westfield, MA; No. 6093, Whitman, MA; No. 642, Winchendon, MA; No. 6042, Concord, NH; No. 6146, Franklin, NH; No. 6253, Laconia, NH; No. 6182, Littleton, NH; No. 662, Milford, NH; No. 6136, Portsmouth, NH; No. 6418, Plymouth, NH; No. 6104, Asbury Park, NJ; Nos. 49, 1112 and 6454, Atlantic City, NJ; No. 6114, Boonton, NJ; No. 6107, Freehold, NJ; No. 1901, Jersey City, NJ; No. 6157, Keyport, NJ; No. 6487, Red Bank, NJ; No. 6325, Albion, NY; No. 6241, Batavia, NY; No. 6300, Bayshore, NY; Nos. 336 and 1021, Bronx, NY; No. 200, Brooklyn, NY; No. 6345, Canton, NY; No. 7, Cheektowaga, NY; No. 6274, Cobleskill, NY; No. 6346, Cooperstown, NY; No. 6222, Corning, NY; Nos. 6140 and 6151, Cortland, NY; No. 549, Farmingdale, NY; No. 312, Flushing, NY; No. 659, Glen Cove, NY; No. 6050, Gouverneur, NY; No. 1084, Hempstead, Long Island, NY; No. 265, Horseheads, NY; No. 6134, Ithaca, NY; No. 1057, Jackson Heights, NY; No. 119, Johnson City, NY; No. 217, Lake Grove, NY; No. 20, Levittown, NY; No. 570, Long Beach, NY; No. 6030, Lyons, NY; No. 6168, Malone, NY; No. 6018, Middletown, NY; No. 1082, New York, NY; No. 6032, Ogdensburg, NY; No. 1026, Oneida, NY; No. 6173, Oneonta, NY; No. 1137, Oswego, NY; No. 1216, Peekskill, NY; No. 6038, Penn Yan, NY; No. 6161, Perry, NY; No. 647, Riverhead, NY; No. 6386, Saratoga Springs, NY; No. 6193, Saugerties, NY; No. 300, Syracuse, NY; No. 6357, Ticonderoga, NY; No. 6252, Tupper Lake, NY; No. 6502, Valley Stream, Long Island, NY; No. 6397, Walton, NY; No. 6012, Wellsville, NY; No. 6267, Whitehall, NY; No. 1018, Yonkers, NY; No. 399, Lima, OH; No. 6033, Newport, RI; No. 6186, Warren, RI; No. 6095, West Warwick, RI; No. 6091, Barre, VT; No. 6250, Bellows Falls, VT; No. 6218, Newport, VT; No. 6475, White River Junction, VT; No. 6306, Windsor, VT; No. 6467, Front Royal, VA.

McCurdy & Company, Inc.: 381 Hamilton Street, Geneva, NY; 3800 Dewey Avenue, 1300 Long Pond Road and 285 Main Street East, Rochester, NY; Eastview Mall, Victor, NY.

McDade & Company, Inc.: 505 East North Avenue, Carol Stream, IL; 5851 West 95th Street, Oak Lawn, IL; 1300 Northwest Highway, Palatine, IL.

J. M. McDonald Company, No. 46, San Jose, CA.

McLeod's, Inc.: 506 South Edgemoor and 1803 West 21st Street, Wichita, KS.

McRae's, Inc.: 771 Davis Highway, Pensacola, FL; Greenville Mall, Greenville, MS; Cloverleaf Mall, Hattiesburg, MS; 401 East Capitol Street, 905 Ellis Avenue and 353 Meadowbrook Road, Jackson, MS; Village Fair Mall, Meridian, MS; Battlefield Village Mall, Vicksburg, MS.

Maher Department Store, Belgrade, MN.

Majestic, Inc.: 7300 West Cermak Road, North Riverside, IL; 8250 North Skokie Boulevard, Skokie, IL.

Martin McDonald, 113 East Elm, Hillsboro, TX.

L. H. Martin Value Center: Route 27 at Junction 35, Colonia, NJ; 1773 North Grand Avenue, Baldwin, NY; 1417 Newkirk Avenue and 1847 Rockaway Parkway, Brooklyn, NY; 2151 Johnson Place, Merrick, NY; 102 North Middletown Road, Pearl River, NY; 58-04 99th Street, Rego Park, NY; 8601 Rockaway Beach Boulevard, Rockaway Park, NY.

Meny's Store, Inc., Haubstadt, IN.

Meyers-Arnold: Anderson, SC; Greenville, SC.

Miller & Paine Department Store: Conestoga Mall, Grand Island, NE; 61st and "O" Street and 13th and "O" Street, Lincoln, NE.

J. W. Milliken, Inc., 202 East Front Street, Traverse City, MI.

Morgan & Lindsey: No. 3013, Crowley, LA; No. 3057, New Orleans, LA.

C. G. Morrison Company, 634 Commercial Street, Arkansas Pass, TX.

Mullas & Ellias, 2746 West Jefferson, Trenton, MI.

G. C. Murphy Company: No. 819, Peoria, IL; No. 449, Vandalia, IL; Nos. 104 and 215, Indianapolis, IN; No. 411, Nobelsville, IN; No. 406, Hillsdale, MI; No. 3084, Hattiesburg, MS; No. 53, Johnsonburg, PA; No. 608, Tunkhannock, PA; No. 607 Kingwood, WV; No. 42, Montgomery, WV.

Myerson's: 6331 East Broadway and 42 West Congress, Tucson, AZ.

National Stores Corporation: 1030 Main Street, Benton, KY; 126 South Green Street, Glasgow, KY; 408 West Main Street, Murray, KY; 111-15 Public Square, Scottsville, KY; 211 North Main Street, Tompkinsville, KY; 105 East Elk Avenue, Fayetteville, TN; 340 Main Street, Franklin, TN; 107 West Main & South Water Street, Gallatin, TN; 119-121 North First Street, Pulaski, TN; 107 First Avenue NE., Winchester, TN.

The J. E. Neilson Company, 119 South Lamar, Oxford, MS.

Neisner Brothers, Inc.: No. 150, Melrose Park, IL; Nos. 3 and 55, Detroit, MI; No. 17, Pontiac, MI; No. 90, Albany, NY; No. 159, Auburn, NY; No. 200, Avon, NY; Nos. 8, 24, 111 and 207, Buffalo, NY; No. 93, Dunkirk, NY; No. 38, East Rochester, NY; No. 86, Fairport, NY; No. 117, Glens Falls, NY; No. 181, Grand Island, NY; No. 72, Lewiston, NY; No. 105, Little Falls, NY; No. 165, Lockport, NY; No. 205, Penn Yann, NY; No. 240, Potsdam, NY; Nos. 1, 2, 117, 119 and 153, Rochester, NY; Nos. 145 and 189, Rome, NY; No. 143, Staten Island, NY; No. 64, Utica, NY; No. 137, Webster, NY; No. 185, Whitesboro, NY.

J. J. Newberry Company: No. 6527, Poplar Bluff, MO; 19-25 Congress Street, Portsmouth, NH; No. 6027, Coatesville, PA; 404 West Main Street, Waynesboro, VA.

Newman's, Inc., 511 Commercial, Emporia, KS.

New Ideal Stores, Inc., 1801 Second Avenue North, Birmingham, AL.

The New York Store, 238-244 High Street, Pottstown, PA.

W. J. O'Connor, Inc., Fourth and Bailey, North Platte, NE.

Old Brothers Department Store: Thayer, MO; Parkway Shopping Center, West Plains, MO.

Orr's: Hillcrest Shopping Mall, Phillipsburg, NJ; 306-310 Northampton Street, Easton, PA.

J. W. Owens Department Store, Espanola, NM.

The Paris Company: 28 East Broadway and 4835 Highland Drive, Salt Lake City, UT.

Parisian Mercantile Corporation, 205 Morley Avenue, Nogales, AZ.

Pearson's Department Store, 103 West Gordon Street, Kinston, NC.

Penn Traffic: Main Street, DuBois, PA; Route 119 South, Indiana, PA; 3200 Elton Road, Goucher Street and 319-347 Washington Street, Johnstown, PA; Nittany Mall, State College, PA.

J. C. Penny Company, Inc., 2-4 North Loudoun Street, Winchester, VA.

Perkins Brothers, 2610 Lee Street, Greenville, TX.

Phelps Dodge Merchantile Company: Ajo, AZ; Bisbee, AZ; Douglas, AZ; Morendi, AZ.

Philadelphia Sales Company: 90 Clinton Street, Binghamton, NY; 225 Harrison Avenue, Endicott, NY; 333 Grand Avenue, Johnson City, NY; 345 Broad Street, Waverly, NY.

Pierre Part Store, Pierre Part, LA.

Pizitz: 1917 Second Avenue, Bessemer, AL; 4650 Avenue West, 600 Brookwood Village, 7736 Eastwood Mall, 9118 Parkway East and 1821 Second Avenue North, Birmingham, AL; Gadsden, AL; Parkway Shopping Center, Huntsville, AL; Montgomery, AL.

P. W. Plummer & Sons, Inc., West Buxton, ME.

Powers: 301 Northtown Drive, Blaine, MN; 3001 White Bear Avenue, Maplewood, MN; Fifth & Nicollet Mall, Minneapolis, MN; 8440 Highway 7, and 2080 Ford Parkway, St. Paul. MN.

H. C. Prange Company: 120–126 West College, Appleton, WI; 3015 Mall Drive, Eau Claire, WI; 755 West Johnson Street, Fond du Lac, WI; 53 East-Towne Mall, Madison, WI; 3524 Memorial Plaza and 727 North Eighth Street, Sheboygan, WI.

Pratt's Federated, 106 Church Street, Sulphur Springs, TX.

Prices 5 & 10 Store, Inc., Ben Franklin Store, Rocky Mount, VA.

Ramsays Department Store, 605 Commercial Street, Atchison, KS.

Randolph House & Company, 600–2 Main Street, Springfield, TN.

The Rankin Company, Columbia, MS.

Rasco Store: 205 West Broadway, Silver City, NM; 312 North California Street, Socorro, NM.

Retsun, Inc., 17 East Walworth, Elkhorn, WI.

Richman Gorman Stores, Inc.: No. 10, Council Bluffs, IA; Nos. 8 & 11, Des Moines, IA; No. 9, Topeka, KS; No. 12, Grand Island, NE; No. 7, Lincoln, NE; Nos. 1, 2, 5, 6, 32, 40 and 41, Omaha, NE.

Rose's Store, No. 60, Marion, NC.

Rosenberg True Value Hardware, 1101 Wilcox Avenue, White Cloud, MI.

Roth's, Inc: Town Plaza Shopping Center, Cape Girardeau, MO; 1304 West Boulevard South, Columbia, MO.

Royer's, Inc.: 1202 Greengate Mall and 112–114 South Main Street, Greensburg, PA; 222 Monroeville Mall, Monroeville, PA.

Sage Department Stores, Inc., 1111 Columbus Street, Bakersfield, CA.

Sam's Inc.: 122 West Jefferson, Clinton, MO; 6001 Truman Road, Kansas City, MO; 1561 South Odell, Marshall, MO.

Samuelson's, One South Barstow, Eau Claire, WI.

Sawyers, 851 Central Avenue, Dover, NH.

Schwesner's: 1270 27th Avenue, Columbus, NE; 108 East Sixth Street, Fremont, NE; 13th and Webb Road and 108–110 West Third, Grand Island, NE; 709–723 West Second Street, Hastings, NE; 2100 Central Avenue, Kearney, NE; Sunset Plaza, Norfolk, NE; 305 North Dewey, North Platte, NE.

Sea Isle Hardware Company, 42nd & Landis Avenue, Sea Isle City, NJ.

Shop & Save: 315 Pearl Street, New Albany, IN; Ten Portland Avenue, Bergenfield, NJ; 3–5 Botany Village East, Clifton, NJ; Woodridge, NJ.

Siegel Brothers, Inc., 5612 North Milwaukee Avenue, Chicago, IL.

Skagway Department Stores, Inc., 620 West State Street, Grand Island, NE.

Solo Serve Company: 7000 San Pedro, 118 Soledad and 114 Southwest Military Drive, San Antonio, TX.

Spiegler's Department Store, Inc., 1467 Ellinwood Street, Des Plaines, IL.

Spurgeon's: 125 South Side Square, Macomb, IL; 723 Washington Street, Medota, IL; Vermillion Plaza, Pontiac, IL; 216 South Broadway, Albert Lea, MN.

Stanton's: 221–23 North Broadway, Sylacauga, AL; 52 Court Square, Troy, AL.

Star's Fashion World, 15th Street and Greenup Avenue, Ashland, KY.

Stecks, Inc.: 107 East Main Street, Crawfordsville, IN; 416 Main Street, Lafayette, IN.

Sterling Stores Company, Inc., 117–119 North Spring Street, Searcy, AR.

Sullivan's: 100–3 North Main Street, Franklin, KY; 262 West Main Street, Hendersonville, TN; 816 Southeast Broad Street, Murfreesboro, TN; 4508 Harding Road, Nashville, TN; 310–12 Donelson Avenue, Old Hickory, TN.

T.G. & Y. Stores Company, No. 9210, Macomb, IL.

Tomah Cash Mercantile Company, 914 Superior Avenue, Tomah, WI.

United Dollar Store, Inc.: 112 Main Street, Dumas, AR; 308 South Blake, Pine Bluff, AR; Sheridan Shopping Center, Sheridan, AR; 116 Thomas Street, Hammond, LA; 3009 Greinwich Shopping Center, Lake Charles, LA; 1340 East Union Street, Minden, LA; Broadmoor Shopping Center, Natchitoches, LA; 143 East Landry, Opelousas, LA; 2014 Jewella, Shereveport, LA; Nichols Shopping Center, Thibodaux, LA; Lewis Shopping Center, Vidalia, LA; 131 South Front Street, Indianola, MS; 3242 Delta Drive, Jackson, MS; Bright Shopping Center, Pearl, MS; 409 Locust Street, Rolling Fork, MS; 1711 Washington Street, Vicksburg, MS; Washington, MS; 241 South Main, Yazoo City, MS.

Walker Company, 126 North Oak Park Avenue, Oak Park, IL.

Walsmith Variety, Inc., 33–35 Rehoboth Avenue, Rehoboth Beach, DE.

H. P. Wasson's & Company: 7150 East Washington Street, 2802 Lafayette Road and 2–18 West Washington Street, Indianapolis, IN.

J. Watercott & Company, 500 Edward Street, Henry, IL.

Weinberg's, West Chester Pike and Eagle Road, Havertown, PA.

Wellan's, Inc., 1200 Third Street, Alexandria, LA.

Wellwood Company, Inc.: 1406 Congress Street, Portland, ME; Saco Valley Shopping Center, Saco, ME; 199 Ocean Street, South Portland, ME.

Wellworth Department Store, 6324 Woodland Avenue, Philadelphia, PA.

West & Company, Inc.: 118 North Craft Highway, Chickasaw, AL; Crichton Shopping Center, 4358 Old Shell Road and Highway 90 at Tillman, Mobile, AL; Pine Plaza Shopping Center, Arkadelphia, AR; 201 North Main Street, Benton, AR; Plaza Shopping Center, Blytheville, AR; Front Street and North Mall Shopping Center, Conway, AR; 102 East First Street, Crossett, AR; Corner Cherry & York, Helena, AR; Jacksonville Shopping Center, Jacksonville, AR; 7509–11 Baseline Road, Colony South Shopping Center and 3901 South University Boulevard, Little Rock, AR; 2633 Pike Avenue, North Little Rock, AR; Southgate Shopping Center, Russellville, AR; Stuttgart Square Shopping Center, Stuttgart, AR; College Hill Shopping Center, Texarkana, AR; South Main Street, Warren, AR; Twin City Shopping Center, West Helena, AR; Village Shopping Center, Homer, LA; 728 Main Street and West Plaza Shopping Center, Minden, LA; Southside Shopping Center, Monroe, LA; Pine Plaza Shopping Center, Springhill, LA; West Plaza Shopping Center, Cleveland, MS; Goyer Shopping Center and Main Stream Shopping Center, Greenville, MS; Magnolia Mall Shopping Center, Natchez, MS; Midtown Shopping Center, Oxford, MS; Pine Acres Shopping Center, Atlanta, TX; North Hills Shopping Center, Conroe, TX; Jefferson at Fourth, Mount Pleasant, TX.

J. A. West Company: El Dorado, AR; No. 5, Malvern, AR; No. 14, West Plains, MO.

Western Auto Associate Store, 620 Bolton Avenue, Alexandria, LA.

S. M. Whiteside & Company, 308 High Street; Morgantown, WV.

Wieboldt Stores, Inc.: Carpentersville, IL; 3239 North Lincoln Avenue, 6165 North Lincoln Avenue, 1279 North Milwaukee Avenue and 7601 South Cicero Avenue, Chicago, IL; 1007 Church Street, Evanston, IL; 2400 West Jefferson Street, Joliet, IL; 145 Yorktown, Lombard, IL; 600 Lincoln Mall, Matteson, IL; 999 Elmhurst Road, Mount Prospect, IL; 4200 North Harlem Avenue, Norridge, IL; 7201 West Lake Street, River Forest, IL; 123 Lakehurst, Waukegan, IL.

Mr. Wiggs Department Store: 1130 Coliseum Boulevard North, 3810 U.S. 24 West and 6901 South Hanna Street, Fort Wayne, IN; 4741 East Main Street, Richmond, IN.

Wilson's Department Store, Inc., 22 East University Avenue, Gainesville, FL.

Winograd's Department Store, Inc., 651 Arnold Avenue, Point Pleasant, NJ.

Wolke & Kotler, Inc., 4811 Milwaukee Avenue, Chicago, IL.

F. W. Woolworth Company: No. 853, Globe, AZ; No. 6259, Mesa, AZ; No. 1652, Nogales, AZ; Nos. 487, 881, 6010, 6188 and 6229, Phoenix, AZ; No. 6009, Tempe, AZ; Nos. 1045, 2569, 6201, 6231 and 6233, Tucson, AZ; Nos. 1103 and 2294, Alameda, CA; No. 1280, Alhambra, CA; No. 2186, Azusa, CA; Nos. 592 and 1619, Bakersfield, CA; No. 1349, Burlingame, CA; No. 1388, Canoga Pike, CA; No. 920, Carlsbad, CA; No. 6240, Carmichael, CA; Nos. 1869 and 6271, Cerritos, CA; No. 1699, Compton, CA; No. 2139, Concord, CA; No. 2288, Corte Madera, CA; No. 1244, Costa Mesa, CA; No. 1816, Daly City, CA; No. 477, Delano, CA; No. 2293, Downey, CA; No. 479, El Cajon, CA; No. 1807, El Centro, CA; No. 2289, El Cerrito, CA; No. 2383, El Monte, CA; No. 715, Eureka, CA; No. 445, Fairfield, CA; No. 971, Fontana, CA; No. 6217, Fountain Valley, CA; No. 323, Fremont, CA; Nos. 200, 305 and 1400, Fresno, CA; No. 1372, Fullerton, CA; No. 974, Glendale, CA; No. 1043, Hanford, CA; No. 826, Hayward, CA; Nos. 1154 and 1602, Hollywood, CA; No. 1274, Huntington Park, CA; No. 1142, Inglewood, CA; No. 1618, Lakewood, CA; No. 1945, La Mesa, CA; No. 6162, La Mirada, CA; No. 1252, Lodi, CA; No. 2571, Lompoc, CA; Nos. 872 and 2143, Long Beach, CA; Nos. 306, 448, 634, 1680, 1830, 1882 and 2213, Los Angeles, CA; No. 658, Marysville, CA; No. 1064, Modesto, CA; No. 1788, Montbello, CA; No. 5268, Montclair, CA; No. 1165, Monterey, CA; Nos. 274 and 2299, Mount View, CA; Nos. 993 and 5252, Napa, CA; No. 2095, National City, CA; No. 449, North Hollywood, CA; No. 2012, Oakland, CA; No. 1209, Orange, CA; No. 184, Oroville, CA; No. 868, Oxnard, CA; No. 472, Palmdale, CA; No. 174, Palm Springs, CA; Nos. 973, 1129 and 5271, Palo Alto, CA; No. 2132, Panorama City, CA; Nos. 859 and 1532, Pasadena, CA; No. 1424, Rancho Cordova, CA; No. 1544, Redding, CA.

No. 756, Redlands, CA; No. 1081, Richmond, CA; Nos. 1625 and 2185, Riverside, CA; No. 2572, Roseville, CA; Nos. 36, 2060, 2570, 2592 and 6254, Sacramento, CA; No. 1144, Salinas, CA; Nos. 433 and 1150, San Bernardino, CA; No. 1715, San Carlos, CA; Nos. 202 and 1554, San Diego, CA; Nos. 64, 329, 1148, 1226, 1584, 1616, 1797, 1868 and 1918, San Francisco, CA; Nos. 281, 668, 1703, 2210, 2581, 2587 and 5251, San Jose, CA; No. 2405, San Leandro, CA; No. 1249, San Mateo, CA; No. 982, Santa Ana, CA; No. 752, Santa Barbara, CA; No. 5250, Santa Clara, CA; No. 687, Santa Cruz, CA; No. 1251, Santa Monica, CA; No. 5272, Sunnyvale, CA; No. 624, Sylmar, CA; Nos. 35 and 391, Torrance, CA; No. 2416, Tracy, CA; No. 1276, Turlock, CA; No. 5253, Vacaville, CA; Nos. 1568 and 1972, Ventura, CA;

No. 938, Visalia, CA; No. 1207, Walnut Creek, CA; No. 1263, Watsonville, CA; Nos. 1073 and 2114, West Covina, CA; No. 1605, Woodland, CA; No. 137, Ewa Beach, HI; No. 1295, Hilo, HI; Nos. 1500, 1859, 1922 and 2316, Honolulu, HI; No. 1289, Kahului Maui, HI; No. 703, Lihue Kauai, HI; No. 1753, Coeur D'Alene, ID; Nos. 931, 985, 6031 and 6113, Las Vegas, NV; Nos. 217 and 1944, Reno, NV; Nos. 735 and 6112, Albuquerque, NM; No. 1298, Carlsbad, NM; No. 1633, Clovis, NM; No. 2482, Farmington, NM; No. 2265, Las Cruces, NM; No. 1966, Santa Fe, NM; No. 633, Eugene, OR; No. 903, Klamath Falls, OR; No. 981, Medford, OR; No. 1490, Pendleton, OR; No. 280, Portland, OR; Nos. 2266, 2559, 6270 and 6275, El Paso, TX; No. 366, Cedar City, UT; No. 2561, Ogden, UT; No. 2276, Price, UT; No. 1131, Provo, UT; No. 2433, Roy, UT; Nos. 61, 2072 and 2609, Salt Lake City, UT; No. 419, Bellingham, WA; No. 1125, Bremerton, WA; No. 529, Everett, WA; No. 424, Kennewick, WA; No. 796, Longview, WA; No. 161, Olympia, WA; Nos. 96, 1265, 1518 and 2187, Seattle, WA; Nos. 145 and 2088, Spokane, WA; Nos. 105 and 2241, Tacoma, WA; No. 1111, Vancouver, WA.

Mr. Z, Inc., 443 Town & Country Village, Houston, TX.

Zeff Distributing Company, Inc., 306 West Ninth Street, Kansas City, MO.

Zollinger-Harned: 627 Hamilton Mall, Allentown, PA; Whitehall Mall, Whitehall, PA; Wyoming Valley Mall, Wilkes Barre, PA.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at subminimum wage rates is necessary to prevent curtailment opportunities for employment and the hiring of full-time students at subminimum wage rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate.

The certificate may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR 528. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof on or before January 26, 1976.

Signed at Washington, D.C. this 9th day of December, 1975.

DONALD T. CRUMBACK,
Authorized Representative of the Administrator.

[FR Doc.75-33592 Filed 12-11-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[AB 46 (Sub-No. 10)]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY

Abandonment of Line

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding, as this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 432; *et seq.*; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Mahaska County, Iowa, on or before December 18, 1975 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 25th day of November, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

[AB 46 (Sub-No. 10)]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY ABANDONMENT BETWEEN OSKALOOSA AND MICH SPUR, IN MAHASKA COUNTY, IOWA

The Interstate Commerce Commission hereby gives notice that by order dated November 25, 1975, it has been determined that the proposed abandonment of the Chicago, Rock Island and Pacific Railroad Company rail line between Oskaloosa and Mich Spur, a distance of 3.32 miles, in Mahaska County, Iowa, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, *et seq.*, and that preparation of a detailed environmental impact statement will not be required under section 4332 (2)(C) of the NEPA.

It was concluded, among other things, that no traffic has moved over the line since January 1, 1974, and none is foreseen in the future. In view of this, the abandonment is not expected to result in a diversion of any traffic from the subject line to motor carrier transportation.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before January 2, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-33602 Filed 12-11-75;8:45 am]

[Notice No. 929]

ASSIGNMENT OF HEARINGS

DECEMBER 9, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 119767 Sub 328, Beaver Transport Co., now being assigned February 3, 1976 (1 day), at Chicago, Ill.; in a room to be later designated.

MC 64932 Sub 551, Rogers Cartage Co., now being assigned February 4, 1976 (1 day), at Chicago, Ill.; in a hearing room to be later designated.

MC 107496 Sub 937, Ruan Transport Corporation, now being assigned February 5, 1976, (2 days), at Chicago, Ill.; in a hearing room to be later designated.

MC 118202 Sub-50, Schultz Transit, Inc., now being assigned January 15, 1976, (1 day), at St. Paul, Minnesota, in a hearing room to be later designated.

MC 95920 Sub-41, Santry Trucking Company, A Corporation, now being assigned January 16, 1976, (1 day), at St. Paul, Minn., in a hearing room to be later designated.

No. 36095, Investigation into Lawfulness of Off-Line Limitations Placed on Non-Assigned Hopper Cars, prehearing conference has been continued to February 25, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 71593 Sub 3, C. G. Potter, DBA Maumee Express, now being assigned February 9, 1976, at New York, N.Y. (2 days); in a hearing room to be later designated.

MC 130279, Four Winds Travel, Inc., now being assigned February 11, 1976 (3 days), at New York, N.Y.; in a hearing room to be later designated.

MC 25798 Sub 276, Clay Hyder Trucking Lines, Inc.; MC 95540 Sub 929, Watkins Motor Lines, Inc. and 116763 Sub 326, Carl Subler Trucking, Inc., now being assigned February 3, 1976 (4 days), at Tampa, Florida; in a hearing room to be designated later.

MC 114334 Sub 31, Builders Transportation Company and MC 140546, Roadhound Truck Company, now being assigned February 10, 1976 (3 days), at Little Rock, Arkansas; in a hearing room to be designated later.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-33603 Filed 12-11-75;8:45 am]

[Notice No. 137]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

DECEMBER 12, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Section 212(b), 206(a),

211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. 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. 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-75645. By supplemental order entered December 5, 1975, the Motor Carrier Board approved the transfer to J. W. Crowley, Dwayne Crowley, and Donald Crowley, a partnership, doing business as J. S. Crowley and Sons, Monticello, Utah, of that portion of the operating rights set forth in Permit No. MC 34227 (Sub-No. 5), issued June 5, 1972, to Pacific Inland Transportation Company, a corporation, Cortez, Colorado, authorizing the transportation of specified commodities, from points in California, to points in New Mexico. Earl H. Scudder, Jr., P.O. Box 82028, Lincoln, Nebr. 68501, attorney for applicants.

No. MC-FC-75693. By order of December 8, 1975 the Motor Carrier Board approved, on reconsideration, the transfer to Robert L. Curtis, doing business as Curtis Transports, Jackson, Tenn., that portion of Certificate No. MC 71460 issued by the Commission April 26, 1963, to Southern Forwarding Co., Memphis, Tenn., authorizing the transportation of general commodities, with exceptions, over specified routes between Memphis, Tenn., and Nashville, Tenn., serving all intermediate points, with service at Memphis, Tenn., restricted against traffic destined to or interchanged at Nashville, Tenn., and service at Nashville, Tenn., restricted against traffic destined to or interchanged at Memphis, Tenn.; and restricted against service to Bruceton, Huntingdon, Milan Arsenal, Tenn., and points in described portions of Dickson and Cheatham Counties, Tenn.

James N. Clay, III, Esquire, 2700 Sterick Building, Memphis, Tenn. 38103.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-33604 Filed 12-11-75;8:45 am]

[Notice No. 91]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Apples Lines, Inc., MC-114632 Sub-62	MC-114632 Sub-69	Oct. 1, 1975
Daily Express, Inc., MC-117574 Sub-236	MC-117574 Sub-238	Nov. 7, 1975
Specialized Hauling, Inc., MC-135117 Sub-2	MC-135117 Sub-3	Sep. 30, 1975
Specialized Hauling, Inc., MC-135117 Sub-6	MC-135117 Sub-7	Oct. 20, 1975
Grant Island Moving & Storage Co., MC-135283 Sub-10-75	MC-135283 Sub-9	Do.
Jack Hodge Transport, Inc., MC-135486 Sub-5	MC-135486 Sub-7	Sep. 30, 1975
Joe Brown Co., Inc., MC-136008 Sub-51	MC-136008 Sub-50	Oct. 2, 1975
Orbit Transport, Inc., MC-136161 Sub-8	MC-136161 Sub-7	Oct. 10, 1975
Customized Parts Distribution Co., MC-136291 Sub-4	MC-136291 Sub-5	Oct. 15, 1975
Coyote Truck Line, Inc., MC-136318 Sub-26	MC-136318 Sub-14	Oct. 23, 1975
Art Pape Transfer, Inc., MC-136553 Sub-20	MC-136552 Sub-22	Oct. 28, 1975
Moore Transportation Co., MC-138104 Sub-20	MC-138104 Sub-23	Oct. 23, 1975
Moore Transportation Co., MC-138104 Sub-25	MC-138104 Sub-9	Do.
Charter Express, Inc., MC-138398	MC-138393 Sub-2	Oct. 28, 1975
Charter Express, Inc., MC-138398 Subs-1, -4	do	Do.
Charter Express, Inc., MC-138398 Subs-6, -7	MC-138393 Sub-9	Do.
Charter Express, Inc., MC-138398 Sub-10	MC-138393 Sub-11	Do.
D.b.a. Wisconsin Provisions Express, MC-138512 Sub-7	MC-138512 Sub-9	Oct. 2, 1975
Zip Trucking, Inc., MC-138807 Sub-8	MC-138807 Sub-5	Do.
Ajax Transfer Co., MC-138896 Sub-1	MC-138896 Sub-4	Oct. 23, 1975
Ajax Transfer Co., MC-138896 Subs-3, -10	MC-138896 Sub-11	Oct. 21, 1975
Calex Express, Inc., MC-139112 Sub-2	MC-139112 Sub-5	Oct. 10, 1975
Holloway Brothers Trucking, MC-139289 Sub-2	MC-139289 Sub-1	Oct. 15, 1975
D.b.a. Twin State Coach Lines, MC-139455	MC-139455 Sub-1	Oct. 23, 1975
Cowlitz Stud Co., MC-139470 Sub-1	MC-139470 Sub-2	Oct. 10, 1975
Packwood Lumber Co., MC-139471 Sub-1	MC-139471 Sub-2	Oct. 23, 1975
Peplow Transport Ltd., MC-139531 Subs-1, -3	MC-139531 Sub-2	Oct. 17, 1975
D.b.a. Marasco & Sons Trucking, MC-139591 Sub-1	MC-139591 Sub-2	Oct. 28, 1975
R. H. Trucking, Inc., MC-139603	MC-139603 Sub-1	Oct. 2, 1975
Wayne Hinchliffs, MC-139715	MC-139715 Sub-1	Do.
Klima, Inc., MC-139884	MC-139884 Sub-2	Oct. 23, 1975
Security Transport & Delivery Service, MC-139964 Sub-1	MC-139964 Sub-2	Oct. 15, 1975
Mid-America Cartage, Inc., MC-140071	MC-140071 Sub-1	Oct. 17, 1975
Lionel Theriault, Inc., MC-140089 Sub-1	MC-140089	Do.
Ed Davenport, MC-140172 Sub-1	MC-140172 Sub-2	Oct. 14, 1975
NRG Hauling, Inc., MC-140179	MC-140179 Sub-1	Oct. 17, 1975
John E. Way, Jr., MC-140216 Sub-1	MC-140216 Sub-2	Oct. 2, 1975
Community Coach, Inc., MC-140282	MC-140282 Sub-1	Oct. 8, 1975
Walter J. Griffin, Jr., MC-140310	MC-140310 Sub-1	Oct. 15, 1975
Cook Trucking Service, Inc., MC-140373 Sub-1	MC-140373 Sub-2	Oct. 20, 1975
L. C. J. Trucking, Corp., MC-140425	MC-140425 Sub-1	Oct. 17, 1975
Lamar M. Leiby, MC-140441	MC-140441 Sub-2	Oct. 28, 1975
Tripp Motor Service, Inc., MC-140446	MC-140446 Sub-1	Oct. 20, 1975
W. T. Myles Transportation Co., MC-140563	MC-140563 Sub-1	Oct. 28, 1975

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-33605 Filed 12-11-75;8:45 am]

[Notice No. 92]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
L. P. Transportation, Inc., MC-109649 Sub-22	MC-109649 Sub-20	July 8, 1975
Capitol Truck Line, Inc., MC-120800 Subs-19, -20, -30, -42, -43, -48, -53, -54.	MC-120800 Sub-24	Oct. 24, 1975
Capitol Truck Line, Inc., MC-120800 Sub-56	MC-120800 Sub-24	Oct. 15, 1975
Diamond Transportation, Inc., MC-123048 Subs-233, -260	MC-123048 Sub-216	Oct. 3, 1975
McKevitt Trucking Ltd., MC-123169 Sub-8	MC-123169 Sub-9	Oct. 15, 1975
Summit City Enterprises, Inc., MC-123640 Sub-11	MC-123640 Sub-12	Oct. 21, 1975
D.b.a. Mid-Tenn Express, MC-124117 Sub-5	MC-124117 Sub-6	Oct. 16, 1975
C. R. England & Sons, Inc., MC-124679 Sub-63	MC-124679 Sub-65	Oct. 15, 1975
Fast Motor Service, Inc., MC-126276 Sub-112	MC-126276 Sub-114	Do.
Gaston Feed Transports, Inc., MC-126489 Sub-22	MC-126489 Sub-23	Do.
Gaston Feed Transports, Inc., MC-126489 Sub-26	MC-126489 Sub-27	Do.
Walt's Drive-A-Way Service, MC-126717 Sub-6	MC-126717 Sub-7	Oct. 20, 1975
M & N Grain Co., MC-127355 Sub-12	MC-127355 Sub-13	Oct. 7, 1975
Parker Truck Line, Inc., MC-128095 Sub-10	MC-128095 Sub-11	Oct. 16, 1975
Crete Carrier Corp., MC-128375 Sub-71	MC-128375 Sub-62	Oct. 8, 1975
B & B Trucking, Inc., MC-128866 Sub-50	MC-128866 Sub-51	Do.
Joh-Lar Transportation, Inc., MC-129016 Sub-5	MC-129016 Sub-6	Oct. 16, 1975
Dixie Transport Co. of Texas, MC-129445 Sub-12	MC-129445 Sub-11	Oct. 21, 1975
Rajor, Inc., MC-129862 Sub-8	MC-129862 Sub-5	Oct. 16, 1975
National Carriers, Inc., MC-133106 Sub-51	MC-133106 Subs-3, -11	Oct. 20, 1975
Cecil Claxton, MC-133492 Sub-12	MC-133492 Sub-13	Oct. 7, 1975
Federation Trucking Corp., MC-133801 Sub-4	MC-133801 Sub-5	Sept. 30, 1975
Starling Transport Lines, Inc., MC-133867 Sub-7	MC-133867 Sub-8	Oct. 14, 1975
North East Express, Inc., MC-133966 Sub-36	MC-133966 Sub-37	Oct. 23, 1975
R & S Transit, Inc., MC-134131 Sub-3	MC-134131 Sub-4	Oct. 21, 1975
Jay Lines, Inc., MC-134323 Sub-13	MC-134323 Sub-14	Oct. 17, 1975
Jay Lines, Inc., MC-134323 Sub-64	MC-134323 Sub-66	Sept. 30, 1975
Blackburn Truck Lines, Inc., MC-134387 Sub-20	MC-134387 Sub-22	Oct. 10, 1975
Schanno Transportation, Inc., MC-134477 Sub-53	MC-134477 Sub-52	Oct. 15, 1975
Unzicker Trucking, Inc., MC-134970 Sub-6	MC-134970 Sub-7	Oct. 20, 1975
D.b.a. Swanson Fuel, MC-135148 Sub-2	MC-135148 Sub-3	Nov. 6, 1975
Walker & Whitted Transportation Co., MC-135611 Sub-5	MC-135611 Sub-6	Nov. 3, 1975
J. B. Hunt Transport, Inc., MC-135797 Sub-10	MC-135797 Sub-20	Nov. 6, 1975
Movers Port Service, Inc., MC-136232 Sub-1	MC-136232 Sub-2	Oct. 31, 1975
Southern Intermodal Logistics, MC-136285 Sub-13	MC-136285 Sub-9	Oct. 20, 1975
Cargo Contract Carrier Corp., MC-136408 Sub-11	MC-136408 Sub-14	Nov. 3, 1975
Green Mountain Carriers, Inc., MC-136647 Sub-15	MC-136647 Sub-18	Oct. 20, 1975
Robco Transportation, Inc., MC-136786 Subs-12, -19	MC-136786 Sub-15	Nov. 3, 1975
Can-Am Marine Transit Ltd., MC-138164 Sub-2	MC-138164 Sub-4	Oct. 20, 1975
Wiley Sanders, Inc., MC-138882 Subs-2, -3	MC-138882 Sub-4	Nov. 10, 1975
Donald F. Owens, MC-138936	MC-138936 Sub-1	Do.
Lebanon Distributing Co., MC-139216 Sub-1	MC-139216 Sub-2	Oct. 31, 1975
D.b.a. Clacier Transport, MC-139420 Sub-1	MC-139420 Sub-3	Oct. 28, 1975
Scoville Oil Co., MC-139528	MC-139528 Sub-1	Nov. 4, 1975
D.b.a. H. C. Kocot & Sons, MC-139545 Sub-3	MC-139545 Sub-4	Nov. 19, 1975
Adrian Vanzandbergen, MC-139573 Sub-1	MC-139573	Nov. 5, 1975
Resort Bus Lines, Inc., MC-139707 Sub-2	MC-139707 Sub-3	Nov. 19, 1975
Penetang-Midland Coach Lines Ltd., MC-139953 Sub-1	MC-139953	Do.
D.b.a. Beltz Wrecker Service, MC-140278	MC-140278 Sub-1	Nov. 3, 1975
D.b.a. Ben Olsson Trucking, MC-140298	MC-140298 Sub-1	Nov. 6, 1975
D.b.a. D & W Trucking Co., MC-140435 Sub-1	MC-140435 Sub-2	Oct. 28, 1975
D.b.a. Blythe Co., MC-140476 Sub-1	MC-140476 Sub-2	Nov. 3, 1975
D.b.a. Norman Fred, MC-140538 Sub-1	MC-140538 Sub-2	Do.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-33606 Filed 12-11-75;8:45 am]

Office of Proceedings

[Notice No. 141]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 9, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 107295 (Sub-No. 790TA), filed December 1, 1975. Applicant: PRE-FAB TRANSIT CO., 100 South Main St., Farmer City, Ill. 61842. Applicant's representative: Duane Zehr (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe or tubing, parts and accessories*, from Plattsburgh, N.Y., to points in Ohio, Virginia, Rhode Island, the District of Columbia, Connecticut, Michigan, Kentucky, West Virginia, Pennsylvania, New Jersey, Delaware, Maryland, Vermont, New Hampshire, Massachusetts and Maine, for 180 days. Supporting shipper: Bryon Camp, Service Manager, Bow Corporation, P.O. Box 728, Plattsburgh, N.Y. 12901. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 108398 (Sub-No. 45TA), filed November 24, 1975. Applicant: RINGSBY-PACIFIC LTD., 5773 South Prince St., Littleton, Colo. 80120. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), over regular routes, as follows: (1) between Ogden, Utah and Maryhill, Wash., serving no intermediate points, from Ogden, Utah over Interstate Highway 80N to Biggs, Oreg., thence via U.S. Highway 97 to Maryhill, Wash., and return over the same route. Service at Ogden, Utah is restricted to interchange and interline of traffic with Ringsby Truck Lines, Inc., and service at Maryhill, Wash., is restricted to joinder with applicant's otherwise authorized routes; (2) between junction Interstate Highway 80 and U.S. Highway 30N near Little America, Wyo., and Maryhill, Wash., serving no intermediate points from Junction Interstate Highway 80 and U.S. Highway 30N over U.S. Highway 30N to joinder with Interstate Highway 15W, and thence over U.S. Highway 30N and Interstate Highway 15W to junction Interstate Highway 80N, and thence over Interstate Highway 80N to Biggs, Oreg., and from Biggs, Oreg., via U.S. Highway 97 to Maryhill, Wash., and return over the same route. Service at junction Interstate Highway 80 and U.S. Highway 30N is restricted to interchange and interline of traffic with Ringsby Truck Lines, Inc., and service at Maryhill, Wash., is restricted to joinder with applicant's otherwise authorized routes. Service on both of the above-described routes is restricted to traffic moving to, from or through Denver, Colo., or

Cheyenne, Wyo., for 180 days. Supporting shippers: There are approximately 73 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo.

No. MC 111729 (Sub-No. 589TA), filed November 24, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Television film and video tape*, between Baltimore-Washington International Airport, Md., and Baltimore, Md., and the District of Columbia; between Cincinnati Airport, Ohio, Cincinnati, Ohio, Columbus and Dayton, Ohio; between Dallas-Ft. Worth Airport, Tex., Dallas, Tex.; Shreveport, La.; Amarillo, El Paso, Fort Worth, Lubbock, Midland, Waco and Wichita Falls, Tex.; between Detroit Metropolitan Airport, Mich., Detroit, Mich., Cheboygan, Clio, Flint, Jackson, Kalamazoo, Lansing Southfield and Traverse City, Mich.; between Los Angeles International Airport, Calif., Los Angeles, Calif., Bakersfield, Hollywood, and San Diego, Calif.; between Lambert-St. Louis International Airport, Mo., St. Louis, Mo., Quincy, Ill.; Joplin, Kansas City, and Springfield, Mo.; between San Francisco International Airport, Calif., San Francisco, Calif., Fresno, Sacramento, Salinas and San Luis Obispo, Calif.; Portland, Oreg.; Seattle and Spokane, Wash.; restricted to the transportation of traffic having an immediately prior or subsequent movement by air, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Jet Air Freight, 348-06 Rockaway Blvd., Jamaica, N.Y. 11422. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (Sub-No. 590TA), filed November 24, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, and audit and accounting media of all kinds*, between Bossier City, La., and Quitman, Tex., for 90 days. Applicant has also filed an underluing ETA seeking up to 90 days of operating authority. Supporting shipper: Innovative Data Systems, P.O. Drawer 5100, Bossier City, La. Send protests to: Anthony D. Giaimo, District Supervisor: Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 117068 (Sub-No. 57TA), filed November 20, 1975. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., North Highway 63, P.O. Box 6418, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 701 Washington Bldg., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Enameled steel silos, silo loading and unloading devices, waste storage tanks; livestock feed bunkers, forage metering devices, animal waste spreader tanks, livestock feeding systems, and parts and accessories*, for the above-named commodities, from Eureka and De Kalb, Ill., to the ports of entry, located on the United States-Canadian Boundary line at Sault Ste. Marie, Port Huron and Detroit, Mich., and extending to points in Ontario, Canada. Restriction: Restricted to traffic originating at the plantsites of A. O. Smith Corporation, and further restricted to traffic moving on winch equipped tractors and self-unloading trailers, for 180 days. Supporting shipper: Ontario Harvestore Systems, Ltd., 65 Dawson Road, Guelph, Ontario, Canada. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 118959 (Sub-No. 133TA), filed December 1, 1975. Applicant: JERRY LIPPS, INC., 130 South Frederick St., Cape Girardeau, Mo. 63701. Applicant's representative: William P. Jackson, Jr., 3426 North Washington Blvd., Arlington, Va. 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crated cabinets, vanities, and cases*, from the facilities of Kitchen Kompact, Inc., at or near Jeffersonville, Ind., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Kitchen Kompact, Inc., 911 East 11th St., Jeffersonville, Ind. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th St., St. Louis, Mo. 63101.

No. MC 125674 (Sub-No. 11TA), filed November 25, 1975. Applicant: THE SENTINEL STAR EXPRESS COMPANY, doing business as, JACK RABBIT EXPRESS, 64 West Concord St., Orlando, Fla. 32802. Applicant's representative: James E. Wharton, P.O. Box 231, Orlando, Fla. 32802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Florida on, south and east of a line beginning at Yankeetown and extending along Florida Highway 40 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction Florida Highway 24, thence along Florida Highway 24 to Waldo, thence along U.S. Highway 301 to the Florida-Georgia State line, thence along the Florida-Georgia State line to the Atlantic Ocean, on the one hand, and, on the other, points in Fulton, Douglas, DeKalb, Cobb, Gwinett and Henry Counties, Ga., restricted to the transportation of a single package or article weighing not more than 125 pounds in shipments not exceeding 1,000 pounds from one consignor to one consignee in any single day, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 91 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: G. H. Fauss, District Supervisor, Intertsate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 133741 (Sub-No. 18TA), filed November 21, 1975. Applicant: OSBORNE TRUCKING CO., INC., 1008 Sierra Drive, Riverton, Wyo. 82501. Applicant's representative: Stockton and Lewis, The 1650 Grant St., Bldg., Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from Bonner, Mont., to points in Colorado, under a continuing contract with Champion International Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Champion International Corp., Knightsbridge Drive, Hamilton, Ohio 45020. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Room 1006 Federal Bldg., & Post Office, 100 East B St., Casper, Wyo. 82601.

No. MC 141479 (Sub-No. 3TA), filed November 24, 1975. Applicant: G & R TRUCKING, INC., 11973 Barden Tower Road, Florissant, Mo. 63033. Applicant's representative: Terrence D. Jones, 1126 16th St., N.W., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, and fittings and accessories*, necessary for the installation thereof, from the facilities of Certain-Teed Products Corp., at McPherson, Kans., to points in Arkansas, Illinois, Iowa, Kentucky, Louisiana, Missouri, Montana, New Mexico, South Dakota, Texas, Wisconsin and Wyoming, under a continuing contract with Certain-Teed Products Corporation, for 180 days. Supporting shipper: Certain-Teed Products Corporation, P.O. Box 860, Valley Forge, Pa. 19482. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th St., Louis, Mo. 63101.

No. MC 141518 (Sub-No. 2TA), filed November 21, 1975. Applicant: THE SENATE CARTAGE COMPANY, INC.,

425 Barclay Court, Elmhurst, Ill. 60126. Applicant's representative: Donald S. Mullins, 4704 W. Irving Park Road, Chicago, Ill. 60604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buffing and polishing compounds, floor paint and varnish, and liquid cleaning compounds*, in vehicles equipped to provide protective service to lading; and (2) *Equipment, supplies, and materials*, normally used in floor maintenance service and/or used in the application of commodities named in (1) above, in mixed shipments with commodities in (1) above and then only when commodities in (2) do not exceed fifteen percent (15%) of the aggregate weight of the entire shipment. Restriction: Said operation restricted in both (1) and (2) above against the transportation of commodities in bulk, from the plantsite and/or warehouse facilities of Masury-Columbia Company at or near Chicago, Ill., to Cornwells Heights, Pa.; Dallas, Tex.; Denver, Colo.; Glendale, Calif.; Kansas City, Mo.; Somerville, Mass.; and Tucker, Ga.; with authority to traverse the states of Alabama, Arizona, Arkansas, Connecticut, Indiana, Iowa, Kansas, Kentucky, Nebraska, New Jersey, New Mexico, New York, Nevada, Ohio, Oklahoma, Rhode Island, Tennessee and Utah for operating convenience only, under a continuing contract with Masury-Columbia Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Masury-Columbia Company, Kenneth J. Zavis, Manager of Traffic Dist., 188 Industrial Drive, Elmhurst, Ill. 60126. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 141547TA, filed November 26, 1975. Applicant: ANDREW L. OWENS AND MARIAN M. OWENS, co-partners, doing business as, A. L. OWENS TRUCKING, Old Highway 99 North, Box 29-A, Glendale, Oreg. 97442. Applicant's representative: Dudley C. Walton, 435 S. E. Kane, P.O. Box 1265, Roseburg, Oreg. 97470. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Veneer box shook*, from Coquille, Oreg., to Fresno, Calif., under a continuing contract with Westbrook Wood Products, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Westbrook Wood Products, Inc., P.O. Box 284, Coquille, Oreg. 97423. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 S. W. Wamhill St., Portland, Oreg. 97204.

No. MC 141548 TA, filed November 24, 1975. Applicant: INTERIOR TRANSPORT, INC., 2124 Waterworks Way, Spokane, Wash. 99220. Applicant's representative: George H. Hart, 1100 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Cedar fencing and cedar fencing materials*, from Troy (in Latah County) and Calder (in Shoshone County), Idaho, to Denver, Colo.; Phoenix, Ariz.; Los Angeles and San Diego, Calif., and the commercial zones of each of said cities, for 180 days. Supporting shipper: Idaho Cedar Sales Company, P.O. Box 398, Troy, Idaho 83871. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 141549 TA, filed November 20, 1975. Applicant: ALEX ETTERS, doing business as, DAN HALL FREIGHT LINE, P.O. Box 163, Camden, S.C. 29020. Applicant's representative: Edward M. Royall, 1111 Church St., Camden, S.C. 29020. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except furniture, petroleum in bulk, explosives or any commodity requiring special equipment), restricted to shipments having prior or subsequent movement by air or motor bus, between points in Kershaw, Lexington and Richland Counties, S.C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: E. I. DuPont De Nemours & Company, Inc., 10th & Market Streets, Wilmington, Del. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Room 302, 1400 Pickens St., Columbia, S.C. 29201.

No. MC 141550 TA, filed November 25, 1975. Applicant: HOPPY LINES, INC., 420 Devonshire Drive, Brea, Calif. 92621. Applicant's representative: Kenneth F. Dudley, 611 Church St., P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Welding rods and wire*, from the plants of Airco Welding Products, at Cleveland, Ohio; Chester, W. Va., and Sparrows Point, Md., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming, under a continuing contract with Airco Welding Products, A Division of Airco, Inc., for 180 days. Supporting shipper: Airco Welding Products, A Division of Airco, Inc., P.O. Box 281, Clermont Terrace, Union, N.J. 07083. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

PASSENGER APPLICATION

No. MC 141551 TA, filed November 28, 1975. Applicant: URANUS ENTERPRISES, INC., 327 Morgan Oak, Cape Giaradeau, Mo. 63701. Applicant's representative: Bradley M. Gaines (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers*, in special and/or charter operations, from various points within the City and County of Cape Girardeau and from points on Nash Road in Scott County, Mo., by irregular routes to Illinois Highway 46 and thereon to various points within E. Cape Girardeau, Ill., adjacent to Illinois Highway 46 and further north and south along Highway 3 to various points in McClure, Union County, Ill., and south in Alexander, Ill., as far as Gale and Tamms, Ill., at the southern terminus of said route in Illinois so as to encompass on the northern boundary of the northern city limits of McClure, Ill., in Union County, Ill., and its southern terminus Gale and Tamms, Ill., in Alexander County, Ill., the same points being the eastern terminus of said routes, and the western terminus being the City of Cape Girardeau, Mo., but laying within Scott County, Mo., (2) Passengers, between points as described in (1) above, for 180 days. Supporting shippers: East Cape Building Center, Inc., P.O. Box 118, McClure, Ill. 62957. East Cape Girardeau Village Board, Route 1, McClure, Ill. 62957. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th St., St. Louis, Mo. 63101.

By the Commission.

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

[FR Doc.75-33607 Filed 12-11-75;8:45 am]

federal register

FRIDAY, DECEMBER 12, 1975

PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

COMMUNITY EDUCATION PROGRAM

Criteria Governing Grant Awards

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160c—COMMUNITY EDUCATION PROGRAM

Notice of proposed rulemaking was published in the FEDERAL REGISTER on April 18, 1975 (40 FR 17394) setting forth proposed regulations under the Community Schools Act, section 405 of Pub. L. 93-380, 20 U.S.C. 1864, to be set forth in a new Part 160c of Title 45 of the Code of Federal Regulations.

The proposed regulation, which was developed with the advice of the Community Education Advisory Council established by section 405(g) of Pub. L. 93-380, set forth proposed rules and criteria governing grant awards by the Commissioner of Education to (1) State and local educational agencies to plan, establish, expand, improve, and maintain community education programs (and to provide developmental and technical assistance in connection with the establishment, expansion, improvement, and maintenance of community education programs), and (2) institutions of higher education to develop and establish, or expand, programs which will train persons to plan and operate community education programs. The proposed regulation would apply to all grant awards made with funds appropriated pursuant to the Community Schools Act, section 405 of Pub. L. 93-380, or with funds made available for expenditure under the Community Schools Act pursuant to the Special Projects Act, as enacted by section 402 of Pub. L. 93-380.

The Commissioner of Education has received a large number of comments regarding the notice of proposed rulemaking under the Community Schools Act. (Approximately 250 separate comments were made on the document in approximately 100 letters or other written communications.)

In addition, the Community Education Advisory Council carried out an intensive review of the proposed regulation and provided its recommendations to the Commissioner in two separate meetings. Oral statements by interested members of the public who attended these Council meetings also responded to the proposed regulation.

All of these comments and recommendations have been carefully reviewed in the context of the provisions of the regulation to which they relate. Summaries of the comments and responses are set forth in the preamble below on a section by section basis. Changes which have been made in the proposed regulation and are reflected in the final regulation in response to the comments are noted. A genuine effort has been made to be fully responsive to the comments, within the constraints of the governing legislation and in keeping with the program purpose as the Commissioner understands it. Significant changes have been made with regard to such matters as program elements, application requirements, and evaluation criteria in response to comments.

Many of the comments included questions regarding program operation or administration or statements regarding program philosophy and concept. The Commissioner has sought to provide additional clarification or interpretation in response to these questions or comments. Prospective applicants and other persons interested in the program are invited to study the preamble carefully, since it is hoped that this material will be helpful in clarifying the regulation.

A. *Summary of comments; changes in the regulation.* The following comments were submitted to the Commissioner of Education regarding the proposed regulation. After the consideration of each comment, a response is set forth stating changes which have been made in the regulation, or the reasons why no change is deemed necessary. The comments are arranged in order of the sections of the final regulation. Where the section number in the final regulation differs from that in the proposed rule, the proposed section number is also identified.

GENERAL

(1) *Comment.* A number of comments were received relating to drafting, technical questions, presentation, organization, and cross-referencing. Commenters expressed concern about the length and complexity of the regulation and urged clarification, shortening, elimination of guideline material, and inclusion of cross-referenced sections. Others expressed concern at the depth of administrative detail. At the same time, numerous other commenters requested further clarification and amplification, as indicated in the summary of comments.

A significant number of commenters generally supported the regulation, expressed satisfaction that it was clear and understandable, and noted appreciation for the work which had been done.

Response. The Commissioner is well aware of the need to provide regulations which are simple, clear, and as brief as possible consistent with the need to provide a full statement of the rules and requirements to govern program administration.

Because the Community Education Program consistutes a new Federal activity, considerable attention has been given to spelling out its basic concept. The legislation governing rulemaking in the Office of Education requires that all rules, requirements, and standards governing a program be set forth in the FEDERAL REGISTER.

This regulation is designed to collect all such matter in a single, comprehensive document. Limitations in staff size make it important that, to the maximum extent practicable, the program rules be spelled out so as to avoid the necessity of large numbers of *ad hoc* decisions on individual applications. Further, an attempt has been made in the rules to delineate specifically the types of programs which are most likely to be funded so that applicants do not spend valuable time and energy preparing applications which have little chance of support. Some "guideline" type material (in the nature of examples, explanatory material, or recommendations) is contained in the body of the regulation, to assist applicants in complying with requirements.

The regulation contains cross references to such regulations as the OE General Provisions regulation (45 CFR Part 100a), which provides general fiscal and administrative provisions common to all OE programs. This cross-referencing is intended to avoid repeating lengthy fiscal and administrative rules in separate regulations for each of the many programs administered by the Office of Education.

In response to the comments concerning administrative detail and the need for clarification, the provisions concerning application requirements (§§ 160c.14, 160c.15) have been substantially revised and abbreviated. Other sections have been rewritten to eliminate potential sources of confusion (§§ 160c.16–160c.18).

Section 160c.1 SCOPE AND PURPOSE.

(2) *Comment.* Several commenters suggested additions to the three stated purposes of the program. One suggested that the purpose section be modified to include community agencies as potential grantees; another recommended that the purpose section include references to the establishment of community education schools rather than community education programs.

Response. Because the stated purposes of the program are taken directly from the authorizing legislation (Pub. L. 93-380, section 405(b)), it would be inappropriate to attempt to change these purposes by regulation. The comment on including community agencies as grantees is answered in the response to Comment 5 below which pertains to what parties are eligible to receive grants. The reference to "programs" rather than "schools" is also based on the statute, which refers repeatedly to the establishment of community education programs.

(3) *Comment.* Several commenters recommended the addition (to § 160c.1) of a program goal to reduce duplication through such means as a required needs assessment and coordination agreements.

Response. The comments are more pertinent to the sections on criteria and application requirements than to the definition of program purpose and have been taken into account in changes made in these sections (see §§ 160c.14(d) and (e); 160c.15(d) and (e); 160c.17(d)(2) and (3); 160c.18(d), (e)(3)).

(4) *Comment.* One comment suggested the inclusion of "grounds" and "equipment" as part of the "facilities" for which more efficient use is encouraged in § 160c.1(b)(2).

Response. Equipment is already mentioned in the regulation (§ 160c.1(b(2)). "Grounds" would be included under the term "public facility." No change is deemed necessary.

Section 160c.2 DEFINITIONS—"LOCAL EDUCATIONAL AGENCY"—SCOPE OF TERM.

(5) *Comment.* A significant number of commenters questioned the failure of the proposed rule to include community colleges in the definition of "local educational agency" so as to render such institutions generally eligible for direct assistance under the Act. One commenter pointed to the definition of local educational agency in the regulations under the Vocational Education Act published in 40 FR 8079 February 25, 1975), which includes community and junior colleges. Other commenters suggested the term should generally be broadened to include community agencies and organizations, and that such organizations and agencies should be eligible along with LEAs and SEAs. A number of commenters urged provision for the inclusion of any public agency having administrative responsibility for community education. These commenters generally urged that failure to make these changes would result in the exclusion of many local programs from participation in the benefits of the Act.

Response—(a) *Definition of term "LEA" in regulation.* The Community Schools Act makes State educational agencies and local educational agencies eligible for assistance for carrying out nontraining grants (Pub. L. 93–380, section 405(d)). The term "local educational agency" is not defined in the Act. However, the term "local educational agency" is defined in numerous other statutes relating to aid to education, including the Elementary and Secondary Education Act (20 U.S.C. 881(f)). It is this definition which has been incorporated into the proposed rule. The inference drawn is that, in the absence of a special definition departing from that normally used, Congress intended the term "local educational agency" to carry the meaning normally ascribed to that term in other education aid statutes.

Indeed, when Congress has intended generally to include other public agencies in the definition of "local educational agency," it has done so specifically in a particularized statutory definition, as in the case of the Vocational Education Act, section 108(9) (20 U.S.C. 1248 (9)) (upon which the definition cited by the commenter is based) which expressly includes within its definition of "local educational agency" any "public educational institution or agency having administrative control and direction of a vocational education program."

The House bill included its version of the Community Schools Act as part of the Elementary and Secondary Education Act and thus would have made the term "local educational agency" subject to the standard definition in section 801 (f) of the ESEA, which is identical with the definition used in the regulation. (H.R. Rept. No. 93–805, at 149–51, 155 (1974)). Nothing in the Senate Report or the Conference Report in any way indicates that this clear expression of the House intent was to be altered. (Sen. Rep. No. 93–1026, at 174 (1974)). The latter report speaks of "LEA" as essentially coextensive with "school district." Further, the Senate bill would have added to the General Education Provisions Act (GEPA) a new section 400(b)(15), which would have defined "unless otherwise specified" the term "local educational agency" for any "applicable statute" in a manner similar to that in section 801(f) of the ESEA. The Senate version of the Community Schools Act used the term "LEA" but did not "otherwise specify" a definition. (Sen. Rept. 93–763, at 253–55 (1974); H.R. 69, 93rd Congress, 2d session (as passed by Senate 5/20/74; pp. 295–99; 342–47 (5/20/74). In essence, both the House and Senate bills were in accord on the definition of "LEA," and the regulation comports with this history.

Based on the above described statutory provisions and legislative history, it appears that the definition of "local educational agency" included in the regulation (§ 160c.2) is mandated by the law and cannot be altered.

(b) *Scope of the definition.* While the definition in the regulation has not been changed, a separate question may arise as to the nature of particular agencies which may fall within the definition of "local educational agency" included in the regulation. In response to the substantial volume of comments regarding the issue of eligibility under the definition of "LEA," it seems appropriate in the preamble to address this issue. The definition in § 160c.2 includes any "public authority legally constituted within a State * * * to perform a service function for * * * public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State * * *" (§ 160c.2) (emphasis added). Agencies falling within the scope of this definition will be recognized as eligible applicants. The regulatory and statutory elements include (1) status as a public authority; (2) legal mandate or authority under State law to perform the service function specified in the regulation; and (3) the existing or prospective performance of the service function for public elementary and secondary schools.

For the purposes of the Act, a public authority would, for example, be eligible if it were authorized pursuant to State law to carry out and were carrying out (or proposed to carry out) a community education program (meeting the minimum elements set forth in § 160c.3(c)) in a public elementary or secondary school facility. It would not be necessary that the public authority have the sole or primary purpose of providing a service function for public elementary or secondary schools, so long as the public authority had the legal authority to perform such a service function. (Documentation with respect to the status of an agency under State law as a "public authority" and as to its authority to perform a service function for public elementary or secondary schools could be provided through submission of an opinion of counsel or other appropriate legal opinion.)

In summary, while the definition of "LEA" is retained in § 160c.2, agencies which come within the "service function" provision of the definition, as described above, will be recognized as eligible for grants to establish, expand, improve, or maintain community education programs under this regulation. A public community college or public agency administering a school-based community education program would be eligible if it satisfied the elements of that provision. The overall approach implements Congressional intent that grants be made to "local educational agencies" and interprets that term to provide for "the maximum flexibility and efficiency in the organization of programs," as contemplated by the Congress (remarks of Senator Morse, Cong. Rec. 7046 (daily ed., April 7, 1965)).

Section 160c.2 DEFINITIONS—"LOCAL EDUCATIONAL AGENCY" — INTERMEDIATE SCHOOL DISTRICTS.

(6) *Comment.* One commenter stressed the need to include intermediate school districts among the eligible parties. Another commenter read into the regulation an intent that multi-district cooperatives in which one of the districts was the fiscal agent might not apply.

Response. The definition of "local educational agency" as used in the regulation (§ 160c.2) includes "any public authority legally constituted within a State * * * to perform a service function for public elementary or secondary schools * * *." It also includes a "combination of school districts * * * as are recognized in a State as an administrative agency for its public elementary or secondary schools." Intermediate school districts or multi-district cooperatives are thus included within the definition. See also 45 CFR 100a.19 (relating to cooperative arrangements) which is applicable to the Community Schools Program under § 160c.1(c) of the regulation.

Section 160c.2 DEFINITIONS—"LOCAL EDUCATIONAL AGENCY"—SCHOOLS SERVING INDIAN CHILDREN.

(7) *Comment.* Several commenters questioned the exclusion of schools operated by the Bureau of Indian Affairs or by nonprofit organizations of Indian tribes from the term "local educational agency" and from eligibility to apply for funds to plan, establish, expand, or maintain local community education programs. A commenter questioned whether the term "State" could be expanded to include Indian reservations.

Response. Both the Community Schools Act and the regulations thereunder provide for grants to local educational agencies, including LEAs which serve Indian children. As indicated in the response to comment 5, the definition of "local educational agency" set forth in § 160c.2 of the regulation is based upon statutory language; the issue which has been given consideration by the Commissioner (in response to comments and requests by the Community Education Advisory Council) is whether BIA and/or Indian controlled schools are within the statutory definition.

In other statutes, where the same problem has arisen, Congress has specifically elected to include special provisions designed to establish the eligibility of BIA and Indian controlled schools. Title VII of the ESEA (the Bilingual Education Act) is an example. That statute, like the Community Schools Act, makes "local educational agencies" (as defined in 20 U.S.C. 881(f)) eligible. In 1970, Congress added to that Act a new § 706 providing that a nonprofit organization of an Indian tribe operating a predominantly Indian school could be considered a "local educational agency" and providing for payments to the Department of the Interior for programs in BIA schools. The legislative history of Pub. L. 91-230 indicated an intent by this language to include both types of schools and certainly indicates the understanding of the Congress that the term "local educational agency" would not, without more specific language, include such schools. (Sen. Rept. No. 91-634, 91st Con. 2nd Sess. 57-58 (1970)). Similarly, the Indian Elementary and Second School Assistance Act, title III of Pub. L. 81-874, added by title IV-A of Pub. L. 92-318, which provides for grants to LEAs, contains special provisions for so-called non-local educational agencies (section 303(b)) (Indian controlled schools). This history seems persuasive that Congress does not intend the term "local educational agency" to include Indian tribal schools or the BIA since such entities are expressly included in pertinent legislation where they are intended to be covered. A change in the regulation does not appear to be authorized, absent a change in governing legislation.

Since the Department strongly believes that the benefits of community education should be extended generally to schools serving Indian children and that such schools should be covered by the Act, it will take steps toward achieving these objectives by seeking appropriate legislation. Current programs of the Department, it should be noted, serve some of the goals of community education for Indian schools by strengthening community involvement in the operation of schools for Indian children. For example, under section 303(b) of the Indian Elementary and Secondary School Assistance Act, funds are provided to assist in the establishment of Indian community run schools (on or near reservations) which are not local educational agencies but are operated by Indian tribal or community organizations. 45 CFR 186.22. (As indicated above, public schools which serve Indian children and are operated by local educational agencies are eligible for participation in the program under the Community Schools Act.)

Similarly, the term "State," which is not defined in the Community Schools Act or the Special Projects Act, is defined in various other aid to education programs in a manner consistent with that used in §.160c.2 of the proposed regulation (see particularly the definition in title VIII of the ESEA). The term has not been defined in these statutes to include Indian reservations, and this usage has been followed in the instant regulation.

Section 160c.2 DEFINITIONS—COMMUNITY COLLEGES.

(8) *Comment.* One commenter requested that a definition be added for community colleges.

Response. A "community college" is a type of institution of higher education, a definition of which has been set forth in full in the final regulation. To specify a separate definition for "community colleges" might be restrictive and might, therefore, unnecessarily limit the role assigned to community colleges. No change is deemed appropriate.

Section 160c.2 DEFINITIONS—"PROGRAM ACTIVITIES AND SERVICES."

(9) *Comment.* Some commenters thought that this definition was intended to limit the activities which may be included, rather than to suggest examples of those services and activities which may be included. Some commenters requested additions to the definition, such as specific mention of the aged, rehabilitation services for those who have been in criminal or juvenile justice systems, programs on public health and the environment, and the like.

Response. The statement of program services and activities was meant to suggest examples of types of activities which may be included. It was in no way intended to limit the possible activities and services which might be carried out under a community education program. Clarification of this point has been made in the final regulation, and mention has been made of additional suggested activities for illustrative purposes.

Section 160c.2 DEFINITIONS—"PUBLIC FACILITY".

(10) *Comments.* It was suggested by one commenter that the definition for the term "public facility" should express the requirement that the facility be open to all members of the community regardless of age, sex, race, religion, or ethnic origin. Further, it was suggested that a "public facility" expressly include a facility under the control of a branch of government.

Response. The access of all segments of a community to a community education program would appear to be addressed by § 160c.3(c) (3), (4), and (5). In addition, all U.S. Office of Education programs are subject to provisions of Title VI of the Civil Rights Act and Title IX of Pub. L. 92-318 which preclude discrimination under such programs on the basis of sex, race, color, or national origin. (See 45 CFR Parts 80, 86). To change the definition of "public facility" to include a facility under the control of a branch of government would make it possible for grantees to obtain buildings not publicly owned through rental or otherwise to serve as the center for the community school program. The suggested change might therefore dilute the statutory purpose of making more efficient use of public education facilities which are not being fully utilized. The definition of "public facility" as a facility owned by a branch of government appears to carry out the legislative intent and is therefore retained. It should be noted that the regulation does not preclude the use of facilities which are not publicly owned as satellite or mobile facilities related to the community center (§ 160c.3(c) (3) (ii)).

Section 160c.3 ELEMENTS OF A COMMUNITY EDUCATION PROGRAM—PROPOSED PROGRAM ADMINISTRATION.

(11) *Comment.* Section 160c.3(c) (1) of the proposed regulation required that a community education program assisted under the Act "must be administered by a public elementary or secondary school." A substantial number of commenters suggested that this requirement should be relaxed. Certain commenters urged that municipal or other agencies be recognized as possible program administrators and that joint administration of programs by schools and other relevant local organizations be encouraged. Others pointed to provisions for program services in public facilities operated by other than public schools (§ 160c.3(c) (3)) and suggested that the agency responsible for the facility used should administer the community education program. Some commenters recommended recognition be given to the possibility of administration by a community or junior college. Others generally noted the need for continued cooperation between park and recreation agencies and schools.

Response. In response to these comments, § 160c.3(c) (1) of the regulation has been revised. No particular form of administration will be required, as long as the school is genuinely involved in the administration of the program. The regulation, as altered, requires that the administration of the program be school centered, in the sense that the school must be directly and substantially involved in the administration and operation of the program. The means by which this takes place will vary from school to school and program to program. Thus, for an example, the element may be satisfied by arrangements where the program is administered by the school; or by a committee in which the school administrator participates; or through a professional who is in continuing consultation with the school administrator; or by a consortium of agencies in which the school has a major voice. A community education program in which the role of the school is confined solely to making its facilities available and in the administration or operation of which the school as a school plays no genuine role is not, in the view of the Commissioner, a community education program within the meaning of the law. (S. Rep. No. 763, 93rd Cong. 2nd. Sess. 72-73 (1974)).

Section 160c.3(c) (2) COMMUNITY SERVED.

(12) *Comment.* In listing the elements of a community education program, § 160c.3(c) (2) contemplates that the program serve "an identified community which is at least coextensive with the school attendance area for the regular instructional program of the school involved in administering the program, ex-

cept where special circumstances warrant the identification of a smaller community." One commenter urged that the words "or larger" be added after "smaller." The purpose of the change would be to recognize community education programs which serve a larger "community" than that of the school attendance area of the school (for example, an entire school district).

Response. The use of the words "at least" in the proposed rule denotes that a larger community than the school attendance area may be served. The commenter's point appears to be reflected in the regulation already.

Section 160c.3(c)(3) PUBLIC FACILITY AS A COMMUNITY CENTER.

(13) *Comment.* Section 160c.3(c)(3) of the proposed rule required that program services to the community be sufficiently concentrated in a public facility to constitute the facility as a community center. A commenter requested that community recreation or park centers be added to the illustrative list of possible public facilities which might be used as community centers.

Response. The suggested change has been made to the language of § 160c.3(c)(3).

Section 160c.3(c)(4) SCOPE OF ACTIVITIES AND SERVICES.

(14) *Comment.* A commenter suggested greater specificity regarding the actual extent of services beyond the K–12 level required in a community education program. The commenter was concerned that a program limited to one activity (such as recreation or adult education) would qualify as a community education program.

Response. While proposed § 160c.3(c)(4) and (7) related to the comprehensiveness of services in a community education program and would therefore seem to have addressed the commenter's concerns, § 160c.3(c)(3) and (4) has been amended to further express the commeter's point that program services should not be confined to a single or limited number of areas.

(15) *Comment.* Proposed § 160c.3(c)(4) called for extension of activities and services offered by a community education program in terms of scope and nature of program services, target population, and hours of service. One commenter urged that the regulation should express the principle that community education is not merely an "add on" to the regular K–12 program and that the regular educational program is part of the totality of community education.

Response. The Commissioner agrees with the commenter that community education should not be regarded as an "add on" to the regular school program but as an integral part of a total school program. The community education program services and the regular education instructional program should be mutually reinforcing. A clarifying change has been made in § 160c.3(c)(4) in this regard, and provisions of the funding criteria relating to school involvement have been restated and sharpened (see §§ 160c.17(d)(1) and 160c.18(d)(1)).

Section 160c.3(c)(5) COMMUNITY NEEDS.

(16) *Comment.* Section 160c.3(c)(5) of the proposed rule related to systematic procedures for identifying and responding to community needs. A commenter suggested that the statement on community needs should urge local educational agencies developing programs to utilize, wherever possible, the data on needs already available from public and private agencies. Another commenter requested that the statement in the proposed regulation be expanded by adding that a needs assessment must include a supporting statement from all other concerned community service agencies.

Response. Conservation of effort and energy in the assessment of needs by using existing data where feasible seems to make very good administrative sense. The Commissioner anticipates that local programs will observe this sensible practice as a matter of course and believes that § 160c.3(c)(5) need not mandate it.

Section 160c.3(c)(6) COMMUNITY RESOURCES.

(17) *Comment.* Section 160c.3(c)(6) of the proposed rule provided that a community education program must "provide for the identification and utilization of educational, cultural, recreational, and other existing and planned resources outside of the community education program."

A commenter urged that, while the proposed rule mandated the use of existing resources, close scrutiny of applications would be necessary to avoid duplication of resources. Another commenter suggested that the utilization of resources be strengthened by adding the language "to the fullest extent possible" after "utilization."

Response. The language suggested by the commenter has been added to § 160c.3(c)(6). To address further the important concern raised by these comments, additional amendments were made to § 160c.3(c)(6) and to other portions of the regulation, in accordance with congressional intent to encourage the use of existing resources to the fullest extent, and avoid duplication of services and resources. In particular, use of existing resources and avoidance of duplication have been emphasized as important factors in proposal review (see §§ 160c.13(d)(3) and (4); 160c.17(d)(3); 160c.18(d)(3)).

The required review by the SEA will provide opportunities for comment on individual applications, including opportunities for comment regarding duplication of services, activities, or resources.

Section 160c.3(c)(7) PROGRAM CLIENTS.

(18) *Comments.* Section 160c.3(c)(7) of the proposed regulation required that a community education program have the "potential" to accommodate a broad range of clients. A commenter noted that the use of the word "potential" is unclear. Another commenter observed that the statement concerning the clients of a community education program emphasizes individuals who may already be served and thus the program would lead to duplication of existing resources.

The commenter suggested that the regulation might instead encourage community education programs to accommodate such individuals as young persons who have been in jails, detention homes, training schools, hospitals, or whose parents are in jails or hospitals. The commenter urged that applicants, in developing programs for Federal grants, should think in broad, socially encompassing terms by means of which a community can learn to assume responsibility for its members.

Response. The statement concerning clients of program services and activities was not intended to be limiting. The statement merely attempted to delineate some possible types of target groups or clients without meaning to exclude others. The Commissioner agrees with the above comments and encourages grantees to give the fullest consideration to persons who could be most assisted, particularly those who currently may not be served by traditional or existing community agencies.

For clarification, the words "have the potential for accommodating" in § 160c.-3(c)(7) have been replaced by "be designed to serve" to convey that, while programs may not now serve all persons in a community or all possible target groups, they at least be designed to provide services on a broad basis. In addition, language has been added to reflect the comment with regard to groups not adequately served. The evaluation criteria have also been amended to reflect these concerns (§ 160c.17(d)(2)).

Section 160c.3(c)(8) COMMUNITY PARTICIPATION.

(19) *Comment.* One commenter requested that provision be made for a community advisory council in this section or in § 160e.12 of the proposed rule regarding application requirements and that the term be defined. Other commenters urged a requirement for broad participation in planning and coordination by representatives of agencies providing services offered by the program. Other commenters recommended that such participation be on a policy-making rather than advisory basis.

Response. Section 160c.3(c)(8) of the regulation provides that active and continuous community participation must be one element of a community education program under the Act. Section 160c.12(a)(6) of the proposed rule would require an application under the Act to provide documentation of community involvement in the preparation of the application. These provisions have been retained in the final regulation (see §§ 160c.3(c)(8); 160c.14(e); 160c.15(e)). In addition, the criteria for evaluation of applications include community participation as an important factor in evaluation (§§ 160c.17(d)(4); 160c.18(d)(4)).

The formation and operation of an advisory council would be one method for

meeting these standards. However, neither the proposed rule nor the final rule mandates an advisory council either at the program level or the applicant level as the exclusive means of responding to these requirements or criteria. To prescribe a council or other mechanism might limit or discourage the use of other and possibly more appropriate means for ensuring community participation as well as coordination and consultation. The Commissioner believes that in this regard the precise means of implementing the principles stated in the regulation should be left to local option. At the same time, it should be emphasized that the presence of a strong and viable element of community participation in each affected community education program and in the development of the project will be important in the evaluation of an application.

Community participation must be on an advisory basis since ultimate responsibility for operation of a program or project must be in the administering agency (see 45 CFR 100a.18(a)).

Section 160c.4 LIMITATION ON NUMBER OF APPLICATIONS.

(20) *Comment.* One commenter noted that the requirement that a State educational agency file a separate application for each pilot local community education project which the State intends to administer directly would be an unnecessary burden and that this arrangement implied that States were unable to administer and evaluate local programs of their own choosing.

Response. The final regulation requires that State educational agencies prepare two applications, if they are applying for both developmental and technical assistance funds and to administer local programs directly. One application would pertain to the proposal for developmental and technical assistance. The second application would relate to those local programs which the State will administer directly.

This is required so that each type of application by a State educational agency can be reviewed and evaluated in its own category (developmental or technical assistance or direct administration of a local program. (See §§160c.17 and 160c.18.) The regulation makes no implication that States are unable to administer local programs. The legislation does not permit funds to be made available to States for subgrants to the local programs (see comments 32 and 35 for rationale).

Section 160c.5 DURATION OF PROJECT.

(21) *Comment.* One commenter noted that the lead time to establish a local community education program may be up to six months. The same conditions may be true for colleges and universities developing training programs. The commenter believed that the benefit of comprehensive educational planning and citizen involvement, the essence of the process, would be lost with a one year grant.

Another commenter requested that initial grants for new programs be made for up to three years, subject to annual review. This commenter felt that a one year grant may be an insufficient period to acquire and train an individual to direct the program; personnel would also spend time preparing annual applications rather than on program administration.

Another commenter suggested a sliding scale of support over a maximum of three years.

Response. Provisions in the proposed rule for a one year grant period were based on the need to make best use of limited Federal funds. While a project may continue to receive Federal support in fiscal years succeeding the initial fiscal year, it would do so only if it successfully competed with applications for initial year assistance. Thus, maximum opportunity is provided for a wide distribution of assistance to community education programs.

Since the statute already provides a sliding scale of Federal support (80 percent for a new program, 65 percent for expansion or improvement, 55 percent for expansion for each additional year, and 40 percent to maintain existing programs) (§ 160c.19), the Commissioner cannot develop an additional and different sliding scale in the regulation.

Section 160c.9 ELIGIBILITY—JOINT APPLICATIONS (§ 160C.7 IN THE PROPOSED REGULATION).

(22) *Comment.* One commenter questioned whether joint applications by two or more LEAs will be entertained. Another commenter questioned whether a consortium of State educational agencies would be eligible.

Another comment related to the case of a joint application submitted by an LEA/SEA. The commenter asked if one of the two parties' components of a joint application is of insufficient quality to be funded, the other party's position would be jeopardized.

Response. Joint applications by eligible parties (including LEAs) are authorized under § 100a.19 of Title 45 CFR, made applicable to the program by § 160c.1(c). A consortium of State educational agencies carrying out an appropriate project under the Act could apply for assistance under a joint application. The evaluation of a joint project would depend on the nature of the particular project submitted. It is anticipated that in selecting projects for funding, the Commissioner will evaluate each project in its totality. It would not be administratively feasible in ranking applications to rank separately each component of an application.

Section 160c.9 ELIGIBILITY—ELIGIBLE PARTIES (§ 160C.7 IN THE PROPOSED REGULATION).

(23) *Comment.* Numerous comments were received concerning those groups which could apply directly and receive Federal funds under this Act, including many urging that community or junior colleges, municipal agencies, local governments, nonprofit organizations, and other interested groups be eligible.

Response. (See response under comment 5).

Section 160c.9 ELIGIBILITY—COORDINATION AND NONDUPLICATION (§ 160c.7 in the proposed regulation).

(24) *Comment.* One commenter, while noting various provisions for cooperation among public agencies involved in community education, such as local educational agencies and local parks and recreation agencies, suggested that these provisions would be strengthened by the addition of language, in § 160c.9 (§ 160c.7 of the proposed rule relating to eligibility), requiring projects involving disciplines other than education to be approved by the director of the appropriate governmental agency charged with the responsibility for providing the services. Presumably, adoption of this provision would require a "sign-off" by each of the municipal or local agencies involved in providing the services as well as the applicant LEA.

Other commenters urged that the problem of avoiding duplication and insuring coordination among groups or organizations involved in community education be handled through the establishment of a formal advisory council at the school district level.

Response. As indicated above, § 160c.7 reflects the statutory provision providing that LEAs are eligible parties. A provision requiring the assent of an agency other that the LEA as a condition to the submission by the LEA of an application under the Act would raise questions under this statutory framework (General Education Provisions Act, section 421A (c)). On the other hand, provisions calling for coordination among relevant agencies and provisions aimed at preventing duplication of services are within the ambit of the program. These were contained in the proposed rule. See, for example, § 160c.3(c) of the proposed rule (identification and use of resources outside the school); § 160c.3(c)(8) (participation of community groups, including social, recreational, and health groups, in planning and carrying out the program); § 160c.12(a)(6) (documentation of this involvement). These provisions have been retained. The suggestion for an LEA-level mandated advisory council has not been adopted (see response to comments 17 and 19).

Section 160c.10 SCOPE OF FEDERALLY-ASSISTED PROJECTS (§ 160.C.8 IN THE PROPOSED REGULATION).

(25) *Comment.* One commenter, noting § 160.8 (c) and (d) of the proposed rule relating to costs of allowable activities (§ 160c.10 (c) and (d) in the final rule), referred to the need for assistance in disseminating information to the public. The commenter recognized that proposed § 160c.8(c) specifically referred to costs of "dissemination of information to the community" and would make such costs allowable. The commenter urged that the section be expanded to specify the particular dissemination costs actually allowable. The commenter also requested clarification regarding the procedures which an individual community school should follow in applying for assistance.

Response. Since the provisions in § 160c.10(c) of the final rule appropriately spell out the activities for which reimbursement will be made, including dissemination of information, there would appear to be no need for further detailed allowable cost breakdowns for each activity. These are already covered in that the program is subject to the General Provisions regulations for OE programs (45 CFR Part 100a) which include general principles for determining costs for all activities (see § 160c.1(c); 45 CFR Part 100a, Appendix B). Application of these principles should provide adequate guidance.

With regard to procedures for securing assistance under this regulation, both the proposed rule and the final rule make clear that assistance can be made available only to those parties eligible as LEAs (§ 160c.9). An individual community school must, to the extent it takes initiative, work through its LEA in the formulation of an application. Specific application procedures will be available once application forms and packages are completed. These will be available to all interested parties requesting them from the Office of Education.

(26) *Comment.* Several commenters questioned whether custodial fees, utility fees, and rent for the operation of an extended hours program are intended to be allowable under the regulation.

A question was also raised by a commenter with respect to the meaning of the phrase "instructional staff for the program and program participants" as used in § 160c.8(c) of the proposed rule.

Response. Section 160c.10(c) (§ 160c.8 (c) in the proposed rule, costs generally allowable) is intended to cover leadership, coordinating, and administrative costs relating to the provision of community education services. The regulation is not intended to make generally allowable either custodial or utility fees for extended hours programs.

The term "instructional staff for program and program participants" is used in the context of recruitment costs for this staff but not the cost of the services of the staff. Thus, if a program needs a particular dance instructor to conduct a modern dance program, under § 160c.10(c), costs incidental to recruitment of such instructor, but not the salary of the instructor, would be generally allowable. Costs for "instructor salary" may be allowed in the exceptional circumstances referred to in § 160c.10(d), and when specifically authorized in the grant award document.

(27) *Comment.* One commenter suggested that the regulation should provide for the total funding of community education programs in low income and "ghetto" communities.

Response. The comment is taken to mean that all costs of a community education program (not merely those specified in § 160c.10(c)) be covered by a grant under the Act for community education programs in low-income areas. It should be noted that § 160c.10(d) (§ 160 c.8(d) in the proposed rule) does permit, to a very limited degree, the grant to cover certain costs in "exceptional circumstances" as specified therein. However, program funds expected to be available simply could not accommodate the commenter's suggestion. It should also be noted that although the House bill had provided that applications for community education programs in economically depressed areas would not be subject to the statutory matching requirement, this provision was not included in the Act.

(28) *Comment.* One commenter asked whether remuneration for community members engaged in planning a community education program is an allowable cost under § 160c.10(c)(1) (§ 160c.8 (c)(1) in the proposed rule).

Response. The regulation provides for reimbursement of out-of-pocket or administrative expenditures incurred in establishing, expanding, or maintaining a community education program; these costs would be the administrative costs of planning and coordination, such as salaries of administrative staff, printing, transportation, and so forth. The costs of regular instructors, course materials, or other expenses resulting from the direct provision of services would not be allowed. Thus, insofar as community members are hired as regular full- or part-time administrative staff for the community education program, their salaries would be allowable costs. In those instances where citizens are not regular staff, but simply representing the community viewpoint, through, for example, participating in a council or citizen survey, no provision is made for reimbursements. The final regulation clarifies this point in § 160c.10(c).

(29) *Comment.* One commenter questioned whether the term "staff" as used in § 160c.10(c)(1) (§ 160c.8(c)(1) in the proposed rule) included both certificated and non-certificated personnel, and clerical as well as instructional personnel.

Response. The regulations do not limit staff to certified or professional personnel. It is anticipated that personnel with many types of backgrounds, experience, and training will be a part of the community education staffs, and that different types of personnel will be required in different settings.

(30) *Comment.* One commenter recommended that survey work, establishing interagency coordination, identifying resources, and other planning functions be allowable costs under a local educational agency grant as a "planning grant."

Response. The statute authorizes grants for "planning, establishing, expanding, and maintaining" community education programs. Planning grants as such would not appear to be authorized, since the statute designates Federal shares only for establishing, expanding or improving, and maintaining programs. It would appear, however, that the costs of coordination, resource identification, and other planning activities are allowable insofar as these activities are required to establish, maintain, or expand community education programs.

Section 160c.10(e) COSTS AT AGENCY AND SCHOOL LEVELS (§ 160c.8(e) IN THE PROPOSED REGULATION).

(31) *Comment.* One commenter, noting that funds can be utilized to pay administrative costs at the school or local educational agency level, observed that emphasis on hiring an individual to coordinate the use of facilities at the school level is currently a responsibility of many vice principals within existing systems. The Office of Education would, therefore, be adding administrative layers, rather than funding programming costs.

Response. The proposed regulation emphasized the funding of administrative rather than programmatic costs because the purpose of the legislation is to encourage the better use and coordination of existing resources and to pay the administrative costs of planning, expanding, and supporting this coordination. The Commissioner does not understand the purpose of the legislation to be the displacement of other funding of recreational, cultural, or educational programs (section 405(c), Pub. L. 93-380) and assumes that the funding for those programmatic costs will continue to be met by other sources.

Section 160c.11 STATE EDUCATIONAL AGENCY PROJECTS (§ 160c.9 OF THE PROPOSED REGULATION).

(32) *Comment.* Several commenters suggested that the funds for grants to State educational agencies for approved programs be allotted and administered pursuant to a State plan developed by each State. One commenter pointed to the precedent of title III of the Elementary and Secondary Education Act (ESEA) in which up to 85 percent of the funds are available on a State plan/State-administered basis. Another commenter urged that some sort of fixed allotment formula ought to operate allowing sufficient funds for all small States.

Response. The Commissioner of Education is committed to the proper and efficient administration of Federal aid to education programs on a formula grant, State plan/State-administered basis when authorized by law. The statute (section 405(d)(1)) provides for direct grants by the Commissioner both to SEAs and LEAs. No provision is made for a formula or a State plan. No "pass through" of funds from SEA to LEA is authorized. On the other hand, title III of the ESEA, mentioned by the commenter, provides expressly for a State plan 20 U.S.C. 844a); State approval of LEA grants (20 U.S.C. 844); and a formula for distribution of funds (20 U.S.C. 842).

The legislative history of the Community Schools Act indicates that Congress considered and rejected a State plan/State formula approach. The House bill clearly involved such an approach. (H.R. Rept. No. 93-805, 93rd Cong. 2d. Sess. 50-51, 149-154 (1974)). The compromise worked out in conference called for distribution of funds among State educational agencies and local educa-

tional agencies on a 50/50 basis but contained none of the State plan/State formula provisions of the House bill (Sen. Rept. No. 93-1026, 93rd Cong. 2d. Sess. 174 (1974)).

Within the constraints of the Act, § 160c.11(a)(2) of the regulation does provide for meaningful Statewide programs to be administered by SEA grantees in providing technical and developmental assistance to LEAs.

(33) *Comment.* One commenter, in noting the provisions for eligibility of SEAs to receive grants for technical and developmental assistance, urged that steps be taken to preclude duplication by SEA grantees in carrying out functions or performing services already made available by other State agencies (such as those responsible for recreation, community affairs, or the like).

Response. Duplication of developmental and technical assistance services provided by State agencies to discrete community education programs (under § 160c.11(a)(2) of the regulation) is, of course, to be avoided both in the approval of applications and in the administration of approved grants. Sen. Rept. supra at 73; House Rept. supra at 50.

In the criteria for funding, rating points are given to reflect the degree to which the SEA has established machinery to assure coordination of its community education activities with other appropriate agencies (§ 160c.18(d)(3)). An application must document involvement of appropriate groups in the preparation of the application, a requirement which should help avoid duplication of services and activities available in the served community (§ 160c.15(e)).

(34) *Comment.* One commenter questioned whether State departments of education can directly operate a community school program or only in States with direct responsibility for operating public schools such as Hawaii and Alaska. The commenter asked whether a State correctional institution or State institution for the handicapped would be an example of State operated schools, and therefore be eligible.

Response. A State's authority to operate a local community school program would be determined by the applicable State law. A public agency operating a State school for the handicapped would be an LEA and thus be eligible for funding with respect to community education programs (see the definition of "local educational agency" in § 160c.2).

Section 160c.11(d)(1) SUBGRANT; SERVICE CONTRACTS (§ 160c.9(d)(1) OF THE PROPOSED REGULATION).

(35) *Comment.* Several commenters indicated that the provisions of this paragraph (which do not allow State educational agencies to award subgrants to local educational agencies or to any other entities or individuals) would exclude community colleges, public school districts and, in the case of Massachusetts, elected or appointed agencies, commissions, or councils established and best able to carry out local community education programs in given States.

Response. Subgrants of Federal funds may be made by State educational agencies to local educational agencies and other entities only when they are expressly authorized by statute, as under titles I and IV of the Elementary and Secondary Education Act. Subgrants are not authorized by the Community Schools Act.

Public entities such as community colleges, public school districts, and other commissions or councils may receive direct grants from the Commissioner if they come within the definition of local educational agency in § 160c.2 (see response to comment 32).

(36) *Comment.* Commenters requested that the section allowing contracts with local educational agencies or other entities or individuals to secure services which will assist in carrying out a local community education program be expanded to name specifically local parks and recreation agencies and other agencies providing services as a part of the community education program.

Response. The regulation provides for service contracts without limiting the entities with which a grantee may contract. The addition of examples of specific contractors might imply an intent to exclude categories not so specified. No change is deemed appropriate.

Section 160c.12 PREAPPLICATIONS (§ 106C.10 IN THE PROPOSED REGULATION).

(37) *Comment.* One commenter inquired as to whether use of preapplications was mandatory.

Response. The regulation authorizes, but does not require, the Commissioner to use preapplications. A decision as to whether or not to invite preapplications has not yet been made. When made, it will be communicated through the formulation of a notice of closing date published in the FEDERAL REGISTER.

(38) *Comment.* One commenter asked for further clarification as to how preapplications will be evaluated under § 160c.12(b)(3), and the procedures for submitting preapplications.

Response. The standards for evaluation of preapplications are set forth in § 160c.12 of the final rule. No decision has yet been made with respect to whether preapplications, if they are requested, will be evaluated by field readers, panels of evaluators, or other methods. The time and place for submission of preapplications will be announced when and if preapplications are invited.

(39) *Comment.* Another commenter urged that the State educational agency be excluded from the review of the preapplication.

Response. Since one of the primary purposes of the Community Schools Act is to promote coordination and better use of facilities and resources, it would be counterproductive to exclude States from the review of the preapplications at a point at which there is still opportunity to develop mutually useful cooperative agreements. Preapplication review also gives States an opportunity to identify interested LEAs and to provide technical assistance to those desiring it.

(40) *Comment.* One commenter, referring to proposed § 160c.10(b)(4)(i) (§ 160c.12(b)(4)(i) in the final rule), expressed concern that the SEAs, while able to review the initial preapplication, would not have "input" into later negotiations regarding changes in the application and would thus be hampered in making plans and arrangements for technical assistance.

Response. The comments provided by the SEA concerning the initial preapplication (if preapplications are used) should provide a basis for OE review of preapplications. The State will also be involved in the review of applications (under § 160c.13).

Section 160c.13 STATE REVIEW OF LOCAL EDUCATIONAL AGENCY APPLICATIONS (§ 160C.11 OF THE PROPOSED REGULATION).

(41) *Comment.* Several commenters urged that State review of LEA applications be conducted by State agencies in addition to the SEA, such as a State department of community affairs or State department of recreation and conservation, or other organizations which are concerned with matters or disciplines relevant to community education.

Other commenters requested that the regulations set forth the make-up of a mandated State review committee, including representation of different disciplines, and that the application review should be performed in conjunction with a State community education advisory council.

Response. Section 405(d)(4) of the Act provides that "the Commissioner shall not approve an application submitted by a local educational agency unless the State educational agency of the State in which the local educational agency is located has been given an opportunity to review, and make comment on, such application" (20 U.S.C. 1864(d)(4)). Accordingly, only SEA review (as provided in § 160c.13) is mandated by the Act. However, it would be sensible to encourage, within the framework of the Act, "input" from State agencies (other than the SEA) in the evaluation of applications, since that would be one factor upon which the interagency participation at the State level would be evaluated (see § 160c.18(d)(3)). Changes have also been made to encourage coordination in State review of applications (§ 160c.13(d)(3) and (4)). However, the Commissioner does not believe that the Office of Education should mandate a particular State review committee or its functions.

(42) *Comment.* The commenter also urged that SEA comments be communicated to the affected LEA.

Response. The communication of State educational agency comments to local educational agencies on their applications should be at the option of the State, rather than mandated by the Commissioner.

(43) *Comment.* Another commenter questioned how OE will verify that a

copy of the application has been sent to the SEA.

Response. Verification will be handled by informal communication between the Office of Education, the LEA, and the SEA.

(44) *Comment.* One commenter asked what influence the State's comments will have on the U.S. Office of Education evaluation of applications.

Response. The State's views will be given full consideration by the Commissioner in reviewing applications in accordance with the requirements and criteria in this regulation. The SEA is not given a veto authority with respect to LEA applications by the statute, but its comments will serve to advise the Commissioner in reviewing applications under this regulation.

Sections 160c.14 and 160c.15 APPLICATION REQUIREMENTS (§160C.12 OF THE PROPOSED REGULATION).

(45) *Comments.* A number of commenters observed that the proposed requirement section was overly complex and redundant. Others requested more detailed guidance as to the content of applications. Several comments requested further refinement with regard to specific matters, such as qualifications of staff, the naming of specific agencies to advise in the preparation of applications, and the implementation of programs, and also requested a strengthening of provisions regarding cooperation in the carrying out of programs.

Response. In response to comments, as previously indicated, the proposed application section (which has been broken into two separate sections in the final regulation to distinguish the different types of projects, §§ 160c.14, 160c.15) has been rewritten, shortened, and simplified. A number of detailed requirements have been eliminated (see response to comment 1). The section has been confined to those requirements deemed essential to the operation of the program. Applicants are given more latitude in exercising judgment in preparing applications responsive to the evaluation criteria.

Sections 160c.16–160c.18 CRITERIA FOR EVALUATION OF APPLICATIONS (§160C.13 OF THE PROPOSED REGULATION).

(46) *Comment.* A number of commenters urged that the evaluation criteria section of the proposed regulation (§160c.13) be revised and clarified. Some commenters requested that the section be more explicit or provide guidance as to what would satisfy different criteria such as "high quality." Several suggested that general criteria in Part 100a of the Code of Federal Regulations be restated in § 160c.13 rather than cross-referenced.

Response. The criteria section has been substantially revised and reorganized, including a division into two separate sections to distinguish the different kinds of projects, in an effort to make this section simpler for potential applicants to understand. The Commissioner has chosen not to add detail to the criteria. The inclusion of some detail as to how a particular criterion might be satisfied may lead an applicant inadvertently to assume that other equally appropriate activities were omitted or ineligible.

To further simplify, selected provisions of § 100a.26(b) of the Code of Federal Regulations have been incorporated into the criteria rather than cross-referenced.

(47) *Comment.* Many commenters believed the point system in the proposed regulation was confusing or unfairly weighted. Some recommended that the number of points be reduced in specific areas, as in the criterion for personnel qualifications and for documentation of the unavailability of other than Federal resources. Many commenters suggested that greater weight be given in specific areas, including responsiveness to local needs; citizen participation; cooperation and coordination; and involvement of community representatives at the local and state level.

Response. As indicated, the criteria section has been substantially revised and a revised system of points has been established in keeping with the thrust of the comments.

(48) *Comment.* One commenter urged that the criterion providing for favorable consideration for those communities with a history of community participation be deleted. The commenter felt such a requirement discriminates against those communities without established programs.

Response. In response to the comment, and to encourage development of community education programs in all types of communities, the criterion has been eliminated.

(49) *Comment.* One commenter inquired about the mechanics of evaluation, the persons responsible, and any appeals procedure.

Response. It is expected that applications will be reviewed by a panel of evaluators in accordance with Department practice.

Only those applications meeting the requirements set forth in the regulation in §§ 160c.14 or 160c.15, as applicable, will be rated and ranked by the panel according to the relevant criteria as stated in the regulation. Highest ranked applicants in their respective categories (LEAs, SEAs, and institutions of higher education) will be selected. As is true in almost every Department discretionary grant program, no explicit appeal procedure related to the award process is provided in the regulation. Although unsuccessful applicants could, of course, informally raise questions or issues concerning their applications, it is not expected that the Office of Education would have sufficient staff to provide a formal appeals procedure on award decisions.

Sections 160c.17 and 160c.18 CRITERIA—EQUITABLE GEOGRAPHIC DISTRIBUTION (§ 160C.6 IN THE PROPOSED REGULATION).

(50) *Comment.* Section 160c.6 of the proposed rule would provide that, in approving applications under Part 160c, the Commissioner will insure an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas. A commenter requested explanation and clarification of these requirements and suggested that the terms urban and rural be defined.

Response. Section 405(h) of the Act specifically requires the Commissioner to insure such equitable geographic distribution. The requirement reflects the nature of the program purpose to foster expansion of community education programs throughout the nation. Sen. Rept. supra at 73, 74. It is, therefore mandatory that equitable geographic distribution be one factor in determining the recipients of assistance grants.

The regulation has been clarified to provide that the distribution factor will be taken into account in the evaluation of applications. Section 160c.6 has therefore been replaced by appropriate provisions in the criteria section. (§§ 160c.17 (e); 160c.18(e)). Definition of the terms "urban" and "rural" by regulation might lead to unnecessary, arbitrary distinctions. The terms can best be applied on an ad hoc basis in light of the particular geographical situation for each application.

Section 160c.30 GRANTS TO INSTITUTIONS OF HIGHER EDUCATION—NATURE OF FEDERAL PROJECTS (§ 160C.16 OF THE PROPOSED REGULATION).

(51) *Comment.* Section 160c.16(a) (§ 160c.30 in the final regulation) provides that grants will be made to "institutions of higher education." One commenter recommended that community colleges be specifically designated as appropriate institutions for training. Another was concerned that community colleges had too limited a role in the entire program except for training and that, in the latter area, such colleges would not be competitive with four-year colleges.

Response. The proposed regulation reflected the statutory eligibility requirement for training grants; recipients must be institutions of higher education. Community colleges, if they meet the definition of an institution of higher education as defined in § 160c.2, are included. Many community colleges have been leaders in the development of community education programs across the country. Given this expertise, it is believed that such colleges will be competitive with four-year institutions in receiving training grants. Likewise, the purpose of the statute is to develop and expand programs which train persons to plan and operate community education programs. All institutions of higher education will have equal opportunity in competing to develop programs or expand existing ones. No emphasis is being placed or extra priority given to existing training programs.

(52) *Comment.* One commenter noted that projects should include institutions of higher education that provide for the development and establishment of undergraduate and graduate teacher education programs.

Response. The comment is not entirely clear. If the commenter is urging that institutions of higher education with

teacher education programs be eligible for training grants, the concern is already met by the statute and proposed regulation; the statute makes institutions of higher education the eligible grantees. Eligible institutions that have teacher education programs are included with other institutions of higher education.

If the commenter is recommending that training grants be limited to institutions with teacher education programs of the type described, one purpose of training assistance under Subpart C of the regulation is to build the capacity of institutions of higher education to provide community education training (see § 160c.30(c) in the final rule). Accordingly, the operation of the program should enhance the capacity of institutions generally to provide community education training at various levels. However, to limit training grants to institutions with teacher education programs would not be authorized by the statute.

(53) *Comment.* One commenter recommended that training institutions be required to work with other institutions in the State to avoid duplication and to disseminate information.

Response. Information dissemination by training institutions to other educational institutions, LEAs, SEAs, and the National Clearinghouse was already required under § 160c.17(a)(2)(iii) of the proposed regulation, and the requirement has been retained in the final regulation (§ 160c.31(a)(2)(iii)). To reflect the concern of the commenter that training institutions work with other institutions to avoid duplication and to disseminate information, a criterion has been added to § 160c.35 which would give an applicant additional points for cooperation with other agencies.

(54) *Comment.* One commenter suggested that grantees be required to waive any requirements for a teaching certificate for personnel participating in the local community education program.

Response. Although the Office of Education encourages maximum flexibility in the use of personnel for a community education program, it is believed that the matter of teacher certification and related requirements must be left to local decision.

(55) *Comment.* One commenter requested that the section on training projects explicitly provide for paraprofessional level in-service training programs for those employed in community education.

Response. Section 160c.30(b) (1) and (2) (§ 160c.16(b) (1) and (2) of the proposed rule) states that the purpose of training programs is to train persons planning and operating community education programs in local educational agencies. These persons may be from a variety of backgrounds, including but not limited to, professional educators, recreators, community college officials, parents, paraprofessionals, and community members. This section assumes that different community environments may require different types of qualifications for staff. The program allows for these differences and encourages each community to select and train the most appropriate individuals.

Section 160c.32(c) (recipients of training) states the types of persons who may receive training. The statement includes those individuals mentioned in the comment.

(56) *Comment.* One commenter noted that the types of training available should reflect differences in environments of community schools.

Response. Training is intended and designed to provide individuals with certain types of skills which can be utilized and adopted to each unique, local community. Specifically, training is designed to provide an understanding of the concepts of community education, data collection skills, and community organization and related skills (see §§ 160c.32(b)(1)(i) and 160c.33(b)(1)(iv)) and, therefore, should be able to accommodate the concerns reflected in the comment.

(57) *Comment.* Another commenter suggested that grants be made to universities to employ staff to (1) teach community education courses, (2) work directly with a small number of school districts in the university's "attendance" area to develop community schools, and (3) educate faculty in those schools about community education concepts.

Response. The final regulation would allow hiring staff to teach community education courses as part of a program to train persons in accordance with the requirements of §§ 160c.32–160c.34. Hiring of university staff to provide direct technical assistance to school districts would appear to be beyond the purview of the program. Institutions of higher education are authorized to develop or expand programs to "train persons to plan and operate community education programs," not to plan and operate such programs directly. The Senate Report emphasizes that the purpose of these grants is to establish or expand community education training and to "fill the personnel void which has been created by the vast new interest in community education." (S. Rep. No. 763), 93rd Cong. 2d Sess. 73 (1974)).

(58) *Comment.* One commenter indicated program design and staff training should be preliminary elements in any community education program.

Response. The adequacy of a plan for training project staff is included in the criteria for review of LEA and SEA applications. (§§ 160c.17(b)(4), 160c.18(b)(4)).

(59) *Comment.* Two comments were addressed to the involvement of existing Centers for Community Education in the training program. One noted that the proposed rule seemed directed toward maintaining existing programs such as the "National Center for Community School Education" (an apparent reference to the National Center for Community Education), and urged that other groups be encouraged to participate in training also. The other commenter recommended that all training grants include the involvement of any existing "Community Education College Center" in the State (an apparent reference to Centers for Community Education).

Response. The proposed regulation was not directed toward the funding of any one training institution or the perpetuation of any one approach to training. In fact, there is no statutory basis to require the involvement of a named institution. The statute authorizes projects both to establish and to expand training programs. The regulation does not exclude or give priority to one of these types of projects as opposed to the other.

Section 160c.31 APPLICATION REQUIREMENTS (§ 160c.17 IN THE PROPOSED RULE).

(60) *Comment.* One commenter recommended that institutions submit training proposals to the State agency for community education for comments before filing that application with the Office of Education.

Response. The provisions for SEA review of LEA applications were included in the proposed regulation because of the requirement for such review in the Community Schools Act. There is no such statutory requirement for State review of training proposals, and consequently no regulation to that effect has been provided. It is expected that State agencies and training institutions will informally coordinate their efforts.

(61) *Comment.* Two commenters addressed prior involvement with community education, one recommending that first priority be given to institutions with previous experience with community education, the other suggesting that such involvement be a prerequisite for any funding.

Response. While building the capacity of existing training institutions will be encouraged, the statute does not allow this to be an exclusive priority. It is the intent of the Commissioner to give equal weight to both projects to which establish and to projects which expand programs to train persons to plan and operate community education programs, as the statute requires.

Section 160c.32(b)(2) TRAINING TO LOCAL EDUCATIONAL AGENCIES (§ 160c.18(b)(2) OF THE PROPOSED REGULATION).

(62) *Comment.* Several comments disagreed with the emphasis on short-term training in the proposed regulation. One commenter felt that such training was too costly, not useful, and reflected a lack of knowledge of training goals. Others recommend long-term fellowships and undergraduate and graduate teacher education programs in addition to short-term training. One commenter favored short-term in-service training particularly for paraprofessionals.

Response. The regulation focuses on short-term training at this time in order to use the limited funds available to train the maximum number of people and to have the greatest impact upon community education programs within the authorized life of the Community Schools Act.

Short-term training may be provided to paraprofessionals as well as professionals.

(63) *Comment.* One comment emphasized the need for recreation, community education, health planning, and other social services in training programs. The commenter felt that training programs should not be limited to education.

Response. The entire community education program is predicated on assessment of a community's diverse educational, social, and recreational needs, and on the meeting of those needs through better utilization of school and other public facilities. The need to incorporate many services is reflected in § 160c.1(b) (3) regarding the purpose of the program, § 160c.3(c) (8), dealing with minimum elements, and §§ 160c.16–160c.18, addressing criteria for a community education program. Training in the administration of each aspect of a multi-disciplinary community education program would be an important part of every training grant. No change in the regulation is deemed necessary.

Section 160c.33 TRAINING TO SEAS (§ 160c.19 OF THE PROPOSED REGULATION).

(64) *Comment.* One commenter stated that training of State personnel to provide technical assistance to LEAs was impractical given the diversity and number of school districts in the State. The recommendation was made that SEAs evaluate, research, disseminate information, and sponsor short term conferences, and that universities provide technical assistance to those in their attendance areas. Another commenter also recommended that SEAs be responsible for dissemination.

Response. The Community Schools Act provides for the planning, establishing, operation, and expansion of community education programs by SEAs and LEAs. It does not authorize States to perform the research and evaluation functions suggested above, nor does it allow for direct provision of technical assistance to school districts by universities.

The training in technical assistance that will be provided to State agencies, however, should be sufficiently flexible so that State personnel will be able to meet the varied needs of many school districts. Skills such as evaluation, planning, data collection, and needs and resources assessment are transferable from community to community and can be modified to meet individual local needs.

Section 160c.35 CRITERIA (§ 160c.21 OF PROPOSED REGULATIONS).

(65) *Comment.* One commenter suggested that extra points be awarded for cooperative arrangements among institutions of higher education, LEAs and SEAs, beyond that implied in proposed § 160c.21(d) (§ 160c.35 in the final regulation).

Reponse. An additional criterion has been included in § 160c.35 to emphasize the importance of coordination.

B. *Other changes.* In addition to the changes noted above, a large number of editorial, typographical, technical, and clarifying changes have been made. Further, sections have been added reflecting the provisions for the Community Education Advisory Council (§ 160c.6) the National Clearinghouse, and the availability of technical assistance (§ 160c.7).

C. *Participation of National Advisory Council.* The Community Education Advisory Council has participated fully in the development of the regulation set forth below through discussion, advice, and consideration of the views of interested parties.

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended by adding a new Part 160c to read as set forth below.

D. *Effective date.* Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), these regulations were transmitted to the Congress concurrently with the publication of the notice of proposed rulemaking in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions thereof concerning congressional action and adjournment. This final regulation has been retransmitted to the Congress pursuant to section 431(d) in view of the substantive changes made in the regulation.

(Catalog of Federal Domestic Assistance No. 13.563, Community Education Program)

Dated: September 12, 1975.

DUANE J. MATTHEIS,
U.S. Commissioner of Education.

Approved: December 1, 1975.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Subpart A—General

Sec.
160c.1 Scope and purpose.
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Subpart B—State and Local Educational Agency Projects

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160c.15 Application requirements for State educational agency developmental and technical assistance projects.
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160c.17 Criteria for evaluation of applications from local educational agencies and State educational agencies administering community education programs.
160c.18 Criteria for evaluation of State educational agency developmental and technical assistance applications.
160c.19 Federal share of projects.
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Subpart C—Training Projects in Institutions of Higher Education

160c.30 Nature of Federal projects.
160c.31 Application requirements for all institutions of higher education grants.
160c.32 Training to local educational agencies.
160c.33 Training to State educational agencies.
160c.34 Training assessment and curriculum development.
160c.35 Criteria for evaluation of applications.
160c.36 Allowable costs.

AUTHORITY: Sec. 405, Pub. L. 93-380 (20 U.S.C. 1864).

Subpart A—General

§ 160c.1 Scope and purpose.

(a) *Scope.* This part applies to projects assisted with funds appropriated pursuant to the Community Schools Act, section 405 of Pub. L. 93-380, or with funds made available for expenditure under the Community Schools Act pursuant to the Special Projects Act, as enacted by section 402 of Pub. L. 93-380.

(b) *Purpose.* The purpose of the program carried out pursuant to this part is, through grants to State educational agencies, local educational agencies, and institutions of higher education, to encourage and assist:

(1) Public schools to involve the people of the community in programs designed to meet their educational, recreational, and cultural needs;

(2) A more efficient use of public education facilities through extending the times during which and purposes for which school buildings and equipment are used; and

(3) Public schools, in cooperation with other community groups and resources, to establish community education programs as centers for educational, recreational, cultural, and other related community activities and services in accordance with the needs, interests, and concerns of the community.

(20 U.S.C. 1864(b))

(c) *Other pertinent regulations.* Assistance provided under this part is subject to applicable provisions contained in (1) Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters) (45 CFR Parts 100, 100a) and (2) Part 160 of this chapter relating to the Special Projects Act.

(20 U.S.C. 1864 (a) and (b))

§ 160c.2 Definitions.

As used in this part:

"Act" means the Community Schools Act, enacted as section 405 of the Education Amendments of 1974, Pub. L. 93-380.

"Institution of higher education" means an educational institution in any

State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, (i) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (ii) is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), (4), and (5).

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

"Program" means a community education program which meets each of the requirements set forth in § 160c.3, except as used in Subpart C of this part, in which "program" means the training program of the institution of higher education which is developed, established, or expanded by a Federal project awarded under Subpart C of this part.

"Program activities and services" offered by a community education program may include, but need not be limited to, the following suggested examples: educational, cultural, recreational and other related community services in the form of formal classes or courses, activities making available the school and other public facilities and equipment for use by individuals or groups, services such as health or dental care, or special programs for particular target populations such as those designed to serve older persons, to eliminate disproportionately high incidence of suspension, expulsion, or other disciplinary action involving students, for persons who withdraw from school membership before completing the elementary and secondary school education, for mentally or physically handicapped or other health-impaired persons, or to provide rehabilitation services for persons who have been in criminal or juvenile justice systems.

"Project" means those activities of a grantee which the Commissioner determines to be eligible for Federal financial assistance, in accordance with the provisions of § 160c.10 (c), (d), and (e) or § 160c.30, as applicable.

"Public facility" means a facility owned by any department or branch of a State, county, or municipal government.

"State" means, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

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

(20 U.S.C. 1864)

§ 160c.3 Elements of a community education program.

(a) *Types of assistance.* Assistance will be provided under this part to: (1) State educational agencies and local educational agencies to plan, establish, expand, improve, maintain and/or provide developmental or technical assistance to one or more community education programs, and (2) Institutions of higher education to develop and establish, or to expand, programs which will train persons to plan and operate community education programs.

(b) *Significance of elements.* For the purposes of this part, the minimum elements of a community education program are described in paragraph (c) of this section.

(1) The minimum elements set forth in paragraph (c) (1) of this section relate to specific community education programs to be assisted under a project proposed to be carried out by an applicant under Subpart B of this part rather than to the project as a whole. For example, with reference to the minimum element in paragraph (c) (1) of this section, if a local educational agency applies for a project to establish two new community education programs and to expand two existing community education programs, each of the individual community education programs to be expanded and established must provide for the direct and substantial involvement of a public elementary or secondary school in the administration and operation of the program. However, the overall project activities directed at expanding and establishing these programs may, for example, include the provision of developmental and technical assistance to the individual community education programs from a central office of the local educational agency, and administration of the overall project could therefore be centered in such an office.

(2) The minimum elements set forth in paragraph (c) of this section relate to specific community education programs as follows: (i) A community education program which a State educational agency or local educational agency applicant proposes to expand or operate under this part (or to which a State educational agency or local educational agency proposes to provide developmental and technical assistance in connection with its expansion or operation) must meet these minimum elements; (ii) A project proposed for assistance under this part to plan and establish a new community education program or to provide developmental or technical assistance in connection with the establishment of a new community education program must have the purpose of securing achievement of these minimum elements; and (iii) Training programs at institutions of higher education assisted pursuant to this part must be designed to provide training in skills and understandings with reference to all of these elements.

(3) The minimum elements of a community education program described in paragraph (c) of this section also serve the Commissioner and applicants in distinguishing a community education program from other related programs such as adult education programs and regular kindergarten through twelfth grade instructional programs, for purposes of determining when a program is a new community education program earning an 80 percent Federal share under § 160c.19.

(c) *Minimum elements.* The following are minimum elements of a community education program.

(1) *School involvement.* The program must provide for the direct and substantial involvement of a public elementary or secondary school in the administration and operation of the program.

(20 U.S.C. 1864 (b), (c), (d) (1); S. REP. NO. 763, 93d Cong. 2d Sess. 72–73 (1974))

(2) *Community served.* The program must serve an identified community which is at least coextensive with the school attendance area for the regular instructional program of the school involved in the administration and operation of the program, except where special circumstances warrant the identification of a smaller community.

(20 U.S.C. 1864(b), (c))

(3) *Public facility as a community center.* (i) Program services to the community must be sufficiently concentrated and comprehensive in a specific public facility, including, but not limited to, a public elementary or secondary school, a public community or junior college, or a community recreation or park center, in terms of scope and nature of program services (which may not be limited to one or a limited number of areas such as

recreation or adult education), hours of service, and other characteristics to constitute such facility as a community center; (ii) Satellite or mobile facilities related to the community center may be used by the center for the provision of a portion of program activities and services, and such satellite or mobile facilities may include nonpublic facilities which are made available for use by the public.

(20 U.S.C. 1864(c))

(4) *Scope of activities and services.* The program must extend the program activities and services offered by, and uses made of, the public facility in terms of the scope and nature of program services, the target population served, and the hours of service. For example, where a public elementary or secondary school is used as the facility, while the concept of community education would encompass (rather than merely being an add on to) the regular kindergarten through twelfth grade instructional program, the school would need to provide additional programs, activities, and services beyond the regular kindergarten through twelfth grade instructional program.

(20 U.S.C. 1864(b))

(5) *Community needs.* The program must include systematic and effective procedures (i) for identifying and documenting on a continuing basis the needs, interests, and concerns of the community served with respect to community education activities and services, and (ii) for responding to such needs, interests, and concerns.

(20 U.S.C. 1864 (b) and (c))

(6) *Community resources and interagency cooperative arrangements.* (i) The program must provide for the identification and utilization to the fullest extent possible of educational, cultural, recreational, and other existing and planned resources located outside of the school (including but not limited to, services of volunteers) to enhance the size and quality of the program.

(ii) The program must also be designed to encourage and utilize cooperative agreements and other arrangements among public and private agencies to make maximum use of existing talents and resources and to avoid duplication of services.

(20 U.S.C. 1864 (b) and (c))

(7) *Program clients.* The program must be designed to serve all age groups in the community, including preschool children, children and youths in school, out-of-school youths, adults, and senior citizens, as well as groups within the community with special needs for community education services and activities, such as persons of limited English-speaking ability, mentally or physically handicaped or other health-impaired persons, or other special target groups not adequately served by existing programs within the community.

(20 U.S.C. 1864(c))

(8) *Community participation.* The program must provide for the active and continuous involvement, on an advisory basis, of institutions, groups, and individuals including, but not limited to, local community colleges, social, recreational, and health groups, and persons broadly representative of the community served, including representatives of parents of students in the regular instructional program of the school involved in the administration and operation of the program and other residents of the community, in the planning and carrying out of the program, including involvement in the assessment of community needs and resources and in program evaluation.

(20 U.S.C. 1864 (b), (c); H.R. REP. NO. 805, 93d Cong., 2d Sess. 50 (1974))

§ 160c.4 Limitation on number of applications.

(a) Except as provided in paragraphs (b) and (c) of this section, an applicant may submit only one application (whether or not filed jointly with another applicant in a given fiscal year for assistance pursuant to this part.

(b)(1) A State educational agency which applies to provide developmental and technical assistance to one or more community education programs being administered by a local educational agency must file a single application to cover these activities.

(2)(i) In the event that a State educational agency applies (either individually or jointly with one or more local educational agencies) to plan, establish, expand, improve, or maintain one or more community education programs which it directly administers through a public elementary or secondary school, the State educational agency must submit one or more applications for these activities which is separate from any application the State educational agency files under paragraph (b)(1) of this section.

(ii) A State educational agency may file a single application to cover activities which it proposes to carry out under this subparagraph, or it may file a separate application with respect to each local educational agency with which it is jointly applying to carry out these activities.

(c) An institution of higher education may apply for grants for each of the types of projects described in §§ 160c.32, 160c.33 and 160c.34, respectively. It must file a single and separate application with respect to each of the following sections under which it seeks assistance: §§ 160c.32, 160c.33, 160c.34.

(d) The limitation in paragraph (a) of this section applies to preapplications submitted by local educational agencies if the Commissioner requires preapplications pursuant to § 160c.12.

(20 U.S.C. 1221e-3(a)(1), 1864(d)(4))

§ 160c.5 Duration of projects.

(a) Project awards pursuant to this part will be for a grant period of up to one year. If a grantee seeks to receive assistance pursuant to this part for an additional period beyond such grant period, it must submit a new application for a new grant award. Such new application will be evaluated in competition with applications from other former grantees as well as from applicants which have not previously received assistance under this part.

(b) The Federal share of the projects will be computed in accordance with § 160c.19, including § 160c.19(b)(2) which provides that a new community education program may qualify for the 80 percent Federal share for one or two years of funding.

(20 U.S.C. 1221e-3(a)(1), 1864))

§ 160c.6 Community Education Advisory Council.

(a) The Act establishes a Community Education Advisory Council in the Office of the Commissioner composed of eleven members appointed by the Secretary.

(b) The Advisory Council will advise the Commissioner on policy matters relating to the interests of community schools.

(1) The Advisory Council has advised the Commissioner regarding the establishment of the regulations in this part.

(2) The Advisory Council will create a system for the evaluation of projects funded under this part and will present to Congress a complete and thorough evaluation of the projects funded under this part and the operation of this section for each fiscal year subsequent to fiscal year 1975.

(20 U.S.C. 1864(g))

§ 160c.7 Clearinghouse; technical assistance.

(a) The Commissioner will establish or designate a clearinghouse to gather and disseminate information received from community education programs, including but not limited to information regarding new programs, methods to encourage community participation, and ways of coordinating community education programs with other community services. The Commissioner may contract with public or private agencies or organizations to establish and operate the clearinghouse.

(b) The Commissioner will make available to each community education program such technical assistance and information as the program may require, and such technical assistance shall be coordinated with the national clearinghouse.

(20 U.S.C. 1864(f))

§ 160c.8 [Reserved]

Subpart B—State and Local Educational Agency Projects

§ 160c.9 Eligibility.

State educational agencies and local educational agencies are eligible to receive grants pursuant to this subpart.

(20 U.S.C. 1864(d)(1))

§ 160c.10 Scope of Federally assisted projects.

(a) *General.* Grants of Federal funds pursuant to this subpart will be made for projects to plan, establish, expand, operate, and/or provide developmental and technical assistance to one or more com-

munity education programs meeting or making progress toward meeting the requirements of § 160c.3.

(20 U.S.C. 1864(d)(1))

(b) *Amount of award.* The Federal grant shall be an amount determined by the Commissioner and set forth in the grant award document, which in no case shall exceed the applicable percentage, determined pursuant to § 160c.19, of the amount which the Commissioner determines to be the total, reasonable, and necessary cost of the project, subject to paragraphs (c) and (d) of this section and to § 160c.20.

(20 U.S.C. 1864(d) (1) and (3))

(c) *Costs generally allowable.* For the purposes of this section, the project to which the Federal share (as determined pursuant to § 160c.19) will be applied may include: (1) Leadership, coordinating, and administrative costs of planning, establishing, expanding, operating, coordinating, and providing developmental and technical assistance to one or more community education programs, including costs such as the salaries of community education administrators and their staff (including any community members who are employed as staff members) responsible for planning and implementing the project and community education programs thereunder; (2) training for such persons and for the applicant's chief executive officer; (3) other costs incidental to scheduling, assessing community needs and interests, recruiting administrative and instructional staff for the program and program participants, dissemination of information to the community, and to other interested parties obtaining community participation in the planning and carrying out of the project and programs (including the costs related to the functioning of advisory councils, exclusive of the payment of salaries, honoraria and the like, for members of such councils), budgeting and management, and identifying and obtaining the input of other community resources; and (4) other costs incidental to assisting community education programs in carrying out these functions and to building their capacity to discharge these functions (as provided in paragraph (e) (2) (ii) of this section)

(20 U.S.C. 1864(d); H.R. REP. NO. 805, 93d Cong., 2d Sess. 51 (1974))

(d) *Costs allowable when specifically authorized.* The project to which the Federal share will be applied may include costs beyond those described in paragraph (c) of this section, including costs such as instructor salaries, instructional materials and equipment, and other incidental expenses directly related to the provision of specific community education program activities and services (for example, course offerings and transportation for participants), only in exceptional circumstances when (1) the Commissioner determines that it would be in the interest of the Government in carrying out the purposes specified in § 160c.1 to contribute to such costs, based on such considerations as whether (i) Other public or private resources are unavailable for such costs; (ii) the charging of enrollment fees to program participants to cover such costs is not feasible or would create an excessive financial burden on potential program participants; (iii) proposed costs are reasonable in terms of the contributions which they will make to the purposes of the community education program and; (iv) failure to contribute to such costs would defeat the equitable distribution of assistance under this part; and (2) the grant specifically authorizes such costs.

(20 U.S.C. 1864(d))

(e) *Costs at agency and program levels.* (1) Projects eligible for assistance pursuant to this subpart may include leadership, coordinating, and administrative costs described in paragraph (c) of this section: (i) For activities within individual community centers related to planning, establishing, or administering community education programs in accordance with § 160c.3, and (ii) for activities outside of such individual centers but within the grantee local educational agency and/or State educational agency planning and providing developmental and technical assistance to such programs.

(2) (i) *Relationship of agency level costs to programs.* Eligible leadership, coordinating, and administrative costs described in paragraph (e) (1) (ii) of this section must relate to specific and identified community education programs being planned, established, or administered in accordance with § 160c.3. The project to which the Federal share will be applied may not include costs of the grantee local educational agency and/or State educational agency which do not relate directly to specific community education programs identified in the grant award.

(ii) *Developmental and technical assistance to programs.* Leadership, coordinating, and administrative costs of local educational agencies or State educational agencies described in paragraph (e) (1) (ii) of this section may include developmental and technical assistance to schools and other administering agencies (and, in the case of awards to State educational agencies, to local educational agencies) in planning, establishing, expanding, improving, and maintaining community education programs. Such developmental and technical assistance may include, but need not be limited to: (A) Planning and developing applications for assistance; (B) helping to survey the community education needs and resources of the community; (C) planning and developing community education programs; (D) helping to establish and coordinate community education task forces and advisory bodies; (E) training local directors of community education programs, and their staff and community teams; (F) assistance in the preparation of budgets for community education programs; (G) identifying and cooperating with training programs of institutions of higher education to bring together local officials who need training with the institutions which can provide the necessary training; (H) helping communities to expand existing community education programs; (I) helping communities and local community education directors to develop evaluation plans and to conduct evaluations of community education programs; and (J) helping communities and local educational agencies bring their community education programs into conformity with any existing State plan for community education.

(20 U.S.C. 1864 (c), (d) (1), (3) and (4) (C))

§ 160c.11 State educational agency projects.

(a) *Types of assistance to State educational agencies.* State educational agencies may apply for assistance pursuant to this part (1) to plan, establish, expand, improve, or maintain one or more community education programs which they directly administer through a public elementary or secondary school in accordance with § 160c.3(c)(1) (in cases where the State educational agency is directly responsible for operating a public school or where it applies jointly with a local educational agency), or (2) to plan and provide developmental and technical assistance to one or more community education programs (in connection with the establishment, expansion, improvement, or maintenance of such programs) being administered by a local educational agency, as provided in § 160c.10(e) (2) (ii).

(20 U.S.C. 1864(d) (1) and (2))

(b) *Relationship to community education programs.* Projects proposed by State educational agencies described in paragraph (a) (2) of this section may relate to: (1) Community education programs for which the local educational agency administering the program is receiving or seeking Federal assistance pursuant to this part; or (2) community education programs administered by local educational agencies which are neither seeking nor receiving Federal assistance pursuant to this part.

(20 U.S.C. 1864(d) (1) and (2))

(c) *Incorporation by reference of information in local educational agency applications.* (1) Applications from State educational agencies described in paragraph (a) (2) of this section which relate to a community education program with respect to which a current application for assistance is submitted to the Commissioner by the local educational agency may incorporate by reference information with respect to the community education program provided in the application of the local educational agency.

(2) Any such information incorporated by reference into the application of the State educational agency will be considered by the Commissioner as if it were provided in the application of the State educational agency for purposes of satisfying the application requirements set forth in § 160c.15.

(3) The opportunity for review by the State educational agency of both pre-

application (if required by the Commissioner) and applications submitted by local educational agencies, as provided in §§ 160c.12(b)(4) and 160c.13 is designed to facilitate appropriate coordination of State educational agency and local educational agency applications and permit the State educational agency to avail itself of the provisions for incorporation by reference in this paragraph.

(20 U.S.C. 1221e-3(a)(1), 1864(d))

(d) *Subgrants; Service contracts.* (1) State educational agencies may not use any Federal funds awarded pursuant to this subpart to award subgrants to local educational agencies or to any other entities or individuals.

(2) State educational agencies as well as local educational agencies may, with Federal funds awarded pursuant to this part, enter into contracts with local educational agencies or other entities or individuals to secure services which will assist them in carrying out a portion of the project activities, as provided in § 100a.30 of this chapter, subject to the conditions set forth in § 100a.30 which prohibit transfer of responsibility (or conduit arrangements) by the grantee and require a statement of intention to enter a service contract in the approved application or an approved amendment thereto.

(20 U.S.C. 1221c(b)(1), 1232c(b)(1))

§ 160c.12 Preapplications from local educational agencies.

(a) The Commissioner may require local educational agencies applying for assistance pursuant to this part to submit preapplications to the Commissioner in accordance with § 100a.41 of this chapter.

(b) In the event that the Commissioner does require preapplications from local educational agencies:

(1) As part of the project narrative statement required in preapplication forms provided for by § 100a.41 of this chapter, which may not exceed ten double-spaced, typewritten pages, local educational agency applicants must provide, with reference to each of the community education programs to be assisted under the project for which funding is sought, a description of:

(i) The objectives of the project;

(ii) How the community, school, public agencies, and other resources will be involved in planning, carrying out, and evaluating the project;

(iii) Procedures and strategies to achieve project objectives;

(iv) Resources available for support of the project; and

(v) How and why specific project objectives were chosen.

(2) Local educational agencies submitting the most highly rated preapplications will be invited to submit applications for review.

(3) Preapplications will be evaluated by the Commissioner on the basis of the applicant's and proposed project's prospects for meeting the application requirements described in § 160c.14 and for competing successfully with similar applications from other applicants in terms of the funding criteria set forth in § 160c.17.

(4)(i) A copy of the preapplication must be submitted by the local educational agency to the State educational agency of the State in which the local educational agency is located, concurrently with the submission of the preapplication to the Commissioner, to provide the State educational agency an opportunity to review and comment on such preapplication.

(ii) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on local educational agency preapplications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for a preapplication shall be deemed a waiver of the State educational agency's opportunity to comment on that preapplication.

(20 U.S.C. 1221c(b)(1), 1864(d)(4))

§ 160c.13 State review of local educational agency applications.

(a) The Commissioner will not approve an application submitted by a local educational agency in accordance with § 160c.14 unless the State educational agency of the State in which that local educational agency is located has been given an opportunity to review and comment on such application.

(b) A local educational agency must provide a copy of its application to the appropriate State educational agency concurrently with its submission of the application to the Commissioner.

(c) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on local educational agency applications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for an application shall be deemed a waiver of the State educational agency's opportunity to comment on that application.

(d) State educational agencies are encouraged, in any comments which they submit pursuant to this section (and pursuant to § 160c.12(b)(4) for any preapplications from local educational agencies), to describe: (1) Any efforts which they undertook to solicit views from diverse community groups in the community proposed to be served on the application; (2) the results of any such efforts; (3) the extent to which the application may result in activities or services which might duplicate other existing or planned activities or services in the communities to be assisted by the project; (4) steps which they have taken to obtain comments on the application from other State agencies with responsibilities related to community education activities and comments received from other State agencies pursuant to this process; and (5) any State or municipal laws which might deny or substantially limit use of public facilities for community education purposes.

(20 U.S.C. 1864(d)(4))

§ 160c.14 Application requirements for local educational agencies and State educational agencies administering community education programs.

(a) *Applicability.* The application requirements set forth in this section apply:

(1) To all applications submitted by local educational agencies and

(2) To State educational agency applications which relate to community education programs which the State educational agency will directly administer, as provided in § 160c.11(a)(1).

(b) *Proposed project description and background.* (1) An application under this section must provide a complete description of the proposed project and of each community education program for which assistance is sought in sufficient detail to apply the appropriate Federal share in accordance with § 160c.19 and to facilitate the evaluation of such application in accordance with the criteria in § 160c.17.

(2)(i) With respect to each community education program to be assisted under the proposed project, the applicant must indicate whether the proposed project is to establish a new community education program, to expand or improve an existing program, and/or to maintain or carry out an existing program, in accordance with the standards of § 160c.19. Final determination of the classification of the project for the purposes of applying the Federal share pursuant to § 160c.19 is reserved in the Commissioner.

(ii) An application which would assist community education programs earning different Federal shares (for example, a project to establish a new community education program and to maintain another existing program) or which would assist an individual community education program in a manner which would earn different Federal shares (for example, a project which requests Federal assistance both to maintain an existing community education program at its current level and to expand the same program) must break out in the budget proposed project costs in relationship to each community education program and, as appropriate, each aspect of an individual program, to permit calculation of the appropriate Federal share for the project pursuant to § 160c.19.

(3) In connection with projects to expand, improve, or maintain an existing community education program, descriptive information must be furnished on the existing program as well as on the program which will result from the proposed project.

(c) *Responsiveness to minimum elements.* The application must provide information sufficient to satisfy the Commissioner that each of the community education programs to be established, expanded, maintained or other-

wise assisted by the proposed project already meets each of the requirements set forth in § 160c.3, or that substantial compliance by each program with the requirements of § 160c.3 will be achieved as a result of the carrying out of the proposed project.

(d) *Needs analysis.* The application must provide: (1) An analysis and documentation, with respect to each community education program proposed to be assisted, of the educational, cultural, recreational, health, and related needs, interests, and concerns of the community to be served; (2) a proposed prioritization of the community needs and those expected to be served by the program; (3) in the case of applications which do not propose services in each of the areas of educational, recreational, health, and cultural activities, documentation that community needs were examined in each such area in which services are not proposed and of the basis for not proposing the services.

(e) *Involvement in preparation of applications.* The application must provide satisfactory documentation of involvement in the preparation of the application on an advisory basis of community colleges, social, recreational, and health groups, and persons broadly representative of the area or areas to be served by the project, including a description of procedures used to provide the public at large with an opportunity to have input (such as through public notice or hearings) in the preparation of the application.

(f) *Non-Federal share.* The application must contain assurances that the applicant will pay from non-Federal sources the remaining costs over and above the Federal share determined pursuant to § 160c.19 of carrying out the proposed project.

(g) *Evaluation information.* The application must contain a commitment by the applicant to collect and make available such information as may be required by the Commissioner or by the Community Education Advisory Council, in accordance with such time constraints as either of them may designate, for purposes of carrying out program evaluations in accordance with subsection (g) of the Act.

(h) *Dissemination.* The application must make provision for dissemination of information on the results of the project, and of the means used to achieve the results, to State educational agencies, local educational agencies, other educational agencies and institutions, the Commissioner, and the national clearinghouse described in § 160c.7.

(20 U.S.C. 1864)

§ 160c.15 Application requirements for State educational agency developmental and technical assistance projects.

(a) *Applicability.* The application requirements set forth in this section apply to all applications submitted by State educational agencies to plan and provide developmental and technical assistance to one or more community education programs being administered by a local educational agency, as provided in § 160c.11(a)(2).

(b) *Proposed project description and background.* (1) An application under this section must provide a complete description of the proposed project and of each community education program for which assistance is sought in sufficient detail to apply the appropriate Federal share in accordance with § 160c.19 and to facilitate the evaluation of such application in accordance with the criteria in § 160c.18.

(2) (i) With respect to each community education program to be assisted under the proposed project, the applicant must indicate whether the proposed project is to assist in the establishment of a new community education program, the expansion or improvement of an existing program, and/or the maintenance or carrying out of an existing program, in accordance with the standards of § 160c.19. Final determination of the classification of the project for the purposes of applying the Federal share pursuant to § 160c.19 is reserved in the Commissioner.

(ii) An application which would assist community education programs earning different Federal shares (for example, a project to provide developmental or technical assistance in connection with the establishment of a new community education program and the maintenance of another existing program) or which would assist an individual community education program in a manner which would earn different Federal shares (for example, a project which requests Federal assistance to help both to maintain an existing community education program at its current level and to expand the same program) must break out in the budget proposed project costs in relationship to each community education program and, as appropriate, each aspect of an individual program, to permit calculation of the appropriate Federal share for the project pursuant to § 160c.19.

(3) In connection with projects to provide developmental and technical assistance to expand, improve, or maintain an existing community education program, descriptive information should be furnished on the existing program as well as on the program which will result from the proposed project.

(c) *Responsiveness to minimum elements.* The application must provide (1) sufficient information to the Commissioner regarding how the applicant proposes to provide developmental and technical assistance; (2) sufficient information to satisfy the Commissioner that developmental and technical assistance will be provided only: (i) To help expand, improve, or maintain community education programs which already meet each of the requirements of § 160c.3; or (ii) to help new community education programs which are being planned and established for the purpose of securing achievement with each of the requirements in § 160c.3; and (3) a description of any existing or previous State program of technical assistance in community education.

(d) *Needs analysis.* The application must (1) document that the State educational agency has carried out a general statewide survey of existing and planned community education programs, including community education programs in rural areas of the State, and of the needs of the programs for developmental and technical assistance from the State educational agency; and (2) describe the results of the survey, including the basis for selecting for assistance those community education programs to receive developmental and technical assistance under the project, and the priorities among State needs.

(e) *Involvement in preparation of applications.* The application must provide satisfactory documentation of involvement in the preparation of the application on an advisory basis of community colleges, social, recreational, and health groups, and persons broadly representative of the area or areas to be served by the project, including a description of procedures used to provide the public at large with an opportunity to have input (such as through public notice or hearings) in the preparation of the application.

(f) *Non-Federal share.* The application must contain assurances that the applicant will pay from non-Federal sources the remaining costs over and above the Federal share determined pursuant to § 160c.19 of carrying out the proposed project.

(g) *Evaluation information.* The application must contain a commitment by the applicant to collect and make available such information as may be required by the Commissioner or by the Community Education Advisory Council, in accordance with such time constraints as either of them may designate, for purposes of carrying out program evaluations in accordance with subsection (g) of the Act.

(h) *Dissemination.* The application must make provision for dissemination of information on the results of the project, and of the means used to achieve the results, to State educational agencies, local educational agencies, other educational agencies and institutions, the Commissioner, and the national clearinghouse described in § 160c.7.

(20 U.S.C. 1864)

§ 160c.16 Criteria for evaluation of applications.

In order to achieve the purposes set forth in § 160c.1, the Commissioner, in determining whether to approve an application for a Federal grant and the amount of such grant pursuant to this subpart, will consider the factors set forth in §§ 160c.17 and 160c.18, as applicable, weighted according to the indicated points. The criteria set forth in § 100a.26(b) of this chapter shall not apply to the evaluation of applications under this subpart.

(20 U.S.C. 1864)

§ 160c.17 Criteria for evaluation of applications from local educational agencies and State educational agencies administering community education programs.

(a) *Applicability.* The criteria set forth in the succeeding paragraphs of this section will be utilized in reviewing applications submitted under this subpart by local educational agencies and those applications submitted by State educational agencies which propose to plan, establish, expand, improve, or maintain one or more community education programs which the State educational agency will directly administer, as provided in § 160c.11(a)(1). Total of 210 points).

(b) *General criteria.* (40 points)—(1) *Need for Federal assistance.* The extent to which the applicant documents a need for Federal assistance;

(2) *Plan.* The soundness of the proposed plan of project operation, including consideration of the extent to which:

(i) The objectives of the proposed project are sharply defined (including specific time schedules for their achievement), clearly stated, capable of being measured, and capable of being attained by the proposed objectives;

(ii) Objectives clearly relate to the needs assessed; and

(iii) Costs are reasonable in relation to anticipated results.

(3) *Staff.* The qualifications or appropriateness of staff selected or assigned to the project;

(4) *Training.* Where appropriate, the adequacy of provisions for short-term training;

(5) *Dissemination.* The adequacy of provisions for dissemination of information about the project to potential participants in the community and to other interested agencies, institutions, and individuals;

(6) *Coordination at the applicant level.* The quality of arrangements at the applicant level, with respect to community education generally and, in particular, the carrying out of the project, for coordination by the applicant with other appropriate agencies to the maximum extent possible, and to avoid duplication.

(c) *Overall quality of the project.* (80 points)—The likelihood that the project will (1) contribute to the establishment, expansion, or maintenance of one or more community education programs of high quality (beyond meeting minimum requirements) with respect to the elements set forth in § 160c.3(c); (2) develop approaches or results which can be utilized in other programs not directly assisted by the project; (3) develop the capacity of the applicant to plan, establish, expand, improve, and maintain community education programs; and (4) result in the development of exemplary or innovative community education programs (particularly in serving the fundamental community education, health, and other social welfare needs demanding attention) which can serve as models throughout the United States. (Priority will be accorded to applications which focus on achievement of high quality in a limited number of community education programs which can serve as models for the applicant and other agencies to replicate over applications designed to assist a large number of community education programs.)

(20 U.S.C. 1864)

(d) *Relationship to specific community education programs.* (80 points) With respect to each community education program to be assisted by the project:

(1) *School and school board involvement.* The extent to which a public elementary and secondary school and the school board are involved in the project. Examples of factors which could affect this criterion include, but are not limited to: (i) The intensity and quality of involvement by a public elementary or secondary school in the carrying out and administration of the program, as provided in the application; (ii) the extent to which the program will provide for the integration of, and mutual reinforcement between, the participating school's regular instructional program and its community education activities and services; (iii) whether a public elementary or secondary school building will serve as the center for the program and the extent to which community activities and services will be sufficiently concentrated and comprehensive and thereby make maximum use of existing school facilities; and (iv) evidence of commitment by the school board to the support and improvement of the program.

(20 U.S.C. 1864 (b), (c), and (d); S. Rep. No. 763, 93rd Cong. 2d Sess. 72-73 (1974))

(2) *Needs and services.* (i) The extent to which the program priorities and the program services and activities respond to identified local needs and target groups and (ii) the extent to which geographic and other constraints to potential participation in the program by members of the community to be served are recognized and resolved.

(3) *Coordination, consultation, and cooperative arrangements.* The adequacy of arrangements to achieve maximum coordination and cooperation among public and private agencies, utilize existing resources, and avoid duplication in the planning for, and provision of services by, the program.

(20 U.S.C. 1864, H.R. Rept. No. 805, 93rd Cong. 2d Sess. 50 (1974))

(4) *Community participation.* The extent of community participation in all aspects of the program, including needs and resources assessment, application preparation, and the planning and delivery of activities and services.

(20 U.S.C. 1864, H.R. Rept. No. 805, 93rd Cong. 2d Sess. 51 (1974))

(e) *Distribution of projects.* (10 points)—The extent to which approval of a project will contribute to (1) an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas, and (2) the funding of a wide variety of projects which collectively can demonstrate diverse approaches to effective community education programs and the role which limited Federal resources can play in assisting such programs.

(20 U.S.C. 1864(b))

§ 160c.18 Criteria for evaluation of State educational agency developmental and technical assistance applications.

(a) *Applicability.* The criteria set forth in the succeeding paragraphs of this section will be utilized in reviewing State educational agency applications for projects to plan and provide developmental and technical assistance to one or more community education programs being administered by a local educational agency, as provided in § 160c.11(a)(2). (Total of 210 points).

(b) *General criteria.* (40 points).

(1) *Need for Federal assistance.* The extent to which the applicant documents a need for Federal assistance;

(2) *Plan.* The soundness of the proposed plan of project operation, including consideration of the extent to which:

(i) the objectives of the proposed project are sharply defined (including specific time schedules for their achievement), clearly stated, capable of being measured, and capable of being attained by the proposed objectives;

(ii) objectives clearly relate to the needs assessed; and

(iii) costs are reasonable in relation to anticipated results.

(3) *Staff.* The qualifications or appropriateness of staff selected or assigned to the project;

(4) *Training.* Where appropriate, the adequacy of provisions for short-term training;

(5) *Dissemination.* The adequacy of provisions for dissemination of information (i) about the project to potential participants in the community; and (ii) on the results of the project to other interested agencies and institutions; and

(20 U.S.C. 1864)

(6) *Coordination at the State level.* The quality of arrangements at the State level, with respect to community education generally and, in particular, the carrying out of the project, for coordination by the State educational agency with other appropriate agencies to the maximum extent possible, to avoid duplication.

(20 U.S.C. 1864)

(c) *Overall quality of the project.* (80 points)—The likelihood that the project will (1) contribute to the establishment, expansion, or maintenance of one or more community education programs of high quality (beyond meeting minimum requirements) with respect to the elements set forth in § 160c.3(c); (2) develop approaches or results which can be utilized in other programs not directly assisted by the project; (3) develop the capacity of the applicant to provide developmental and technical assistance to community education programs; and (4)

result in the development of exemplary or innovative community education programs which will contribute to the diversity of different community education models throughout the United States.

(20 U.S.C. 1864)

(d) *Effect on quality of assisted community education programs.* (80 points)—With respect to each community education program to be assisted by the project, the extent to which the proposed developmental and technical assistance activities are designed to assist and encourage:

(1) *School involvement.* The integration of, and mutual reinforcement between, the regular instructional program of schools and their community education programs;

(2) *Needs and services.* Careful and continuing needs assessment with respect to the community to be served and the development of program activities and services which are responsive to community needs;

(3) *Coordination, consultation, and cooperative arrangements.* The development of effective arrangements to achieve maximum coordination and cooperation among public and private agencies, utilize existing resources, and avoid duplication in the planning for, and provision of services by, the program; and

(4) *Citizen participation.* The development of effective means for active and continuous involvement of community members in planning and carrying out the program which serves them.

(e) *Equitable geographic distribution.* (10 points)—The extent to which (1) approval of a project will contribute to an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas; and (2) the project responds to the needs of existing and planned community education programs in rural areas of the State for developmental and technical assistance from the State educational agency.

(20 U.S.C. 1864(h))

§ 160c.19 Federal share of projects.

(a) *General.* For the purposes of funding grant projects in accordance with § 160c.10, the Federal share shall be: (1) 80 percent of a project to establish a new community education program; (2) 65 percent of a project to expand or improve a community education program for the first year in which the program is assisted under this subpart, and 55 percent in any fiscal year thereafter; and (3) 40 percent of a project to maintain or carry out a community education program.

(b) *Establishment of a new program.* (1) A project will qualify for the 80 percent Federal share under paragraph (a) (1) of this section with respect to a new community education program to be established in a community which has no existing community education effort with elements responding substantially to each of the subparagraphs in § 160c.3 (c).

(2) A project to establish a new community education program will qualify for the 80 percent Federal share with respect to that program for one or two years of funding, depending upon the Commissioner's judgment as to whether one or two years are required to establish the program, and subject to the provisions of § 160c.5 which require the applicant to submit a new application for the second year of funding which will be evaluated on a competitive basis with other applications for assistance under this subpart. Any project award relating to the same program in successive fiscal years, whether to the same applicant or to another applicant, would earn one of the Federal shares designated under paragraphs (a) (2) and (3) of this section, as appropriate.

(c) *Expansion or improvement of a program.* (1) A project which does not qualify for the 80 percent share under paragraph (b) of this section with respect to a community education program will qualify for the 65 percent Federal share with respect to a community education program in the first year in which the program is assisted under this part if the project provides for: (i) An increase in the number and types of activities and services offered in the program in response to community needs and interests; (ii) A substantial improvement in the accessibility of the program's activities to the community and an increase in the numbers of people served by the program; (iii) an increase in the level of participation by residents of the community and by other community organizations and agencies in planning and implementing the program; (iv) a substantial increase in the times during, and purposes for, which a public facility is used in the program; or (v) substantial improvement in the quality of (A) the processes by which the community education program is administered with input by community residents and organizations or (B) the activities and services offered by the program.

(2) The Federal share provided for in this paragraph will be applied only against the incremental costs for the applicant of carrying out the expansion or improvement described in paragraph (c) (1) (i) through (v) of this section.

(d) *Calculation of share.* The Federal share for a project will be computed pursuant to this section by the Commissioner at the time of grant award with reference to each community education program to be assisted thereunder and, in connection with individual community education programs earning more than one Federal share, with reference to appropriate aspects of each such program.

(1) If a project proposes to establish one new community education program and maintain another existing community education program, eligible project costs related to the establishment of the new program would earn 80 percent Federal matching, while eligible project costs related to the maintenance of the existing program would earn 40 percent Federal matching. The Federal share for the project as a whole would therefore fall somewhere between 80 percent and 40 percent and would depend upon the relative project costs as between the new program and the maintained program.

(2) (i) With respect to a project which would expand or improve a given community education program, the applicant may seek Federal assistance pursuant to this subpart (A) both to maintain the program at its existing level and to expand or improve the program, or (B) only to improve or expand the program.

(ii) The Federal share specified in paragraph (a) (2) of this section will apply only to the incremental costs related to the expansion and improvement of the project, while the Federal share specified in paragraph (a) (3) of this section will apply to the costs associated with the maintenance of the program at its current level.

(iii) A project to expand or improve a community education program earning a 65 percent share of Federal assistance in the first year of assistance pursuant to this subpart which proposes in the second year merely to maintain the program at the level to which it was expanded or improved in the first year will earn only a 40 percent Federal share in the second year. The project will earn a 55 percent Federal share in the second year only to the extent that the community education program is improved or expanded in the second year.

(20 U.S.C. 1864(d) (3))

§ 160c.20 Allowable costs.

(a) Allowable costs under projects to which the applicable Federal share is awarded pursuant to this subpart shall be determined in accordance with cost principles set forth in Appendix B to Subchapter A of this chapter, subject to the limitations set forth in § 160c.10.

(b) There are no firm limits as to the amount of assistance provided under a grant pursuant to this subpart, but it is expected that a substantial number of grants of limited size will be awarded, and that the size of individual grant awards will depend upon the number of community education programs to be assisted in a way which satisfies applicable requirements and criteria in §§ 160c.14 or 160c.15, as applicable, and 160c.17 or 160c.18, as applicable, respectively, under the grant, whether the project is to establish (likely to receive the highest amount), expand, improve, and/or maintain community education programs, the specific criteria in § 160c.17 or § 160c.18, as applicable, and the level of competition for funds.

(c) The costs of facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable under this subpart and will only be allowed if the Commissioner specifically authorizes such costs.

(20 U.S.C. 1864 (c), (d) (1), (3), (4) (C))

§§ 160c.21–160c.29 [Reserved]

Subpart C—Training Projects in Institutions of Higher Education

§ 160c.30 Nature of Federal projects.

(a) *General.* Grants of Federal funds pursuant to this subpart will be made to institutions of higher education to pay all or part of the costs of developing and establishing, or expanding, programs which will train persons to plan and operate community education programs.

(b) *Types of projects.* Each grant pursuant to this subpart will be for only one of the following types of projects to develop and establish, or expand: (1) Programs to train persons planning and operating community education programs in local educational agencies (or State educational agencies which are directly administering community education programs), as provided in § 160c.32; (2) programs to train persons in State educational agencies planning and providing developmental and technical assistance to community education programs administered by local educational agencies, as provided in § 160c.33; or (3) programs (i) to assess appropriate training competencies needed in local educational agencies and State educational agencies for the planning and administration of community education programs, how these competencies can be effectively acquired, and existing training opportunities available with respect to community education and (ii) to develop an appropriate training curriculum and training materials which would become broadly available for the training of community education leaders, administrators, related personnel, or community teams at local educational agencies and State educational agencies (including the chief executive officers of such agencies), as described in § 160c.34.

(c) *Capacity building.* (1) Projects supported pursuant to this subpart must be designed to build the capacity of the grantee institution of higher education to provide training (whether the training is provided directly or indirectly through the assessment of training needs and the development of training curriculum) on a scale not previously provided by the grantee or to local educational agencies or State educational agencies not previously served by the grantee.

(2) Training projects described in §§ 160c.32 and 160c.33 must build the capacity of the grantee through the provision by the grantee of inservice, basically short-term, continuous training to local educational agencies and/or State educational agencies, as provided in §§ 160c.32 and 160c.33.

(d) *Non-duplication of costs.* Federal funds provided pursuant to this subpart may not be used to pay for any costs of training which are being separately funded under a local educational agency or State educational agency project funded pursuant to Subpart B of this part.

(20 U.S.C. 1864(e))

§ 160c.31 Application requirements for all institutions of higher education grants.

The Commissioner will award a grant to an institution of higher education under this subpart only upon an application submitted to the Commissioner which:

(a)(1) Contains a project plan describing (i) project objectives which state specific and measurable outcomes for the project; (ii) a proposed time schedule for accomplishing the objectives; (iii) an explanation of proposed procedures, strategies, and activities for accomplishing the objectives; and (iv) an evaluation component providing for the collection, verification, and analysis of data to measure the extent to which the objectives are accomplished by the project.

(2) In addition to such other information as may be required pursuant to paragraph (a)(1) of this section, the project plan described in paragraph (a)(1) of this section must include: (i) A description of proposed workshops, conferences or seminars, including their locations, number of sessions planned, and approximate number of trainees; (ii) information on the qualifications of teaching and administrative staff to carry out the project; (iii) provision for disseminating information on the project to local educational agencies, State educational agencies, other institutions of higher education, and the national clearinghouse (established pursuant to subsection (f) of the Act); and (iv) a project budget.

(b) Provides a general description of existing training activities of the applicant in or related to community education, facilities and resources available for such activities, institutions and programs which benefit from its training activities, and the extent to which its present experience will contribute to the effectiveness of the proposed project; and

(c) Includes a statement of commitment that the applicant will, upon the expiration of Federal assistance, continue to carry out training activities for the institutions and programs to be benefited under the Federally funded project.

(d) Contains a commitment by the applicant to collect and make available such information as may be required by the Commissioner or by the Community Education Advisory Council, in accordance with such time constraints as either of them may designate, for purposes of carrying out project evaluations in accordance with subsection (g) of the Act.

(e) Documents that the applicant has carried out a preliminary survey of the training needs and available resources to meet those needs in the areas proposed to be served by the project, including a brief description of the procedures used in the surveys and the results of the survey.

(20 U.S.C. 1864(e)(g))

§ 160c.32 Training to local educational agencies.

(a) *Purpose.* Grants to institutions of higher education under this section will be for the purpose of providing on-going, continuous inservice training to eligible recipients of training in local educational agencies planning and administering community education programs and in State educational agencies directly planning and administering such programs.

(b) *Funding requirements.* Training provided under a grant awarded pursuant to this section must meet the following requirements:

(1) The training must be designed to provide training in skills and understandings with reference to each of the elements of a community education program set forth in § 160c.3 and must include training in such areas as: (i) Understanding the concepts of community education, (ii) data collection and interpretation; (iii) community organization; and (iv) knowledge of other community education programs of an exemplary nature.

(2) The training generally must be short-term in nature and offered at times and in such a manner as to allow participation by recipients of the training on a basis which will cause minimum disruption to the carrying out of their responsibilities in planning and in operating community education programs.

(3) The training activities must be provided for eligible recipients in specific local educational agencies (and in specific State educational agencies, as described in paragraph (a) of this section) on a continuing basis over the course of the grant period, with provisions for follow-up and reinforcement of specific training workshops or exercises.

(c) *Recipients of training.* Eligible recipients of training under grants awarded to institutions of higher education pursuant to this section include persons in local educational agencies (or in State educational agencies directly administering a community education program) involved in the planning and operation of community education programs, including the chief executive officer of the State educational agency or local educational agency, leaders, coordinators, administrators, and other staff of community education programs, and members of the community assisting in the planning and carrying out of such programs, and including persons certified by a local educational agency or State educational agency as about to undertake such responsibilities within that agency.

(d) *Application requirements.* In addition to meeting the requirements of § 160c.31, applications for grants under this section must:

(1) As part of the project plan required by § 160c.31(a), name each local educational agency (and State educational agency) to be served by the proposed training project and indicate the general scope of services to be provided to each such agency, officials or groups to receive the training and how they will be selected, and the skill or competency

needs of recipient agencies and how the project will respond to the needs.

(2) Include as an attachment a letter of commitment from each local educational agency (or State educational agency) to be served by the project, indicating its intention to participate in the project, certifying its need for the services which the application proposes to provide to the agency, and indicating any financial assistance it is receiving or seeking pursuant to this part related to the proposed training services.

(3) Describe current training activities of the applicant, including approximate numbers and program affiliations of individuals trained, cost of training, and staff carrying out the activities.

(4) Provide information to satisfy the Commissioner that the requirements in § 160c.30 (c) and (d) and paragraphs (a), (b), and (c) of this section are satisfied.

(e) *Number and size of grants.* It is expected that a number of small grants to institutions of higher education (or to consortia of institutions of higher education) will be awarded each fiscal year pursuant to this section. The size of grant awards will depend upon the number of local educational agencies (or State educational agencies) to receive training services, the scope and quality of the project as measured by criteria set forth in § 160c.35, and the level of competition for available funds.

(20 U.S.C. 1864(e))

§ 160c.33 Training to State educational agencies.

(a) *Purpose.* Grants to institutions of higher education under this section will be for the purpose of providing on-going, continuous inservice training to eligible recipients of training in State educational agencies planning and providing developmental and technical assistance to community education programs administered by local educational agencies.

(b) *Program requirements.* Training programs funded under this section must be designed to provide training:

(1) In the following skills and understandings: (i) General skills necessary and appropriate for the organization, development, and administration of statewide community education activities; (ii) technical skills related to carrying out needs and resources assessments, evaluation of community education programs, planning, and data collection; (iii) skills in the provision of developmental or technical assistance to local community education programs; (iv) a general understanding of the concepts of community education, including those reflected in § 160c.3; (v) identification of, and coordination with, other Federal and State resources, including the resources of other States;

(2) Through the provision of information on: (i) Successful community education programs and State activities related thereto in other States; and (ii) information on community education programs, and research and development related thereto, available from the clearinghouse (established pursuant to subsection (f) of the Act), and from the Commissioner;

(3) Which involves training activities for eligible recipients in specific State educational agencies: (i) On a continuing basis over the course of the grant period, with provisions for follow-up and reinforcement of specific training workshops or exercises; and (ii) which are short-term in nature and offered at times and in such a manner as to allow participation by recipients of the training on a basis which will cause minimum disruption to the carrying out of their responsibilities in planning and providing assistance to community education programs.

(c) *Recipients of Training.* Eligible recipients of training under grants awarded to institutions of higher education pursuant to this section include:

(1) Leaders, coordinators, and administrators of community education activities in State educational agencies, including the chief State school officer;

(2) Members of any advisory bodies responsible for advising the State educational agency in the carrying out of community education activities; and

(3) Persons certified by a State educational agency as about to undertake positions described in paragraphs (c) (1) and (2) of this section within that State educational agency.

(d) *Application requirements.* Applications for grants under this section must meet the requirements of § 160c.31 and provide information to satisfy the Commissioner that the requirements in § 160c.30 (c) and (d) and paragraphs (a), (b), and (c) of this section are satisfied.

(e) *One grant.* It is expected that only one grant to an institution of higher education or to a consortium of institutions of higher education will be made pursuant to this section in the first year in which grants are made pursuant to this part. The grant award will have the purpose of providing training to eligible recipients in a large number of State educational agencies.

(20 U.S.C. 1864(e))

§ 160c.34 Training assessment and curriculum development.

(a) Grants to institutions of higher education under this section will be for one or more of the following purposes:

(1) To assess (i) appropriate training competencies needed in local educational agencies and State educational agencies for the planning and administration of community education programs and for the provision of developmental and technical assistance to such programs; (ii) how these competencies can be effectively acquired; and (iii) existing training opportunities available with respect to community education;

(2) To develop appropriate training curricula and training materials designed to train administrators (including chief executive officers) and related personnel planning and carrying out or assisting community education programs in local educational agencies and State educational agencies, including appropriate materials for long- and short-term training, and formal and informal training, materials appropriate for use by community education program personnel without trained instructors, packaged training modules susceptible to flexible use to meet particular training needs in different settings and for trainees with different experiences, and materials to train trainers in community education;

(b) Applications for grants under this section must meet the requirements of § 160c.31 and provide information on the potential benefits and uses, including potential users, of assessments carried out and materials developed under the project; and

(c) It is expected that about three grants to institutions of higher education (or to consortia of institutions of higher education) will be made pursuant to this section in the first fiscal year in which grants are made pursuant to this part. The grant awards will focus on assessment activities described in paragraph (a) (1) of this section. Grants in successive fiscal years are expected to focus on the development of training curricula and materials pursuant to paragraph (a) (2) of this section.

(20 U.S.C. 1864(e))

§ 160c.35 Criteria for evaluation of applications.

(a) In order to achieve the purposes set forth in § 160c.1, the Commissioner, in determining whether to approve an application for a Federal grant and the amount of such grant pursuant to this subpart, will consider the following factors, weighted as indicated:

(1) (5 points)—The need for the proposed activity in the area served or to be served by the applicant;

(2) (15 points)—Adequacy of qualifications and experiences of personnel designated to carry out the proposed project;

(3) (20 points) Soundness of the proposed plan of operation, including consideration of the extent to which:

(i) The objectives of the proposed project are sharply defined, (including specific time schedules for their achievement) clearly stated, capable of being attained by the proposed procedures, and capable of being measured;

(ii) Provision is made for adequate evaluation of the effectiveness of the project and for determining the extent to which the objectives are accomplished;

(iii) Objectives clearly relate to needs assessed; and

(iv) Costs are reasonable in relation to anticipated results.

(4) (20 points)—Expected potential for utilizing the results of the proposed project in other projects or programs for similar educational purposes;

(5) (10 points)—Provision is made for disseminating the results of the project and for making materials, techniques, and other outputs resulting therefrom available to the general public and specifically to those concerned with the area of education with which the project is itself concerned.

(6) (20 points)—The extent to which the application reflects a knowledge of and has analyzed training needs in community education, with specific reference to agencies to be served or benefited in the project, provides for responding to such needs; and has involved persons to be trained in the design and planning for training.

(7) (25 points)—The extent to which the proposed project is likely to build the capacity of the grantee to serve as a training resource for local educational agencies and State educational agencies planning, carrying out, and/or assisting community education programs.

(8) (20 points)—Evidence that the grantee will cooperate with other public and private agencies and institutions in carrying out the project so as to coordinate training activities with related activities in community education and to avoid duplication.

(9) (5 points)—The extent to which training provided by the project is likely to form a foundation from which training participants (or users of materials developed by the project) may pursue long-term or formal degree training if they so desire.

(10) (60 points)—(i) The extent to which approval of a project will (*a*) contribute to the funding of a wide variety of projects which collectively can demonstrate diverse approaches to training in community education; and (*b*) result in the development of exemplary or innovative quality program models throughout the United States recognizing the role which limited Federal resources can play in assisting such programs; and

(ii) The criteria in § 100a.26(b) of this chapter shall not apply to grant applications under this subpart.

(20 U.S.C. 1864(e))

§ 160c.36 Allowable costs.

Allowable costs under grants awarded pursuant to this subpart shall be determined in accordance with cost principles set forth in Appendix C–II to Subchapter A of this chapter, subject to applicable limitations set forth in this subpart and to the restrictions that (a) indirect costs will be allowed at either (1) the actual level of the institutional indirect costs or (2) 8 percent of total direct costs, whichever is the lesser; (b) the costs of facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable under this subpart and will only be allowed if the Commissioner specifically authorizes such costs; and (c) stipends and dependency allowances will be unallowable.

(20 U.S.C. 1864(e))

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federal register

FRIDAY, DECEMBER 12, 1975

PART III:

FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION CAMPAIGN ACT

Proposed Forms

FEDERAL ELECTION COMMISSION

[Notice 1975-93]

FEDERAL ELECTION CAMPAIGN ACT

Proposed Forms

The Federal Election Commission today publishes for public comment sample forms to be used by candidates, committees, and others subject to the Federal Election Campaign Act of 1971, as amended. The period of public comment will extend through Monday, January 5, 1976. Comments should be addressed to the Assistant Staff Director for Disclosure and Compliance, Federal Election Commission, 1325 K Street NW., Washington, D.C. 20463.

The Commission notes that the 1974 amendments to the Federal Election Campaign Act have occasioned significant changes in the forms heretofore used. Every effort has been made by the Commission to keep the new forms simple and comprehensible. Nonetheless, potential users should examine the forms carefully with a view to improving them yet further. As has been the case with the publication of earlier Commission proposals, the Commission will welcome all comment and criticism, and will take such communications into consideration in revising the forms in final edition.

The Commission further notes that late amendments to the proposed regulations on disclosure passed by the Commission on November 25, 1975 and submitted to the Congress on December 4, 1975, will require certain minor modifications of these forms as they are now published. Persons comparing the proposed regulations with these forms should therefore not be disturbed by any evident discrepancies; the Commission already has these under advisement.

Dated: December 9, 1975.

THOMAS B. CURTIS,
Chairman, for the
Federal Election Commission.

FEC Form 1
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Statement of Organization For a Political Committee

Supporting any candidate(s) for federal office and anticipating contributions or expenditures in excess of $1,000 in any calendar year in support of such candidate(s).

Note: *Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election, and file separate reports with respect to each election.*

1(a) Name of Committee (in full)	2 Identification Number
(b) Address (number and street)	3 Date of registration (month, day, year)
(c) City, State and ZIP code	4 Is this an amended statement ☐ Yes ☐ No If "Yes" fill in only those lines in which there has been a change

5 Check one:

☐ (a) This committee has been designated as the principal campaign committee for _____ (Name of Candidate)

a candidate for _____ (Federal office sought) in the _____ (General, Primary, Runoff, etc.) Election(s)

to be held in the State of _____ (State in which election is held) on _____ (Date(s))

(The Principal Campaign Committee will forward to the Commission a copy of the Statement of Organization for each committee required to file with it).

☐ (b) This committee is supporting only one candidate, and is authorized by _____ (Name of Candidate)

to receive contributions and make expenditures with respect to the _____ (General, Primary, Runoff, etc.) Election(s)

held on _____ (Date(s)), and will file all reports and statements with the candidate's principal campaign committee, _____ (Full name of principal campaign committee)

(Attach a copy of Candidate's written authorization.) (FEC Form 2a)

☐ (c) This committee supports only one candidate _____ (Name of Candidate) but is not an authorized committee.

☐ (d) This committee is a multicandidate committee.

☐ (e) This committee is a _____ (National, state, county, city) committee of the _____ (Democratic, Republican, etc.) Party.

6 Name of affiliated or connected organization	Mailing address and ZIP code	Relationship

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Instructions For FEC Form 1

See the Federal Election Commission Manual for Definition of Terms, Additional Regulations, and Instructions

A. The treasurer of each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding $1,000 for the purpose of influencing the nomination or election of a candidate(s) for Federal office shall file with the Federal Election Commission (except as noted in F below) a Statement of Organization. This Statement shall be filed within 10 days after the committee's organization, or, if later, 10 days after the date on which it has information which causes the committee to anticipate receiving contributions or making expenditures in excess of $1,000 for the purpose of influencing the nomination or election of a candidate(s) for Federal office.

B. A copy of this statement shall be filed with the Secretary of State (or, if there is no Office of Secretary of State, the equivalent State officer) of the appropriate State.

C. A copy of this statement shall be preserved by the treasurer of the political committee for a period of not less than 3 years after December 31st of the year of the election.

D. Any change or correction of information previously submitted in a Statement of Organization shall be reported to the Commission within ten (10) days following the change or correction. Such amendments to the statement shall contain the date, identity of the committee and the changed or corrected information appropriately identified.

E. Any committee which, after having filed one or more Statements of Organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding $1,000 shall so notify the Commission.

F. In the case of an authorized political committee which supports only one candidate and which is not a principal campaign committee, the Statement of Organization shall be filed with the appropriate principal campaign committee which will forward a copy to the Commission.

FEC Form 1
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Statement of Organization For a Committee

(Page 2)

Name of Committee

7 Area, Scope and Jurisdiction of Committee:

(a) Will this committee operate in more than one State? ☐ Yes ☐ No
(b) Will it operate on a statewide basis in one State? ☐ Yes ☐ No
(c) Will it primarily support candidates seeking State or local office? ☐ Yes ☐ No

8 (a) List by name, address, office sought, and party affiliation, any candidate for Federal office that this committee is supporting:

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party

(b) List by name, address, office sought, and party affiliation, any candidate(s) for any other public office(s) that this committee is supporting.

Full name(s) of candidate(s)	Mailing address and ZIP code	Office sought	Party

9 If this committee is supporting the entire ticket of a party, give name of party ▶

10 Identify by name, address and position, the person in possession of committee books and records:

Full name	Mailing address and ZIP code	Title or position

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

FEC Form 1
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Statement of Organization For a Committee

(Page 3)

Name of Committee

11 List by name, address and position, other principal officers of the committee:

Full name	Mailing address and ZIP code	Title or position

12 Does this committee plan to stay in existence beyond the current calendar year? ☐ Yes ☐ No
If "Yes" for how long? ▶

13 In the event of dissolution, what disposition will be made of residual funds?

14 List all banks or other repositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds:

Name of bank, repository, etc.	Mailing address and ZIP code

15 List all election reports required to be filed by this committee with States and local jurisdictions, together with the names, addresses, and positions of the recipients of the reports:

Report title	Dates required	Name and position of recipient	Mailing address and ZIP code

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section above when information is continued on separate page(s).

Under penalties of perjury, I declare that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

(Signature of Treasurer) (Date)

For further information contact: ▶ Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

FEC Form 2
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Statement of a Candidate for Nomination or Election to Federal Office

("Candidate" as defined by 2 USC 431 (b))

Note: *Committees authorized to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election, and file separate reports with respect to each election.*

1(a) Name of Candidate (in full)	2 Identification Number	3 Party Affiliation
(b) Address (number and street)	4 Office Sought	
(c) City, State and ZIP code	5 District and State of Candidate	

Designation of Principal Campaign Committee

6 I hereby designate the following named political committee as my Principal Campaign Committee for the

_____ election(s) held on _____
(General, Primary, Runoff) (Date)

(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State and ZIP code

7 I hereby designate the following national and/or State bank(s) as campaign depositories to be used by the above political committee.

(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street)	(b) Address (number and street)
(c) City, State and ZIP code	(c) City, State and ZIP code
(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street)	(b) Address (number and street)
(c) City, State and ZIP code	(c) City, State and ZIP code

Candidate Reporting Status

8 Check Reporting Status (a) or (b) (whichever is applicable)

☐(a) I hereby certify that the above named committee and authorized agents thereof will receive and disburse ALL funds in support of my candidacy in the above election(s). Based upon this certification I hereby request a waiver of my reporting responsibility. If, after filing this form, I personally receive contributions or make expenditures, the waiver becomes void and I must file a separate report as required by 2 USC 434 on Federal Election Commission Form 3.

☐(b) I intend to personally receive contributions and/or make expenditures in support of my candidacy and will file separate reports of such receipts and expenditures as required by 2 USC 434, on Federal Election Commission Form 3.

Under penalties of perjury, I declare that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

_____ _____
(Signature of Candidate) (Date)

For further information contact: ▶ Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

FEC Form 2a
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Candidate Authorization of a Political Committee other than a Principal Campaign Committee

Note: *Committees authorized to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election, and file separate reports with respect to each election.*

1(a) Name of Candidate (in full)	2 Identification Number	3 Party Affiliation
(b) Address (number and street)	4 Office Sought	
(c) City, State and ZIP code	5 District and State of Candidate	

6 I hereby authorize the following named political committee to receive contributions and make expenditures on my behalf in support of my candidacy in the _____ (General, Primary, Runoff) election(s) held _____ (Date(s))

(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State and ZIP code

7 I hereby designate the following national and/or State bank(s) as campaign depository(ies) to be used by the above political committee.

(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street)	(b) Address (number and street)
(c) City, State and ZIP code	(c) City, State and ZIP code
(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street)	(b) Address (number and street)
(c) City, State and ZIP code	(c) City, State and ZIP code

8 This committee's reports of receipts and expenditures will be filed with _____ (Name of Principal Campaign Committee), my designated principal campaign committee for the above election(s)

_____ (Signature of Candidate) _____ (Date)

For further information contact: Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Notice

A candidate for Federal office must complete this Statement of Authorization for each committee, other than a principal campaign committee, which is authorized by the candidate to receive contributions and make expenditures on his behalf.

One copy of the statement should be maintained by the Principal Campaign Committee, one by the treasurer of the authorized committee and one copy should be filed with the Commission.

FEC Form 3
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Report of Receipts and Expenditures for a Committee or Candidate Supporting any Candidate(s) for Nomination or Election to Federal Office

Note: *Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election, and file separate reports with respect to each election.*

1(a) Name of Committee (in full)	2 Identification Number
(b) Address (number and street)	3(a) Is this a Principal Campaign Committee? ☐ Yes ☐ No
(c) City, State and ZIP code	(b) If "Yes," has the requirement for Candidate Reports been waived? ☐ Yes ☐ No

4 Type of Report (Check appropriate box and complete, if applicable)

(a) ☐ Amendment
(b) ☐ April 10 Report
(c) ☐ July 10 report
(d) ☐ October 10 report
(e) ☐ January 10 or 31 Report
(f) ☐ Alternative Monthly Report
(g) ☐ Termination

(h) ☐ Tenth day report preceding _____ (primary, general or convention) election on _____ (date) in the state of _____

(i) ☐ Thirtieth day report following _____ (primary, general or convention) election on _____ (date) in the state of _____

Committee Summary of Receipts and Expenditures

5 Covering Period: From , Through

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-To-Date
6 Cash on hand January 1, 19__		$
7 Cash on hand at beginning of reporting period	$	
8 Add total receipts (from line 19)	$	$
(a) Subtotal	$	$
9 Subtract total expenditures (From line 24)	$	$
10 Cash on hand at close of reporting period	$	$
11 Contributed items on hand to be liquidated (attach itemized list) $		
Section B - Expenditures Subject to Limitation Summary (Authorized Candidate Committees Only)		
12 Operating expenditures (from line 20)	$	$
13 Less Refunds and Rebates (from line 17)	$	$
14 (a). Expenditures subject to limitation	$	$
(b) Expenditures from prior years subject to limitation		$
(c) Total expenditures subject to limitation		$

Under penalties of perjury, I declare that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

(Signature of Treasurer) (Date)

For further information Contact: ▶ Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

FEC Form 3
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Detailed Summary Schedule of Receipts and Expenditures
(Page 2)

Name of Committee	Report Covering the period From:	To:
Part I - Receipts	Column A This Period	Column B Calendar year-to-date
15 Contributions and other Income:		
(a) Itemized (use Schedule A)	$	
(b) Unitemized	$	
(c) Sales and Collections Included Above: List by event on memo Schedule D ($ _____)		
(d) Subtotal of contributions and other income	$	$
16 Loans and Loan Repayments Received:		
(a) Itemized (use Schedule A)	$	
(b) Unitemized	$	
(c) Subtotal of loans and loan repayments received	$	$
17 Refunds, Rebates, etc.:		
(a) Itemized (use Schedule A)	$	
(b) Unitemized	$	
(c) Subtotal of refunds, rebates, etc.	$	$
18 Transfers In:		
(a) From Affiliated Committee (Itemize all on Schedule A)	$	
(b) From other Committees (Itemize all on Schedule A)	$	
(c) Subtotal of transfers in	$	$
19 Total Receipts	$	$
Part II - Expenditures		
20 Operating Expenditures:		
(a) Itemized (use Schedule B)	$	
(b) Unitemized	$	
(c) Subtotal of operating expenditures	$	$
21 Loans, Loan Repayments, and Contribution Refunds:		
(a) Itemized (use Schedule B)	$	
(b) Unitemized	$	
(c) Subtotal of loans and loan repayments made and contribution refunds	$	$
22 Fundraising Expenditures: (Apply to 20% Exemption)		
(a) Itemized (use Schedule B)	$	
(b) Unitemized	$	
(c) Subtotal of fundraising expenditures	$	$
23 Transfers Out:		
(a) To Affiliated Committee (Itemize all on Schedule B)	$	
(b) To Other Committees (Itemize all on Schedule B)	$	
(c) Subtotal of transfers out	$	$
24 Total Expenditures	$	$
Part III - Debts and Obligations		
25 Debts and obligations owed to the Committee (Itemize all on Schedule C)	$	
26 Debts and obligations owed by the Committee (Itemize all on Schedule C)	$	
Part IV - Receipts and Expenditures, Net of Transfers to and from Affiliated Committees		
27 Total Receipts (from line 19)	$	
28 Less Transfers In (from line 18(a))	$	
29 Net Receipts	$	
30 Total Expenditures (from line 24)	$	
31 Less Transfers out (from line 23(a))	$	
32 Net Expenditures	$	

Schedule A
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Itemized Receipts, Contributions, Ticket Purchases, Loans, Rebates, and Transfers for Line Numbers 15, 16, 17 and/or 18 of FEC Form 3

(see Instructions on back)

Line Number: Use a separate page for each numbered line. ▶

Schedule A, Page ____ of ____

Name of Candidate or Committee in full

Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶☐ Yes ☐ No Aggregate Year-to-Date ▶$		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶☐ Yes ☐ No Aggregate Year-to-date ▶$		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶☐ Yes ☐ No Aggregate Year-to-date ▶$		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶☐ Yes ☐ No Aggregate Year-to-date ▶$		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶☐ Yes ☐ No Aggregate Year-to-date ▶$		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶☐ Yes ☐ No Aggregate Year-to-date ▶$		
Subtotal of receipts this page ▶			$
Total this period (last page this line number only) ▶			$

Instructions for Preparing Schedule A, FEC Form 3

See Federal Election Commission Manual for Additional Regulations and Instructions

Use this schedule to itemize Receipts for lines 15, 16, 17 and/or 18 of the "Detailed Summary Schedule of Receipts and Expenditures" FEC Form 3, Page 2. Do not itemize transactions pertaining to more than one numbered line of the Detailed Summary Schedule on any one page. This schedule may be duplicated or the information may be itemized on computer printouts or any 8-½" x 11" paper providing only the information required and in the same format.

This Schedule is to be used to **Itemize Only the Receipts as Specified Below for each Part.** The "Total This Period" amount for each itemized line is to be carried forward to the corresponding line of the detailed summary schedule. When applicable, the total of all other receipts Not Required to be Itemized Under a Given Part is to be entered as a lump sum on the "Unitemized" line of the appropriate part of the detailed summary schedule.

Line 15(a). Itemized Contributions and Other Income.—This is an itemized account of contributions and other income, giving the date, full name, mailing address, occupation, and principal place of business of each person who has made one or more contributions to or for the reporting committee or candidate during the reporting period in an amount in excess of $100 or whose total contributions to date (aggregate) during the calendar year are in excess of $100. Other income in the form of interest dividends, etc. in excess of $100 during a reporting period will also be itemized. The actual amount of contribution(s) and other income received during this reporting period will be entered in the "Amount of Each Receipt This Period" column.

Contributions by an individual which result in his aggregate year-to-date contributions exceeding $100.00 should be itemized on Schedule A. The sum of his contributions in this calendar year shall be entered in the "aggregate year-to-date" box. Contributions received this period should be listed in the "receipt this period" box. Each subsequent contribution shall be itemized as above and included in the total reported in the "aggregate year-to-date" box (Sec. 434(b)(2)).

Line 16(a). Itemized Loans and Loan Repayments Received.—This is an itemized account giving the date, full name, mailing address, occupation, and principal place of business of each lender and endorser of a loan(s), or a person making a loan repayment this period in excess of $100 or whose total loans or loan repayments to date (aggregate) are in excess of $100. The actual amount of each loan(s) or loan repayment(s) received during this period will be entered in the "Amount of Each Receipt This Period" column. Loans and loan repayments received from affiliated committees are considered "transfers" included in line 18.

Loans or Loan Repayments by an individual which result in his aggregate year-to-date Loans or Loan Repayments exceeding $100.00 should be itemized on Schedule A. The sum of his Loans or Loan Repayments in this calendar year shall be entered in the "aggregate year-to-date" box. Loans or Loan Repayments received this period should be listed in the "receipt this period" box. Each subsequent Loan or Loan Repayment shall be itemized as above and included in the total reported in the "aggregate year-to-date" box (Sec. 434(b)(5)).

Line 17(a). Itemized Refunds and Rebates.—This is an account of receipts in the form of refunds, returns and rebates. Give the date, full name, mailing address, occupation, and principal place of business of each person from whom one or more such receipts have been received in this reporting period in an amount in excess of $100 and explanation of the receipt. The actual amount of each receipt(s) during this reporting period will be entered in the "Amount of Each Receipt This Period" column. Do not use the "Aggregate Year-to-Date" box. (Sec. 434(b)(7).)

Line 18. Itemized Transfers in from Political Committees.—This is an itemized account giving the date, full name and mailing address of each political committee or candidate from whom any transfer of funds has been received within this reporting period in any amount. The actual amount of each transfer(s) during this reporting period will be entered in the "Amount of Each Receipt This Period" column. Do not use the "Aggregate Year-to-Date" box. Use separate pages for affiliated and nonaffiliated committees and report subtotals on summary schedule. (Sec. 434(b)(4).)

Schedule B
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Itemized Expenditures · Campaign Fundraising, Loans, and Transfers for Lines 20, 21, 22, and/or 23 of FEC Form 3

(see Instructions on back)

Line Number: Use a separate page for each numbered line. ▶

Schedule B, Page ____ of ____

Name of Candidate or Committee in full

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Subtotal of expenditures this page ▶			$
Total this period (last page this line number only) ▶			$

Instructions for Preparing Schedule B, FEC Form 3

See Federal Election Commission Manual for Additional Regulations and Instructions

Use this schedule to itemize Expenditures for line 20, 21, 22 and/or 23 of the "Detailed Summary Schedule of Receipts and Expenditures" FEC Form 3. Do not itemize transactions pertaining to more than one numbered line of the Detailed Summary Schedule on any one page. This schedule may be duplicated or the information may be itemized on computer printouts or any 8-½ x 11" paper providing only the information required and in the same format.

This Schedule is to be used to **Itemize Only the Expenditures as Specified Below for each Line.** The "Total This Period" amount for each itemized line is to be carried forward to the corresponding line of the Detailed Summary Schedule. When applicable, the total of all other expenditures **Not Required to be Itemized Under a Given Line** is to be entered as a lump sum on the **"Unitemized"** sub line of the appropriate line of the Summary Report.

Line 20. Itemized Operating Expenditures.—This is an account of all operating expenditures not included in lines 21, 22, and 23 made during the reporting period and which aggregate in excess of $100 to a single payee during the calendar year, itemized as to amount and date of expenditure and other information as indicated in column headings. This schedule includes expenditures for personal services, travel, rent, telephone and other normal operating expenses. (Sec. 434(b)(9) and (10).)

Line 21. Itemized Loans, Loan Repayments and Contribution Refunds.—This is an account of loans, loan repayments, and contribution refunds made by the committee or a candidate during the reporting period and which aggregate in excess of $100 to a single payee during the calendar year. Each entry shall contain the date, full name and mailing address of the person or committee to whom the loan, loan repayment, or contribution refund was made. List the amount of the loan, loan repayment, or contribution refund in the "Amount of Each Expenditure This Period" column. Loans or loan repayments made to affiliated committees are considered "Transfers" included in line 23. (Sec. 434(b)(5).)

Line 22. Itemized Fundraising Expenditures.—This is an account of fundraising expenditures made during the reporting period which aggregate in excess of $100 to a single payee within a calendar year. All fundraising costs will be reported on Part II, Line 22 of the Detailed Summary Schedule except that any such expenditures in excess of 20% of a candidate's total expenditure limitation will be reported under line 20 Operating Expenditures.

Line 23. Itemized Transfers out to Political Committees and Candidates.—This is an itemized account giving the date, full name and mailing address of each political committee or candidate to whom any transfer of funds was made within this reporting period in any amount. List the amount of the transfer in the "Amount of Each Expenditure This Period" column.

Use separate pages for affiliated and nonaffiliated committees and report subtotals on the Detailed Summary Schedule. (Sec. 434(b)(4).)

Schedule C
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Debts and Obligations for Line Numbers 25 and/or 26 of FEC Form 3

(see Instructions on back)

Line Number: Use a separate page for each numbered line. ▶

Schedule C, Page of

Name of Candidate or Committee in full

Full Name, mailing address and ZIP code / Date (month, day, year)	Amount of Original Debt, Contract, Agreement, or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period
	$	$	$
	$	$	4
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
Subtotals this period this page ▶	$	$	$
Total this period (last page this line number only) ▶	$	$	$

*Carry outstanding balance only, to appropriate line of summary.

Instructions for Preparing Schedule C, FEC Form 3

See Federal Election Commission Manual for Additional Regulations and Instructions

Use this schedule to itemize Debts and Obligations Owed to or by the Committee for line 25 and/or 26, FEC Form 3, page 2. Do not itemize transactions pertaining to more than one numbered line of the Detailed Summary Schedule on any one page. This schedule may be duplicated or the information may be itemized on computer printouts or any 8½ x 11" paper providing only the information required and in the same format. Obligations as used in these instructions mean contracts, agreements, and promises.

Line 25. Debts and Obligations Owed to the Committee.— This is an itemized account of debts and obligations owed to the reporting committee at the close of the reporting period. Give the full name and mailing address of each debtor, together with the amount, date, nature of each transaction, cumulative payment(s) received to date, and the outstanding balance at the close of the reporting period. These debts and obligations shall continue to be reported on each subsequent report until extinguished. (Sec. 434(b)(12).)

Line 26. Debts and Obligations Owed by the Committee.— This is an itemized account of debts and obligations owed by the reporting committee at the close of the reporting period. Give the full name and mailing address of each creditor, together with the amount, date, nature of each transaction, cumulative payment(s) made to date, and the outstanding balance at the close of the reporting period. Include all accounts payable outstanding for 60 days or more. Debts and obligations shall continue to be reported on each subsequent report until extinguished. (Sec. 434(b)(12).)

Schedule D
Janaury 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Itemized Receipts Sales and Collections For Line Number 15C Only of FEC Form 3

(see instructions on back)

Attach additional Schedule D's as needed ▶

Schedule D, Page ____ of ____

Name of Candidate or Committee in full

Total Proceeds during the Reporting Period:

1 Sale of tickets (List by event below)* ▶ $ ____
2 Mass collections (List by event below) ▶ $ ____
3 Sale of Items ▶ $ ____
4 Total (Carry forward to Line 15C of Detailed Summary Schedule Page 2, FEC Form 3) ▶ $ ____

List of Sales and Collections by Event

Type of Event	Date of Event (month, day, year)	Amount from Sale of Tickets this Period*	Amount from Mass Collections this Period
		$	$
Subtotal this period this page ▶	$	$	$
Total this period (last page this line number only) ▶	$	$	$

Instructions for Preparing Memo Schedule D, FEC Form 3

See Federal Election Commission Manual for Additional Regulations and Instructions

Use this schedule to itemize Sales and Collections for Line 15c, FEC Form 3. This schedule may be duplicated or the information may be itemized on computer printouts or any 8½ x 11" paper providing only the information required and in the same format.

Line 15c. Funds Received from Sales and Collections.—This is an account of proceeds during this reporting period from (1) the sale of tickets to each dinner, luncheon, rally, or other fundraising event; and (2) mass collections made at each such event, and (3) the sale of items such as political campaign pins, buttons, literature and similar materials. Such proceeds shall be reported in the total amount. Ticket sales and mass collections must be listed by each event, giving the date and type of event and the amount of proceeds collected. Sales to any individual in an amount in excess of $100 during this reporting period or in an aggregate amount in excess of $100 within the calendar year must be itemized on Schedule A (Line 15a). (See Schedule A for instructions.) (Sec. 434(b)(6).)

Place Stamp Here

Federal Election Commission

1325 K Street, N.W.

Washington, D.C. 20463

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FEC Form 3a January 1976	Report for a quarter in which neither receipts or expenditures exceed $1000	Identification Number

Filing this form does not relieve any committee or candidate of the responsibility to file any yearend (Jan 31) pre or post election report

Name of Committee or Candidate (in full)

Address (number and street)

City State and ZIP code

For the period (check one): ☐ Jan 1 — March 31 (April 10 Report) ☐ April 1 — June 30 (July 10 Report) ☐ July 1 — Sept 30 (Oct 10 Report)

Under the penalties of perjury I declare that the above named committee or candidate did not receive contributions or make expenditures in excess of $1000 during the calendar quarter indicated I will resume filing quarterly reports in the next calendar quarter in which receipts or expenditures exceed $1000

Signature of Committee Treasurer or Candidate	Date

FEC Form 3a January 1976	Report for a quarter in which neither receipts or expenditures exceed $1000	Identification Number

Filing this form does not relieve any committee or candidate of the responsibility to file any yearend (Jan 31) pre or post election report

Name of Committee or Candidate (in full)

Address (number and street)

City State and ZIP code

For the period (check one): ☐ Jan 1 — March 31 (April 10 Report) ☐ April 1 — June 30 (July 10 Report) ☐ July 1 — Sept 30 (Oct. 10 Report)

Under the penalties of perjury I declare that the above named committee or candidate did not receive contributions or make expenditures in excess of $1000 during the calendar quarter indicated I will resume filing quarterly reports in the next calendar quarter in which receipts or expenditures exceed $1000

Signature of Committee Treasurer or Candidate	Date

FEC Form 3a January 1976	Report for a quarter in which neither receipts or expenditures exceed $1000	Identification Number

Filing this form does not relieve any committee or candidate of the responsibility to file any yearend (Jan 31) pre or post election report

Name of Committee or Candidate (in full)

Address (number and street)

City State and ZIP code

For the period (check one): ☐ Jan 1 — March 31 (April 10 Report) ☐ April 1 — June 30 (July 10 Report) ☐ July 1 — Sept. 30 (Oct 10 Report)

Under the penalties of perjury I declare that the above named committee or candidate did not receive contributions or make expenditures in excess of $1000 during the calendar quarter indicated I will resume filing quarterly reports in the next calendar quarter in which receipts or expenditures exceed $1000

Signature of Committee Treasurer or Candidate	Date

FEC Form 3a January 1976	Report for a quarter in which neither receipts or expenditures exceed $1000	Identification Number

Filing this form does not relieve any committee or candidate of the responsibility to file any yearend (Jan 31) pre or post election report

Name of Committee or Candidate (in full)

Address (number and street)

City State and ZIP code

For the period (check one): ☐ Jan 1 — March 31 (April 10 Report) ☐ April 1 — June 30 (July 10 Report) ☐ July 1 — Sept 30 (Oct 10 Report)

Under the penalties of perjury I declare that the above named committee or candidate did not receive contributions or make expenditures in excess of $1000 during the calendar quarter indicated I will resume filing quarterly reports in the next calendar quarter in which receipts or expenditures exceed $1000

Signature of Committee Treasurer or Candidate	Date

FEC Form 3b
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From: To:

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18(a) Total transfers from affiliated comm.
A						
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page . .					
N	Column Total Last Page Only . .					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Repayments, & Contribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number 23(b) Total transfer out to other comm.
A							
B							
C							
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							

	(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.
A				
B				
C				
D				
E				
F				
G				
H				
I				
J				
K				
L				
M				
N				

Computation of Net Receipts and Expenditures for all Committees (last page only)

Receipts and expenditures, net of transfers to and from affiliated committees:

1 Total receipts (from column (g)) $. . .

2 Less total transfers in (from column (e)) . . $. . . . . .

3 Net receipts . . . . . $_____

4 Total expenditures (from col. (m)) $. . . . .

5 Less total transfers out (from column (k)) . . . . . $. . . . . .

6 Net expenditures . . $_____

Expenditures subject to limitation summary:

7 Total operating expenses (from column (h)) . . . . . $_____

8 Less total refunds and rebates (from column (d)) $. . . . .

9 Total expenditures subject to limitation . . . . . $

Instructions for FEC Form 3b

The name of the Candidate (if he or she is receiving contributions or making expenditures personally), the Principal Campaign Committee, and all subsidary committees should be listed in the column entitled "Committee Name." Lines in this column are coded with letters A-N. All information for each committee is recorded on the same lettered line throughout the form.

Columns (a) through (p) on the Worksheet correspond to the numbered lines on the Committee Summary of Receipts and Expenditures (FEC Form 3) and the Detailed Summary Schedule of Receipts and Expenditures (FEC Form 3, page 2). The dollar amounts should be transferred from each numbered line on the committee and candidate reports to the appropriate column on the Worksheet. The columns must be totaled and the appropriate totals entered in the Computation of Net Receipts and Expenditures for All Committees located in the lower right corner of the form.

The completed form must be submitted with the Principal Campaign Committee s reports in all campaigns in which a candidate has authorized more than one political committee to act in his behalf.

FEC Form 3c
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Allocation of Primary Expenditures by State for a Presidential Candidate

1(a) Name of Principal Campaign Committee	2 Identification Number
(b) Committee Address	3 Name of Candidate
(c) City, State and Zip code	

ALLOCATION BY STATE

STATE	ALLOCATION THIS PERIOD	YEAR TO DATE ALLOCATION	STATE	ALLOCATION THIS PERIOD	YEAR TO DATE ALLOCATION
Alabama			Nebraska		
Alaska			Nevada		
Arizona			New Hampshire		
Arkansas			New Jersey		
California			New Mexico		
Colorado			New York		
Connecticut			North Carolina		
Delaware			North Dakota		
District of Columbia			Ohio		
Florida			Oklahoma		
Georgia			Oregon		
Hawaii			Pennsylvania		
Idaho			Rhode Island		
Illinois			South Carolina		
Indiana			South Dakota		
Iowa			Tennessee		
Kansas			Texas		
Kentucky			Utah		
Louisiana			Vermont		
Maine			Virginia		
Maryland			Washington		
Massachusetts			West Virginia		
Michigan			Wisconsin		
Minnesota			Wyoming		
Mississippi			Puerto Rico		
Missouri			Guam		
Montana			Virgin Islands		
Column Totals			Column Totals		

4 Total Allocated Expenditures ▶		
5 Total Non-allocated Expenditures ▶		
6 Total Campaign Expenditures (Lines 4 & 5) ▶		

Instructions for Federal Election Commission Form 3c

Expenditures made or attributed to a campaign in a particular state should be reported on the appropriate line for the state for both the reporting period and aggregate year-to-date. Such expenditures include administrative costs, staff salaries of campaign personnel working in or on behalf of the campaign in the state (both state and national headquarters personnel), overhead cost of campaign facilities located in the state, printed materials produced and/or distributed in the state, media advertising directed at the voting population of the state, etc.

Expenditures which cannot be allocated to any particular state should be reported on line 5. Such expenditures include administrative staff, and overhead expenditures of the national campaign headquarters, travel expenses, etc., which cannot be clearly attributed to the campaign effort in any particular state.

The totals reflected on line 6 must equal the totals on line 14(a), (FEC Form 3), of the Committee(s) Report(s) of Receipts and Expenditures.

FEC Form 4
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Report of Receipts and Expenditures for a Committee or Person Supporting a Convention Held for the Purpose of Nomination of a Candidate for President

1(a) Name of Committee (in full)	2 Identification Number
(b) Address (number and street)	3 Type of Committee ☐ (a) Arrangements Committee ☐ (b) Host Committee ☐ (c) Other (specify)
(c) City, State and ZIP code	

4 Type of Report (Check appropriate box and complete, if applicable)

(a) ☐ Full and complete report submitted within 60 days of convention ended _____ (Date)

(b) ☐ Quarterly report for period ended _____ (Date)

Committee Summary of Receipts and Expenditures

5 Covering Period: From: Through

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-to-Date
6 Cash on hand January 1, 19		$
7 Cash on hand at beginning of reporting period	$	
8 Add total receipts (from line 20)	$	$
(a) Subtotal	$	$
9 Subtract total expenditures (From line 25)	$	$
10 Cash on hand at close of reporting period	$	$
11 Contributed items on hand to be liquidated (attach itemized list) $		
Section B - Expenditures Subject to Limitation Summary		
12 Convention expenditures (from line 21)	$	$
13 Less Refunds and Rebates (from line 18(a))	$	$
14(a) Expenditures subject to limitation	$	$
(b) Expenditures from prior years subject to limitations		$
(c) Total expenditures subject to limitations		$

Under penalties of perjury, I declare that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

_____ (Signature of Treasurer) _____ (Date)

For Further Information Contact: Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463.

FEC Form 4
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Convention Committee
Detailed Summary Schedule of Receipts and Expenditures
(Page 2)

Name of Committee	Report Covering the Period From:	To:
Part I - Receipts	Column A This Period	Column B Calendar year-to-date
15 Receipts from Presidential Election Campaign Fund:		
(a) Itemized all (use Schedule A).	$	$
16 Contributions and other income:		
(a) Itemized (use Schedule A)	$.	
(b) Unitemized	$.	
(c) Subtotal of contributions and other income	$	$
17 Loans and Loan Repayments Received:		
(a) Itemized (use Schedule A)	$.	
(b) Unitemized.	$.	
(c) Subtotal of loans and loan repayments received.	$	$
18 Refunds, Rebates, etc.:		
(a) Itemized rebates of convention expenditures (Use schedule A)	$.	$.
(b) Itemized rebates of other expenditures (Use Schedule A)	$.	$.
(c) Subtotal of refunds, rebates, etc.	$	$
19 Transfers In:		
(a) Itemize all (use Schedule A)	$	$
20 Total Receipts	$	$
Part II - Expenditures		
21 Convention Expenditures:		
(a) Itemized (use Schedule B)	$.	
(b) Unitemized	$.	
(c) Subtotal of Convention expenditures	$	$
22 Loans and Loan Repayments Made:		
(a) Itemized (use Schedule B)	$.	
(b) Unitemized	$.	
(c) Subtotal of loans and loan repayment made	$	$
23 Transfers Out:		
(a) Itemize all (use Schedule B)	$	$
24 Other Expenditures:		
(a) Itemized (use Schedule B)	$.	
(b) Unitemized.	$.	
(c) Subtotal of other expenditures	$	
25 Total Expenditures	$	$
Part III - Debts and Obligations		
26 Debts and obligations owed to the Committee (Use Schedule C)	$	
27 Debts and obligations owed by the Committee (Use Schedule C)	$	

Schedule A
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Convention Committee Itemized Receipts for Lines 15, 16, 17, 18, and/or 19 of FEC Form 4

(see Instructions on back)

Line Number: Use a separate page for each numbered line ▶

Schedule A, Page ____ of ____

Name of Committee in full

Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶ ☐ Yes ☐ No Aggregate Year-to-date .. ▶ $		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶ ☐ Yes ☐ No Aggregate Year-to-date .... .. ▶ $		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶ ☐ Yes ☐ No Aggregate Year-to-date .... ▶ $		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶ ☐ Yes ☐ No Aggregate Year-to-date ..... ▶ $		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶ ☐ Yes ☐ No Aggregate Year-to-date .... ▶ $		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business	Occupation Is Contributor self-employed? ▶ ☐ Yes ☐ No Aggregate Year-to-date .... ▶ $		
Subtotal of receipts this page			$
Total this period (last page this line number only)			$

Instructions for Preparing Schedule A, FEC Form 4

See Federal Election Commission Manual for Additional Regulations and Instructions

Use this schedule to itemize Receipts for lines 15, 16, 17 18 and/or 19 of the "Convention Committee Detailed Summary Schedule of Receipts and Expenditures" FEC Form 4, page 2. Do not itemize transactions pertaining to more than one numbered line of the Detailed Summary Schedule on any one page. This schedule may be duplicated or the information may be itemized on computer printouts or any 8-½" x 11" paper providing only the information required and in the same format.

This Schedule is to be used to **Itemize Only the Receipts as Specified Below for each Part.** The "Total This Period" amount for each itemized line is to be carried forward to the corresponding line of the Detailed Summary Schedule. When applicable the total of all other receipts **Not Required to be Itemized Under a Given Part** is to be entered as a lump sum on the "UNITEMIZED" line of the appropriate Part of the Detailed Summary Schedule.

Line 15(a). Itemized Receipts from Presidential Election Campaign Fund.—This is an itemized account of all receipts from the Presidential Election Campaign Fund (U.S. Treasury). The actual amount of each such payment received during this reporting period will be entered in the "Amount of Each Receipt This Period" column. Report total Treasury funds received in the "Aggregate Year-to-Date" box.

Line 16(a). Itemized Contributions and other Income.—This is an itemized account of contributions and other income, giving the date, full name, mailing address, occupation, and principal place of business of each person who has made one or more contributions to or for the reporting committee during the reporting period in an amount in excess of $100 or whose total contributions to date (aggregate) during the calendar year are in excess of $100. Other income in the form of interest, dividends, etc. in excess of $100 during a reporting period will also be itemized. The actual amount of contribution(s) and other income received during this reporting period will be entered in the "Amount of Each Receipt This Period" column.

Line 17(a). Itemized Loans and Loan Repayments Received.—This is an itemized account giving the date, full name, mailing address, occupation, and principal place of business of each lender and endorser of a loan(s), or a person making a loan repayment this period in excess of $100, or whose total loans or loan repayments to date (aggregate) are in excess of $100. The actual amount of each loan(s) will be entered in the "Amount of Each Receipt Period" column.

Line 18(a). Itemized Refunds and Rebates.—This is an account of receipts in the form of refunds, returns, and rebates. Give the date, full name, mailing address, occupation, and principal place of business of each person from whom one or more such receipts have been received in this reporting period in any amount and an explanation of the receipt. The actual amount of the receipt(s) during this reporting period will be entered in the "Amount of Each Receipt This Period" column. Use separate pages for refunds of "convention" and "other expenditures" Report total refunds and rebates on the Detailed Summary Schedule.

Line 19. Itemized Transfers in from Political Committees.—This is an itemized account giving the date, full name and mailing address of each political committee from which any transfer of funds has been received within this reporting period in any amount. The actual amount of each transfer(s) during this reporting period will be entered in the "Amount of Each Receipt This Period" column.

Schedule B
January 1976-
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Convention Committee Itemized Expenditures for Lines 21, 22, 23 and/or 24 of FEC Form 4

(see Instructions on back)

Line Number:
Use a separate page for each numbered line. ▶

Schedule B, Page ____ of ____

Name of Committee in full

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Subtotal of expenditures this page ▶			$
Total this period (last page this line number only) ▶			$

Instructions for Preparing Schedule B, FEC Form 4

See Federal Election Commission Manual
for Additional Regulations and Instructions

Use this schedule to itemize Expenditures for line 21, 22 23 and/or 24 of the "Convention Committee Detailed Summary Schedule of Receipts and Expenditures" FEC Form 4, page 2. Do not itemize transactions pertaining to more than one numbered line of the Detailed Summary Schedule on any one page. This schedule may be duplicated or the information may be itemized on computer printouts or any 8-½ x 11" paper providing only the information required and in the same format.

This Schedule is to be used to Itemize Only the Expenditures as Specified Below for each Line. The "Total This Period" amount for each itemized line is to be carried forward to the corresponding line of the Detailed Summary Schedule. When applicable, the total of all other expenditures Not Required to be Itemized Under a Given Line is to be entered as a lump sum on the "UNITEMIZED" sub line of the appropriate line of the Summary Report.

Line 21. Itemized Convention Expenditures.—This is an account of all qualified convention expenditures made during the reporting period which aggregate in excess of $100 to a single payee during the calendar year, itemized as to amount and date of expenditure and other information as indicated in column headings. This schedule includes only expenditures incurred with respect to Presidential nominating convention, not including any expenses for candidates or delegates to such convention which the convention committee might incur.

Line 22. Itemized Loans and Loan Repayments Made.—This is an account of loans and loan repayments made by the committee during the reporting period which aggregate in excess of $100 to a single payee during the calendar year. Each entry shall contain the date, full name and mailing address of each person or committee to whom the loan or loan repayment was made. List the amount of the loan or loan repayment in the "Amount of Each Expenditure This Period" column.

Line 23. Itemized Transfers out to Political Committees and Candidates.—This is an itemized account giving the date, full name and mailing address of each political committee or candidate to whom any transfer of funds was made within this reporting period in any amount. List the amount of the transfer in the "Amount of Each Expenditure This Period" column.

Line 24. Itemized Other Expenditures.—This is an account of all expenditures not included in lines 21, 22 and 23 made during the reporting period which aggregate in excess of $100 to a single payee within a calendar year. All such expenditures will be reported on Part II, Line 24 of the Detailed Summary Schedule. (FEC Form 4)

Schedule C
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Convention Committee Debts and Obligations for Lines 26 and/or 27 of Form 4

(see Instructions on back)

Line Number: Use a separate page for each numbered line. ▶

Schedule C, Page of

Name of Committee in full

Full Name, mailing address and ZIP code / Date (month, day, year)	Amount of Original Debt, Contract, Agreement, or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period
	$	$	$
	$	$	$
	$*	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
Subtotals this period this page	$	$	$
Total this period (last page this line number only)	$	$	$

*Carry outstanding balance only to appropriate line of summary.

Instructions for Preparing Schedule C, FEC Form 4

See Federal Election Commission Manual for Additional Regulations and Instructions

Use this schedule to itemize Debts and Obligations Owed to or by the Committee for line 26 and/or 27 Do not itemize transactions pertaining to more than one numbered line of the Detailed Summary Schedule on any one page. This schedule may be duplicated or the information may be itemized on computer printouts or any 8-½ x 11" paper providing only the information required and in the same format. "Obligations" as used in these instructions means contracts, agreements, and promises.

Line 26. Debts and Obligations Owed to the Committee.— This is an itemized account of debts and obligations owed to the reporting committee at the close of the reporting period. Give the full name and mailing address of each debtor, together with the amount, date, nature of each transactions, cumulative payment(s) received to date, and the outstanding balance at the close of the reporting period. These debts and obligations shall continue to be reported on each subsequent report until extinguished.

Line 27. Debts and Obligations Owed by the Committee.— This is an itemized account of debts and obligations owed by the reporting committee at the close of the reporting period. Give the full name and mailing address of each creditor, together with the amount, date, nature of each transaction, cumulative payment(s) made to date, and the outstanding balance at the close of the reporting period, including all accounts payable outstanding for 60 days or more. Debts and obligations shall continue to be reported on each subsequent report until extinguished.

[FR Doc.75-33567 Filed 12-11-75;8:45 am]

federal register

FRIDAY, DECEMBER 12, 1975

PART IV:

PENSION BENEFIT GUARANTY CORPORATION

■

PLAN BENEFITS

Proposed Valuation Methods

PENSION BENEFIT GUARANTY CORPORATION

[29 CFR Part 2611]

VALUATION OF PLAN ASSETS

Proposed Rulemaking

Section 4041(b) of Title IV of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1301–1381) (hereinafter referred to as the "Act") requires the Pension Benefit Guaranty Corporation (hereinafter referred to as the "PBGC") to determine whether the assets of a plan, if allocated as provided in section 4044 of the Act, are sufficient to discharge when due all obligations of the plan with respect to the basic benefits defined in section 4001(a) (6) of the Act. Section 4062(b) of the Act provides that an employer, which maintains a plan as to which benefits are guaranteed by the Act, may be liable to the PBGC in the amount by which benefits guaranteed pursuant to section 4022(a) of the Act exceed the current value of plan assets allocable to such benegts on the date of termination.

Notice is hereby given that the PBGC proposed to amend Chapter XXVI of Title 29, Code of Federal Regulations, to add a new Part 2611, set forth below, which prescribes the standards for valuing plan assets.

This proposed regulation was prepared by the staff of the PBGC. With the understanding that this is a staff document without the Board's endorsement of the policies underlying it, the Board of Directors of the PBGC authorized publication of this proposed regulation in the FEDERAL REGISTER to invite public comments and suggestions that will assist the Board in its consideration of the regulation to be finally adopted.

Interested persons may participate in this proposed rulemaking by submitting written data, views or arguments to the Office of the General Counsel, Pension Benefit Guaranty Corporation, Suite 7200, 2020 K Street, NW., Washington, D.C. 20006. Each person submitting comments should include his name and address, identify this notice, and give reasons for any recommendations. Comments should be submitted not later than January 7, 1976. Copies of written comments will be available for examination by interested persons in the Office of Communications, PBGC, Suite 7100, 2020 K Street, NW., Washington, D.C. between the hours of 9 a.m. and 4 p.m. The proposal may be changed in light of comments received.

In order to determine whether the assets of a plan are sufficient when allocated as provided in § 4044 of the Act to satisfy "basic benefits," and to determine the extent, if any, of employer liability computed in accordance with § 4062 of the Act, it is necessary to compute the value of plan assets on the date of termination, the value of the basic benefits guaranteed by the PBGC pursuant to section 4022 of the Act, and the value of other liabilities and expenses accrued by the plan prior to or on the date of termination. The assets of a plan are to be valued at their fair market value on the date of termination. Fair market value is defined as the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

This proposed regulation prescribes, as the method of valuation for determining the value of a plan asset, whichever method most accurately reflects the fair market value of such asset. In addition, § 2611.5 of the proposed regulation contains specific presumptions relating to the fair market value of particular types of plan assets such as securities which are regularly traded in well established markets. Those types of plan assets, such as cash, receivables and real estate, which are not covered by these specific presumptions, are to be valued by whichever method of valuation most accurately reflects their fair market value. It also should be noted that the rules contained in § 2611.5 are only presumptions and, therefore, will not apply where another method of valuation more accurately reflects an asset's value; e.g., where a plan's entire holdoing of a security could not be sold at the prevailing market price on the valuation date.

In regard to specific kinds of securities, § 2611.5 provides that:

(1) The presumed value of Treasury bills will be computed from the mean of the bid and asked discount for the bill on the date of termination, as nationally published in general circulation daily newspapers.

(2) The presumed value of Treasury notes and bonds, and Federal agency securities will be computed from the mean of the bid and asked price for the security on the date of termination, as nationally published in general circulation daily newspapers.

(3) The presumed value of shares in open-end mutual funds will be the net asset value per share of the mutual fund on the date of termination, as nationally published in general circulation daily newspapers.

(4) The presumed value of shares in collective trusts will be the value per share computed by the manager of the collective trust according to the terms of the trust on the normal valuation date on or within one month after the date of termination. The application of this presumption is contingent upon the normal valuation date of the trust falling within one month of the date of termination, and upon no distribution being made by the trust in relation to shares of the trust between the date of termination and the normal valuation date of the trust.

(5) The presumed value of common and preferred stocks, warrants, and closed-end mutual funds that are traded principally on an exchange, and publicly traded corporate bonds that are traded on an exchange, will be the closing sale price on the principal exchange where the security or obligation is traded on the date of termination, as nationally published in a general circulation daily newspaper. If there is no such closing sale price, the presumed value will be the average of the nationally published closing sale price for the security or obligation nearest the date of termination and in the period five trading days before the date of termination and the nationally published closing sale price nearest the date of termination and in the period five trading days after the date of termination.

It should be noted that the presumed value of a publicly traded corporate bond does not reflect interest earned by the bond prior to or on the date of termination.

(6) The presumed value of common and preferred stock, warrants and closed-end mutual funds which are traded principally otherwise than on an exchange, will be the average of the "end-of-day" bid and asked prices for the security on the valuation date, as made available for publication by the National Association of Securities Dealers Automated Quotations System and nationally published in general circulation daily newspapers. If there are no such bid and asked prices on the valuation date, the presumed value of the security will be the average of such bid and asked prices on the date nearest the date of termination and within five days before the date of termination, and such bid and asked prices on the date nearest the date of termination and within five days after the date of termination.

(7) The presumed value of state and municipal obligations will be the average of bid and asked prices for such obligations on the valuation date, as nationally published in a general circulation daily newspaper. If there are no such bid and asked prices on the valuation date, the presumed value will be the average of such bid and asked prices on the date nearest the valuation date and within five days before the valuation date, and such bid and asked prices on the date nearest the valuation date and within five days after the valuation date.

In relation to the above presumptions, it should be noted that whenever the presumption is based on the use of bid and asked prices, the bid and asked prices which are nationally published in general circulation daily newspapers are prescribed by this proposed regulation even though such bid or asked price may be a composite figure. In addition, it should be recognized that the "end-of-day" bid and asked prices which are nationally published may not be the actual end-of-day bid or asked price for a security.

The PBGC made the decision to use the presumptions contained in § 2611.5 after reviewing procedures used by commercial trustees to value pension plan assets and the Internal Revenue Service Regulations concerning the valuation of assets for purposes of determining estate and gift tax liability.

To enable the PBGC to determine the value of plan assets, the PBGC also is considering whether to require plan administrators to report to the PBGC, on a prescribed form in accordance with the criteria specified in this proposed regulation, specific data pertaining to plan assets and valuations. Interested persons

are invited specifically to comment on this approach as well.

In consideration of the foregoing, it is proposed to amend Chapter XXVI of Title 29, Code of Federal Regulations, by adding a new Part 2611 to read as follows:

PART 2611—VALUATION OF PLAN ASSETS

Sec.
2611.1 Purpose and scope.
2611.2 Definitions.
2611.3 Valuation of plan assets.
2611.4 Valuation date.
2611.5 Fair market value presumptions.

AUTHORITY: Secs. 4002(b)(3), 4041(b), 4062(b)(1)(B); Pub. L. 93-406, 88 Stat. 1004, 1020, 1029 (29 U.S.C. 1302(b)(3), 1341(b), 1362(b)(1)(B).

§ 2611.1 Purpose and scope.

(a) This part sets forth standards for valuing plan assets in order to compute plan asset sufficiency for purposes of section 4041(b) of the Act, and the current value of plan assets for purposes of section 4062(b)(1)(B) of the Act.

(b) This part applies to all plans which are covered, as provided by section 4021 of the Act, and which terminate:

(1) After June 30, 1974 and before September 2, 1974 and which have complied with the requirements of § 4082(b) of the Act; or,

(2) On or after September 2, 1974.

§ 2611.2 Definitions.

For purposes of this part: "Act" means the Employee Retirement Income Security Act of 1974.

"Exchange" means a national securities exchange registered with the Securities and Exchange Commission under section 6 of the Securities Exchange Act of 1934.

"Fair market value" means the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

"National Association of Securities Dealers Automated Quotations System" means the automated quotations system sponsored by the National Association of Securities Dealers, Inc., a national securities association registered with the Securities and Exchange Commission under section 15A of the Securities Exchange Act of 1934.

"Principally traded" means the market place at which the greatest volume of trades normally occur.

§ 2611.3 Valuation of plan assets.

Plan assets shall be valued at their fair market value on the valuation date, as defined in § 2611.4, based on the method of valuation which most accurately reflects such fair market value.

§ 2611.4 Valuation date.

Except as otherwise specifically provided, the assets of a plan shall be valued for purposes of this part as of the termination date of the plan.

§ 2611.5 Fair market value presumptions.

The fair market value of the following assets will be presumed to be the value determined in accordance with the rules contained in this section.

(a) *Treasury bills.* The fair market value of Treasury bills will be presumed to be the value computed from the average of the bid and asked discount for the bill on the valuation date, as nationally published in a general circulation daily newspaper.

(b) *Treasury notes, bonds and Federal agency securities.* The fair market value of Treasury notes, bonds and Federal agency securities will be presumed to be the value computed from the average of bid and asked prices for the security on the valuation date, as nationally published in a general circulation daily newspaper.

(c) *Shares in open-end mutual funds.* The fair market value of shares in open-end mutual funds will be presumed to be the net asset value per share of the mutual fund on the valuation date, as nationally published in a general circulation daily newspaper.

(d) *Shares in collective trusts.* The fair market value of shares in collective trusts will be presumed to be the value per share of the trust as reflected on a statement of account prepared by the manager of the collective trust. The value per share of the trust is to be determined in accordance with the procedures normally employed by the manager of the trust, and as of the normal date on which the trust is valued if that date is within one month after the termination date. This presumption will apply only if there were no distributions from the trust in relation to shares of the trust in the interval between the plan's termination date and the normal valuation date of the trust.

(e) *Publicly traded corporate bonds.* If the obligation is traded on an exchange, the fair market value of publicly traded corporate bonds exclusive of interest earned prior to or on the valuation date will be presumed to be the closing sale price on the valuation date on the principal exchange where the obligation is traded, as nationally published in a general circulation daily newspaper. If there is no such nationally published closing sale price, the fair market value will be presumed to be the average of:

(1) The nationally published closing sale price on the principal exchange where the obligation is traded on the date nearest the valuation date and within five trading days before the valuation date, and

(2) The nationally published closing sale price on the principal exchange where the obligation is traded on the date nearest the valuation date and within five trading days after the valuation date.

(f) *Common and preferred stocks, warrants and closed-end mutual funds.* If such security is traded principally on an exchange, the fair market value of common and preferred stocks, warrants, and closed-end mutual funds will be presumed to be the closing sale price on the valuation date on the principal exchange where such security is traded, as nationally published in a general circulation daily newspaper. If the security is traded principally otherwise than on an exchange, and quoted on the National Association of Securities Dealers Automated Quotations System, the fair market value will be presumed to be the average of the end-of-day bid and asked prices for the security on the valuation date, as made available for publication by such system and nationally published in a general circulation daily newspaper. If there is no such nationally published closing sale price or end-of-day bid and asked prices on the valuation date, the fair market value of such securities will be presumed to be the average of:

(1) For securities traded principally on an exchange, the nationally published closing sale price on the date nearest the valuation date and within five trading days before the valuation date and the nationally published closing sale price on the date nearest the valuation date and within five trading days after the valuation date; or,

(2) For securities traded principally otherwise than on an exchange, the average of the nationally published end-of-day bid and asked prices on the date nearest the valuation date and within five trading days before the valuation date, and the average of the nationally published end-of-day bid and asked prices on the date nearest the valuation date and within five trading days after the valuation date.

(g) *State and municipal obligations.* The fair market value of state and municipal obligations will be presumed to be the average of bid and asked prices for the security on the date of valuation, as nationally published in a general circulation daily newspaper. If there are no such nationally published bid and asked prices on the valuation date, the fair market value of such securities will be presumed to be the average of the nationally published bid and asked prices on the date nearest the valuation date and within five trading days before the valuation date, and the average of the nationally published bid and asked prices on the date nearest the valuation date and within five trading days after the valuation date.

Issued in Washington, D.C. this 9th day of December, 1975.

STEVEN E. SCHANES,
Executive Director, Pension Benefit Guaranty Corporation.

Issued on the date set forth above, pursuant to a resolution of the Board of Directors approving the publication of these proposed regulations and authorizing its Executive Director to issue same.

HENRY ROSE,
Secretary.

[FR Doc.75-33610 Filed 12-11-75;8:45 am]

[29 CFR Part 2610]
VALUATION OF PLAN BENEFITS
Proposed Rulemaking

Section 4041 of the Employee Retirement Income Security Act of 1974 (hereinafter referred to as the "Act") requires the Pension Benefit Guaranty Corporation (hereinafter referred to as the "PBGC") to determine whether the assets of a pension plan covered under Title IV of the Act will be sufficient, as of the date of termination, to discharge all obligations with respect to benefits guaranteed under Title IV of the Act when they come due. If the PBGC determines that the plan assets are insufficient to discharge all such obligations, the amount of underfunding establishes the amount the PBGC will pay under the guarantee provisions of Title IV, and therefore, the limit of potential employer liability pursuant to section 4062. In the event that plan assets are determined to be sufficient, plan assets must be allocated pursuant to section 4044.

In determining if a plan is sufficient, the proper allocation of assets, and the amount of potential or actual employer liability, the PBGC must determine the current value of the plan's benefits as of the date of termination. The Act does not provide a method for determining the value of such benefits. Therefore, notice is hereby given that the PBGC proposes to amend Chapter XXVI of Title 29, Code of Federal Regulations, to add a new Part 2610, set forth below, which establishes the methods for valuing plan benefits.

This proposed regulation was prepared by the staff of the Pension Benefit Guaranty Corporation at the request of the Board of Directors of the Corporation. With the understanding that this is a staff document without the Board's endorsement of the policies underlying it, the Board authorized publication of this proposed regulation in the FEDERAL REGISTER to invite public comments and suggestions that will assist the Board in its consideration of the regulation to be finally adopted.

Interested persons may participate in this proposed rulemaking by submitting written data, views, or arguments to the Office of the General Counsel, Pension Benefit Guaranty Corporation, Room 7200, 2020 K Street, NW., Washington, D.C. 20006. Each person submitting comments should include his name and address, identify this notice, and give reasons for any recommendations. Comments should be submitted before January 7, 1976. Copies of written comments will be available for examination for a reasonable period by interested persons in the Office of Communications of the PBGC, Room 7100, 2020 K Street, N.W., Washington, D.C. 20006, between the hours of 9:00 a.m. and 4:00 p.m. This proposal may be changed in light of the comments received.

General Approach. The value of a benefit as of the date of termination is the current value of the cost that the PBGC normally should incur as of the date of terminaiton, in providing the benefit under reasonable assumptions as to mortality, rates of retirement when early retirement is possible, administrative expenses that will be incurred, and investment return assumptions reflecting current and longer term investment opportunities. The PBGC's assumptions will be adjusted from time to time to reflect changes in market conditions and mortality experience.

The current value of plan benefits represents an estimate of costs to the PBGC, not of costs to the plan sponsor. In general, because the PBGC can pool the assest and liabilities of many terminated plans for purposes of asset management, benefit administration and the purchase of annuities, the PBGC's projected costs in providing plan benefits should generally be less than the costs that would be incurred by some individual plans themselves, especially very small plans, which are expected to constitute a majority of terminating plans.

Mortality Rates. The mortality rates proposed to be used in computing the current value of benefits are contained in Appendix A of the proposed regulation. Tables I and II of the Appendix contain the mortality rates to be utilized for healthy male and female participants. The table used is the Unisex Pension 1984 table, which is a mortality table recently developed with respect to non-insured pension plans from the 1971 Reports of Mortality and Morbidity Experience published by the Society of Actuaries. The PBGC has selected this table because, among other factors, it was based upon a study that took into account more data than was used to construct the other tables considered, and the data used reflects a larger cross section of occupations. The table represents what the PBGC anticipates will be its experience in this area. To account for the difference between male and female mortality experience, the Unisex Pension 1984 table has been set forward one year for males and set back four years for females, in accordance with the recommendations that accompanied the table.

Tables III and IV contain the mortality rates to be utilized for male and female participants who are receiving disability payments pursuant to the terms of the plan but are not also receiving Social Security disability benefits. The PBGC has been advised that there are no mortality tables in general use designed to value the annuity of a disabled life not receiving Social Security disabilty benefits. Tables III and IV reflect mortality rates for less than fully healthy lives. Tables III, to be used for males, is the 1958 Commissioners Standard Ordinary table; and table IV, to be used for females, is the 1958 Commissioners Standard Ordinary table set back five years.

Tables V and VI contain the mortality rates to be utilized for disabled participants who are receiving Social Security disabilty benefits. These tables are based partly upon the most recent table issued by the Social Security Administration. The Social Security Administration table contains values only up to age 65. Therefore, commencing with age 65, tables V and VI represent a gradual merger into the Commissioners Standard Ordinary 1958 table at age 87 for males, and at age 87 with a five year set back for females. The merger of the Commissioners Standard Ordinary 1958 table and the Social Security table reflects the assumption that the disability of a participant alive at each age after 65 is likely to be of less significance as a factor in increasing the probability of death.

Interest Rates. Appendix B of the proposed regulation contains the interest rates to be utilized in computing the value of benefits. Computing the value of plan benefits on a current value basis, as required by Title IV, will frequently necessitate use of different valuation factors than would be used in an ongoing plan. This is particularly true with respect to interest rates.

In an ongoing plan, the valuation of both plan assets and liabilities is principally directed towards determining the contrbutions required by the employer to fund both current and past pension benefits. Cash flow management in most business situations make it essential that pension contributions over a given period be reasonably predictable; therefore, somewhat conservative assumptions are generally used to avoid subsequent unexpected increases in required contributions. Thus, the valuation of assets and benefits in an ongoing plan frequently employs techniques designed to smooth out relatively short-term market fluctuations. In this respect, in selecting an interest rate for valuing plan benefits, the plan's actuary is likely to use a rate which reflects a conservative estimate of longer term investment returns rather than a rate which reflects current market opportunities and which would likely require frequent adjustments. In addition, uncertainties with respect to salary adjustments, employee turnover and other contingencies are likely to be compensated for by loading margins into the interest rate assumption, thereby lowering the effective interest rates.

To value benefits upon termination, interest assumptions should reflect current market opportunities. This consideration alone would result in interest rates which differ from the rates used by ongoing plans. In addition, the margins which are frequently loaded into the interest assumptions of ongoing plans as a hedge against such factors as salary adjustments and employee turnover are not applicable in the case of a termination, where the benefits of participants are definitely determinable. Thus, it is to be expected that the interest assumptions used by the PBGC for valuing plan benefits will vary significantly from the interest assumptions used by plans for valuing plan benefits prior to their termination.

Table I contains the interest rates applicable to immediate annuities and table II, the rates applicable to death benefits. In computing the value of a deferred annuity, the interest rates in Appendix

B, table III of the proposed regulation are to be applied in conjunction with the intervals of deferment set forth in that table. Since these tables will be amended when the interest assumptions are adjusted to reflect changes that have occurred in market conditions, each appendix will specify the period of time for which it is applicable.

Expenses. The PBGC will incur a variety of expenses in providing plan benefits. For purposes of benefit valuation normal expenses directly associated with providing a benefit have been estimated and an appropriate adjustment has been made in the applicable assumed rate of investment returns in order to account for those costs. This adjustment has been made to avoid calculating the effect of the expenses upon the value of a benefit separately which would unnecessarily complicate the calculations required to value a benefit. Other costs associated with the PBGC's operations, e.g. determination of sufficiency and collection of employer liability, which are indirectly related to providing a benefit, are not charged to the cost of plan benefits for benefit valuation purposes.

Actuarial notations. Determining and applying the factors necessary to value a benefit involve complex actuarial computations. Such computations can best be described by mathematical symbols, including symbols for accepted mathematical concepts useful only when computed in relation to other such concepts and not definable in ordinary language. Therefore, to assure that the computations necessary to value benefits are stated accurately, they have been expressed in the form of actuarial equations. Paragraphs (b) and (c) of proposed § 2610.2 define the symbols used in the proposed regulation in order to avoid confusion between the system of notation selected by the PBGC and other systems that might be used. Where applicable, the symbols in the proposed regulation are those adopted by the International Congress of Actuaries.

Mortality table. To determine the current value of a plan benefit, a table must be constructed by successively applying given mortality rates to a hypothetical population of a certain number of people whose number is decreased only by death and never increased. The table indicates the number of people alive at each age, up to the age at which no member of the hypothetical population will be alive.

Proposed § 2610.4 sets forth the method, which follows standard actuarial practice, to be used in constructing such a table. The mortality rates to be utilized are contained in Appendix A, described above. The proposed regulation requires that the table is to commence at age 15 with 10,000 lives. Starting the table at that age assures that there will be a value computed for every age for which a plan might provide a benefit to a participant. A hypothetical population of 10,000 lives has been utilized to provide sufficient accuracy of results of computations derived from the values calculated pursuant to proposed § 2610.4.

A separate table shall be constructed for each class of participants described in paragraph (c) of proposed § 2610.4 that has a member with benefits payable under the plan whose benefits are being valued. The tables indicate the number of people alive at a given age, which is substituted in the equations used to value benefits.

Valuation of benefits. The current value of a single deferred payment is equal to the amount of the payment discounted at an assumed rate, or rates, of return on investments applicable to the deferment period, multiplied by the probability that the individual will receive the payment. The value of a benefit is the sum of the current values of such payments. The proposed regulation states the equations that express this relationship when applied to the types of benefits provided by most plans. The equations are those generally accepted in actuarial practice, or are based on reasonable actuarial principles.

Immediate annuities. Proposed §2610.5 indicates the equations to be used to compute the value of benefits payable immediately in the form of single and joint life annuities. The equations used are based upon standard actuarial practice. The interest rates to be applied to compute such annuities are contained in Appendix B, table I.

Deferred annuities. The equations used in valuing deferred annuities, set forth in proposed § 2610.6, represent an adaptation of standard actuarial principles to construct a system that reflects the experience the PBGC anticipates in this area. The equations apply different interest rates for specified intervals of the deferment period; the interest rates applied in the later intervals are lower than those applied in the earlier intervals. It is common financial practice to assume that the rate of return on investments made in the future will be lower than that for investments made in the present or near future. Applying different interest rates over varying intervals of the deferment period reflects this assumption more accurately than would an equation which applied one interest rate for the entire period of deferment. The interest rates and intervals to be applied are contained in Appendix B, table III.

Early retirement benefits. The equations to be used to compute the value of early retirement benefits, set forth in proposed § 2610.7, also involve an adaptation of standard actuarial principles. The equations usually utilized in this area take into account a variety of factors with respect to valuing such benefits. The PBGC has modified and condensed those equations to reflect only the effect the probability of early retirement has on the value of the early retirement benefit, taking into account an assumption that all participants will not choose to retire early. Thus, the computations include a factor which reflects the probability that a participant will elect to retire early at each age such retirement is possible. The probability to be utilized shall be determined by the PBGC based on the provisions of the plan and the circumstances of the case.

Death benefits. Proposed § 2610.8 indicates the equations to be used to compute the value of death benefits. The equations used are based upon standard actuarial practices. The interest rate to be applied to compute such benefits is contained in Appendix B, table II.

Refund annuities. Proposed § 2610.9 indicates the equations to be used to compute the value of benefits payable as refund annuities. Since such benefits are annuities combined with a death benefit, the computations involve utilizing values arrived at by use of the equations in proposed §§ 2610.5 and 2610.8.

Valuation of other benefits. The proposed regulation provides a method of valuing the types of benefits that are provided in most plans. The value of benefits payable for periods which are not a whole number of years shall be a value between the values of the two annuities closest in time to such annuity, and will be arrived at by a process of interpolation. See proposed § 2610.3(b). In the event that a benefit must be valued for which a method of valuation is not provided in the proposed regulation, the PBGC will determine the method of valuation to be used, based on reasonable actuarial practices.

A sample of results obtained by application of the methods set forth in the proposed regulation has been provided in tabular form in Appendix C so that, having made the necessary calculations, one may verify the accuracy of results so obtained. Table I of that Appendix indicates the values obtained by valuing a life annuity of 10 dollars per month, payable at various ages, to healthy male and female participants. Table II contains the results obtained by valuing a deferred life annuity of 10 dollars per month to healthy male and female participants, payable at age 60 and 65, based on various ages at the time of plan termination.

In consideration of the foregoing, it is proposed to amend Chapter XXVI of Title 29, Code of Federal Regulations, by adding a new Part 2610 to read as follows:

PART 2610—VALUATION OF BENEFITS

Sec.

2610.1 Purpose and scope.
2610.2 Definitions.
2610.3 Methods of computation.
2610.4 Construction of a mortality table.
2610.5 Valuation of immediate annuities.
2610.6 Valuation of deferred annuities.
2610.7 Valuation of early retirement benefits.
2610.8 Valuation of death benefits.
2610.9 Valuation of refund annuities.
2610.10 Valuation of other benefits.

Appendix A—Mortality values.

Appendix B—Interest rates and intervals of deferment periods.

Appendix C—Illustrative benefit valuation results.

AUTHORITY: Sec. 4002(b)(3), 4041, 4044, 4062(b)(1)(A), Pub. L. 93-406, 88 Stat. 1004, 1020, 1025-27, 1029, (29 U.S.C. 1302(b)(3), 1341, 1344, 1362(b)(1)(A)).

§ 2610.1 Purpose and scope.

(a) The purpose of this part is to establish the method of computing the actuarial value of the liabilities, as of the date of termination, of a pension plan with respect to benefits payable on or after such date to participants or beneficiaries.

(b) This part applies to all plans covered under Title IV of the Employee Retirement Income Security Act of 1974.

§ 2610.2 Definitions.

For the purposes of this part (unless otherwise required by the context):

(a) *Words and phrases.* "Act" means the Employee Retirement Income Security Act of 1974 (88 Stat. 829 et seq.).

"Age" means the "insurance age" or "age of nearest birthday," which is obtained by rounding to the nearest whole year the individual's exact age. Half years are rounded to the next highest year.

"Cash refund annuity" means an annuity under which if the participant dies prior to the time when he has received pension payments equal to a fixed sum specified in the plan, then the balance is paid as a lump-sum death benefit.

"Closed population" means a hypothetical number of people whose number is decreased only by death, and is never increased.

"Installment refund annuity" means an annuity under which if the participant dies prior to the time he has received pension payments equal to a fixed sum specified in the plan, then the balance is paid as a death benefit in periodic installments equal in the amount to the participant's periodic benefit.

"Deferment period" means the period between the age of a participant as of the date of plan termination and the age at which benefit payments begin.

"PBGC" means the Pension Benefit Guaranty Corporation.

"Plan" means a plan providing benefits which are guaranteed under Title IV.

"Title IV" means Title IV of the Act.

(b) *Mathematical symbols and terms.* "Fundamental symbols." The following fundamental symbols are representations of the basic actuarial concepts utilized in computing the present value of a benefit:

x represents the age of a participant.

q_x represents the probability that an individual whose present age is x will not survive to attain age x+1.

l_x represents the number of people, within a closed population, which survive to attain age x.

ω represents the first age for which $q_x=1$, that is, the age at which the probability of not surviving to age x+1 is 100%.

i represents an interest rate.

a represents an annuity of one dollar per annum.

A represents a death benefit which corresponds to an insurance benefit of one dollar payable at the end of the year of death.

DA represents a death benefit which corresponds to an amount of decreasing term insurance payable for a specified number of years.

m represents the number of times per year payments of benefits are made.

$\overline{n|}$ is a symbol for a period of time consisting of n years.

(x) represents a person whose age is x.

(y) represents another person whose age or death affects the value of the benefit being computed.

"Commutation symbols." The following commutation symbols are representations of actuarial computations in a condensed form and are used to facilitate expression of actuarial equations:

v is equal to the interest discount for one year, that is, the present value of one dollar payable one year from today, and is computed by the equation $v = \frac{1}{1+i}$.

d_x is equal to the number of persons out of a closed population alive at age x, ℓ_x, who do not attain the age of x+1, and is computed by the equation $d_x = q_x \cdot \ell_x$ rounded to four decimal places.

ℓ_{x+1} is equal to the number of people out of a closed population alive at age x+1, and is computed by the equation $\ell_{x+1} = \ell_x - d_x$.

D_x is equal to the quantity $v^x \cdot \ell_x$.

N_x is equal to the sum of all D_x's for all ages equal to and greater than x, to the last age when a person is alive in a closed population, and is computed by the equation $N_x = D_x + D_{x+1} + D_{x+2} + \cdots + D_\omega$.

$N_x^{(m)}$ is a modification of N_x used in situations where benefit payments are made more frequently than once a year, and is computed by the equation $N_x^{(m)} = N_x - \frac{m-1}{2m} D_x$.

C_x is equal to the quantity $v^{x+1} \cdot d_x$.

M_x is equal to the sum of all C_x's for all ages equal to and greater than x, to the last age when a person is alive in a closed population, and is computed by the equation $M_x = C_x + C_{x+1} + C_{x+2} + \cdots + C_\omega$.

R_x is equal to the sum of all M_x's for all ages equal to and greater than x, to the last age when a person is alive in a closed population, and is computed by the equation $R_x = M_x + M_{x+1} + M_{x+2} + \cdots + M_\omega$.

$\bar{C}_x$ is a modification of C_x used in situations where benefit payments commence upon death, not at the end of the year, and is computed by the equation $\bar{C}_x = (1+\frac{i}{2}) C_x$.

$\bar{M}_x$ is a modification of M_x used in situations where benefit payments commence upon death, not at the end of the year, and is computed by the equation $\bar{M}_x = (1+\frac{i}{2}) M_x$.

$\bar{R}_x$ is a modification of R_x used in situations where benefit payments commence upon death, not at the end of the year, and is computed by the equation $\bar{R}_x = (1+\frac{i}{2})R_x$.

D_{xy} is a modification of D_x which reflects the fact that the status of another life limits the payment of benefits, and is computed by the equation $D_{xy} = \frac{(1+i)^{\frac{x+y}{2}} D_x \cdot D_y}{10,000}$.

N_{xy} is equal to the sum of all D_{xy}'s for all pairs of ages of the form x+t, y+t, where t is a non-negative integer, for all such pairs of ages equal to and greater than x and y, to the last age when one of the pair is alive in a closed population, and is computed by the equation

$$N_{xy} = D_{xy} + D_{x+1:y+1} + D_{x+2:y+2} \cdots .$$

$N^{(m)}_{xy}$ is a modification of N_{xy} used in situations where benefit payments are made more frequently than once a year, and is computed by the equation $N^{(m)}_{xy} = N_{xy} - \frac{m-1}{2m} D_{xy}$.

(c) Actuarial notations. The following are actuarial notations used in this part:

•• is a notation which, when placed over a symbol indicating an annuity, indicates that payments are to be made at the beginning of the payment period, for example $\ddot{a}_x$.

: is a notation which separates two symbols in a suffixed subscript representing the status of two periods of life or time, when two such periods are utilized in the context of an actuarial symbol. For example $a_{x:\overline{n}|}$ indicates that the annuity is payable until the expiration of a life aged x, or a term certain of n years, whichever is earlier.

— is a notation which, when placed over a symbol indicating the value of a life insurance benefit, indicates that the benefit is payable immediately upon death. When placed over two symbols in a suffixed subscript representing the status of a life or a period of time it indicates that benefit payments continue

during the existence of either. For example, $\bar{A}$ represents a benefit payable immediately upon death, and $a_{\overline{x:n}|}$ represents an annuity payable until the later of the end of a life age x or the passage of n years.

is a notation which, when placed over a symbol in a suffixed subscript indicating the status of a life or a period of time, indicates that expiration of such life or period of time causes payments to commence, for example $A^{1}_{x:\overline{n}|}$.

§2610.3 Methods of computation.

(a) The value of a benefit payable to each participant under a plan shall be determined by applying the equation contained in this part for valuing benefits of that type, or on the basis of any other equation which the PBGC determines to have a consistent relationship to the equation whose use is prescribed by this part.

(b) For annuities payable for periods of duration which are not a whole number of years, a linear interpolation method shall be used, that is, the annuity shall have a value which is between the values of the two annuities with yearly periods which are closest to the annuity being valued, which value is computed by adding

to the annuity for the lesser period of time the following: an amount equal to the difference between the value of the two closest annuities, multiplied by a fraction, the numerator of which is the number of months that the annuity being valued is in effect beyond the period of the lesser annuity, and the denominator of which is 12.

§2610.4. Construction of a mortality table.

(a) The number of persons in a closed population alive at age x, shall be determined by constructing a mortality table by applying mortality rates, q_x's, to a group of 10,000 lives, starting with age 15, x_0, using the following procedure:

(1) $l_{15} = 10,000$

(2) Compute l_{16} from the equation $l_{16} = l_{15} - d_{15}$, computing d_{15} from the equation $d_{15} = l_{16} \cdot q_{16}$.

(3) Compute l_{17} from the equation $l_{17} = l_{16} - d_{16}$, computing d_{16} from the equation $d_{16} = l_{16} \cdot q_{16}$.

(4) This process is continued until the age when $l_x = 0$, that is, until the age is reached when no person will be alive. l_x will equal zero for all ages beyond ω.

(b) A separate mortality table shall be constructed for each class of participants described in paragraph (c) of this section, that has a member with benefits under the plan.

(c) The mortality rates, q_x, in effect on the date of termination shall be utilized to compute the mortality tables. The following rates shall be used:

(1) For healthy male participants, the rates in Appendix A, table I.

(2) For healthy female participants, the rates in Appendix A, table II.

(3) For male participants who are receiving disability payments pursuant to the provisions of the plan but are not also receiving Social Security disability benefits, the rates in Appendix A, table III.

(4) For female participants who are receiving disability payments pursuant to the provisions of the plan but are not also receiving Social Security disability benefits, the rates in Appendix A, table IV.

(5) For disabled male participants receiving Social Security disability benefits, the rates in Appendix A, table V.

(6) For disabled female participants receiving Social Security disability benefits, the rates in Appendix A, table VI.

§2610.5 Valuation of immediate annuities.

(a) For the purposes of this section the applicable interest rate, i, contained in the Appendix B, table I, in effect on the date of termination shall be utilized.

(b) The value of an immediate annuity shall be determined in accordance with the provisions of paragraphs (b)(1)-(9) of this section, as appropriate.

(1) Life annuity payable annually. If a series of payments payable only if the participant is alive are made annually at the beginning of the year, the value of the annuity shall be computed by using the following actuarial equation:

$$\ddot{a} = \frac{N_x}{D_x}.$$

(2) Life annuity payable periodically. If a series of payments payable only if the participant is alive are made at equal intervals of time, a specified number of times per year, at the beginning of each interval, the value of the annuity shall be computed by using the following actuarial equation:

$$\ddot{a}_x^{(m)} = \frac{N_x^{(m)}}{D_x}.$$

(3) Annuity certain payable annually. If a series of payments payable for a fixed period of time are made annually at the beginning of the year, the value of the annuity shall be computed by using the following actuarial equation:

$$\ddot{a}_{\overline{n}|} = \frac{1 - v^n}{1 - v}.$$

(4) Annuity certain payable periodically. If a series of payments payable for a fixed period of time are

made at equal intervals of time, a specified number of times per year, at the beginning of each interval, the value of the annuity shall be computed by using the following actuarial equation:

$$\ddot{a}^{(m)}_{\overline{n}|} = \frac{1 - v^n}{m\,(1 - v^{1/m})}.$$

(5) Annuity certain and continuous. If payments are made at equal intervals of time, a specified number of times per year at the beginning of each interval, and payments cease upon the happening of the later of i) the death of the participant, or ii) the passage of a specified period of time, such an annuity shall be valued using the following actuarial equation:

$$\ddot{a}^{(m)}_{x:\overline{n}|} = \ddot{a}^{(m)}_{\overline{n}|} + \frac{N^{(m)}_{x+n}}{D_x}.$$

(6) Temporary life annuity. If payments are made at equal intervals of time, a specified number of times per year at the beginning of each interval, and payments cease upon the happening of the earlier of i) the death of the participant, or ii) the passage of a specified period of time, such an annuity shall be valued using the following actuarial equation:

$$\ddot{a}^{(m)}_{x:\overline{n}|} = \frac{N^{(m)}_x - N^{(m)}_{x+n}}{D_x}.$$

(7) Joint annuity. If payments payable with respect to more than one person are made to both persons only as long as both the participant and the beneficiary

are alive, such an annuity shall be valued by using the following actuarial equation:

$$\ddot{a}^{(m)}_{xy} = \frac{N^{(m)}_{xy}}{D_{xy}}.$$

(8) Joint and survivor annuity (joint basis). If payments payable with respect to more than one person are payable as long as both the participant and beneficiary are alive, and if either dies, payments continue until the death of the second person at a reduced amount provided in the plan (represented by the symbol "p"), such an annuity shall be valued using the following actuarial expression:

$$p\left(\ddot{a}^{(m)}_{x} + \ddot{a}^{(m)}_{y}\right) + (1-2p)\,\ddot{a}^{(m)}_{xy}.$$

(9) Joint and survivor annuity (contingent basis). If benefit payments are payable to the participant as long as he survives, and payable upon his death in a reduced amount provided in the plan (represented by the symbol "p") to a named beneficiary for the beneficiary's lifetime, such an annuity shall be valued using the following actuarial expression:

$$\ddot{a}^{(m)}_{x} + p\left(\ddot{a}^{(m)}_{y} - \ddot{a}^{(m)}_{xy}\right).$$

§2610.6. Valuation of deferred annuities.

(a) Definitions. For the purposes of this section:

(1) "x" represents the present age of the annuitant.

(2) "y" represents the age at which annuity payments begin.

(3) n=y-x.

(4) "i_1," "i_2" and "i_3" represent interest rates which will be in effect during the deferment period. The interest rates contained in the Appendix B, table III, in effect on the date of termination shall be utilized.

(5) "n_1" and "n_2" represent the intervals, respectively, in which the interest rates in paragraph (a)(4) of this section will be in effect, that is, i_1 is in effect during the first n_1 years of deferment, i_2 is in effect during the next n_2 years of deferment, and i_3 is in effect for any remaining portion of the deferment period. The intervals of deferment contained in the Appendix B, table III in effect on the date of termination shall be utilized.

(6) "G" represents the value of the annuity on the date payments begin.

(b) The value of a deferred annuity shall be determined as follows:

(1) If n is less than or equal to n_1 ($n \leq n_1$), the actuarial value of the deferred annuity shall equal:

$$G \cdot \frac{l_y}{l_x} \cdot (1+i_1)^{-n}.$$

(2) If n_1 is less than n and n_1+n_2 is greater than or equal to n ($n_1 < n \leq n_1+n_2$), the actuarial value of the deferred annuity shall equal:

$$G \frac{l_y}{l_x} \cdot (1+i_1)^{-n_1} (1+i_2)^{n_1-n}.$$

(3) If n_1+n_2 is less than n ($n_1+n_2 < n$), the actuarial value of the deferred annuity shall equal:

$$G \cdot \frac{l_y}{l_x} \cdot (1+i_1)^{-n_1} (1+i_2)^{n_1-n} (1+i_3)^{n_1+n_2-n}.$$

§2610.7. Equations for valuation of early retirement benefits.

(a) Definitions. For the purposes of this section:

(1) "x" represents the present age of a plan participant who is eligible for early retirement.

(2) "w" represents the age at which a participant whose age is "x" could first receive early retirement benefits.

(3) "z" represents the normal retirement age provided in the plan.

(4) "y" represents some age between "w" and "z," when a participant elects to retire.

(5) "t_x" represents the probability that a participant whose age is "x" will retire before attaining age x+1. The probability utilized shall be determined by the PBGC based on the provisions of the plan and the circumstances of the case.

(b) The value of an early retirement benefit shall be the sum of all the ${}_xF_y$'s for all y 's equal to or greater than w. This results in F_x, which is the value of the early retirement benefit and is represented by the equation $F_x = {}_xF_w + {}_xF_{w+1} + \cdots + {}_xF_z \cdot {}_xP_y$ shall be computed as follows:

(1) Compute the actuarial value of the benefit payable at each age, y, at which a participant may elect to retire, using the appropriate formula in §2610.6(b). This value shall be denominated ${}_xB_y$.

(2) Multiply each value obtained in paragraph (b)(1) of this section by the probability, ${}_xr_y$, that a participant whose age is "x" will elect to retire at that age, y. Such probability is computed as follows:

(i) If y equals x, ${}_xr_y = t_x$,

(ii) If y is more than x, ${}_xr_y = (1-t_x)(1-t_{x+1}) \cdots (1-t_{y-1})t_y$. The sum of these products will be the value ${}_xF_y$.

§2610.8. Valuation of death benefits.

(a) For the purposes of this section the interest rate, i, contained in the Appendix B, table II, in effect on the date of termination shall be utilized.

(b) The value of a death benefit shall be determined as follows:

(1) Death benefit in the form of whole life insurance. If a death benefit is payable at death, whenever death occurs, such benefit shall be valued by using the following actuarial equation:

$$\bar{A}_x = \frac{\bar{M}_x}{D_x}.$$

(2) Death benefit in the form of term insurance. If a death benefit is payable when death occurs if death occurs within the stated period of time, such benefit shall be valued by using the following actuarial equation:

$$\bar{A}^{1}_{x:\overline{n}|} = \frac{\bar{M}_x - \bar{M}_{x+n}}{D_x}.$$

(3) Death benefit in the form of decreasing term insurance.

(i) If a death benefit in an initial amount of n is payable when death occurs if death occurs within the period covered by the insurance, and the amount of the death benefit decreases each year, such benefit shall be valued using the following actuarial equation:

$$D\bar{A}_{x:\overline{n}|} = \frac{n\bar{M}_x - \bar{R}_{x+1} + \bar{R}_{x+n+1}}{D_x}.$$

(ii) If a death benefit in an initial amount of n is payable when death occurs if death occurs within the period covered by the insurance, and the amount of the death benefit decreases by 1/m for each period stated, which is less than one year, such a benefit shall be valued using the following actuarial equation:

$$D^{(m)}\bar{A}^{1}_{x:\overline{n}|} = \frac{n\bar{M}_x - \bar{R}_{x+1} + \bar{R}_{x+n+1} - \frac{m-1}{2m}(\bar{M}_x - \bar{M}_{x+n})}{D_x}$$

§2610.9. Valuation of refund annuities

(a) The value of a cash refund annuity shall be computed by adding the values derived from the equations in §2610.5(b)(1) and §2610.8(b)(3)(ii).

(b) The value of an installment refund annuity shall be computed by using the equation in §2610.5(b)(5).

§2610.10. Equations for valuation of other benefits.

Benefits whose value cannot be obtained by application of the equations contained in this part shall be computed using the method to be determined by the PBGC.

APPENDIX A - MORTALITY RATES

The following mortality rates are effective for plans which terminate on or after September 2, 1974:

TABLE I - MORTALITY RATES FOR HEALTHY MALE PARTICIPANTS

Age	q_x	Age	q_x	Age	q_x	Age	q_x
11	0.000000	36	0.001643	61	0.017010	86	0.143179
12	0.000000	37	0.001792	62	0.018685	87	0.155147
13	0.000000	38	0.001948	63	0.020517	88	0.168208
14	0.000000	39	0.002125	64	0.022562	89	0.182461
15	0.001437	40	0.002327	65	0.024847	90	0.198030
16	0.001414	41	0.002556	66	0.027232	91	0.215035
17	0.001385	42	0.002818	67	0.029634	92	0.232983
18	0.001351	43	0.003095	68	0.032073	93	0.252545
19	0.001311	44	0.003410	69	0.034743	94	0.273878
20	0.001267	45	0.003769	70	0.037667	95	0.297152
21	0.001219	46	0.004180	71	0.040871	96	0.322553
22	0.001167	47	0.004635	72	0.044504	97	0.349505
23	0.001149	48	0.005103	73	0.048504	98	0.378865
24	0.001129	49	0.005616	74	0.052913	99	0.410875
25	0.001107	50	0.006196	75	0.057775	100	0.445768
26	0.001083	51	0.006853	76	0.063142	101	0.483830
27	0.001058	52	0.007543	77	0.068628	102	0.524301
28	0.001083	53	0.008278	78	0.074648	103	0.568365
29	0.001111	54	0.009033	79	0.081256	104	0.616382
30	0.001141	55	0.009875	80	0.088518	105	0.668696
31	0.001173	56	0.010814	81	0.096218	106	0.725745
32	0.001208	57	0.011863	82	0.104310	107	0.786495
33	0.001297	58	0.012952	83	0.112816	108	0.852659
34	0.001398	59	0.014162	84	0.122079	109	0.924666
35	0.001513	60	0.015509	85	0.132174	110	0.999999

TABLE II - MORTALITY RATES FOR HEALTHY FEMALE PARTICIPANTS

Age	q_x	Age	q_x	Age	q_x	Age	q_x
11	0.000000	36	0.001173	61	0.010814	86	0.096218
12	0.000000	37	0.001208	62	0.011863	87	0.104310
13	0.000000	38	0.001297	63	0.012952	88	0.112816
14	0.000000	39	0.001398	64	0.014162	89	0.122079
15	0.000000	40	0.001513	65	0.015509	90	0.132174
16	0.000000	41	0.001643	66	0.017010	91	0.143179
17	0.000000	42	0.001792	67	0.018685	92	0.155147
18	0.000000	43	0.001948	68	0.020517	93	0.168208
19	0.000000	44	0.002125	69	0.022562	94	0.182461
20	0.001437	45	0.002327	70	0.024847	95	0.198030
21	0.001414	46	0.002556	71	0.027232	96	0.215035
22	0.001385	47	0.002818	72	0.029634	97	0.232983
23	0.001351	48	0.003095	73	0.032073	98	0.252545
24	0.001311	49	0.003410	74	0.034743	99	0.273878
25	0.001267	50	0.003769	75	0.037667	100	0.297152
26	0.001219	51	0.004180	76	0.040871	101	0.322553
27	0.001167	52	0.004635	77	0.044504	102	0.349505
28	0.001149	53	0.005103	78	0.048504	103	0.378865
29	0.001129	54	0.005616	79	0.052913	104	0.410875
30	0.001107	55	0.006196	80	0.057775	105	0.445768
31	0.001083	56	0.006853	81	0.063142	106	0.483830
32	0.001058	57	0.007543	82	0.068628	107	0.524301
33	0.001083	58	0.008278	83	0.074648	108	0.568365
34	0.001111	59	0.009033	84	0.081256	109	0.616382
35	0.001141	60	0.009875	85	0.088518	110	0.999999

TABLE III - MORTALITY RATES FOR DISABLED MALE PARTICIPANTS

Age	q_x	Age	q_x	Age	q_x	Age	q_x
11	0.000000	36	0.002640	61	0.022240	86	0.172820
12	0.000000	37	0.002800	62	0.024310	87	0.185130
13	0.000000	38	0.003010	63	0.026570	88	0.198250
14	0.000000	39	0.003250	64	0.029040	89	0.212461
15	0.001460	40	0.003530	65	0.031750	90	0.228140
16	0.001540	41	0.003840	66	0.034740	91	0.245771
17	0.001620	42	0.004170	67	0.038040	92	0.265931
18	0.001690	43	0.004530	68	0.041680	93	0.289301
19	0.001740	44	0.004920	69	0.045610	94	0.316659
20	0.001790	45	0.005350	70	0.049790	95	0.351238
21	0.001830	46	0.005830	71	0.054150	96	0.400558
22	0.001860	47	0.006360	72	0.058650	97	0.488422
23	0.001890	48	0.006950	73	0.063260	98	0.668150
24	0.001910	49	0.007600	74	0.068120	99	0.999999
25	0.001930	50	0.008320	75	0.073370	100	0.999999
26	0.001960	51	0.009110	76	0.079180	101	0.999999
27	0.001990	52	0.009960	77	0.085700	102	0.999999
28	0.002030	53	0.010890	78	0.093060	103	0.999999
29	0.002080	54	0.011900	79	0.101190	104	0.999999
30	0.002130	55	0.013000	80	0.109980	105	0.999999
31	0.002190	56	0.014210	81	0.119350	106	0.999999
32	0.002250	57	0.015540	82	0.129170	107	0.999999
33	0.002320	58	0.017000	83	0.139380	108	0.999999
34	0.002400	59	0.018590	84	0.150010	109	0.999999
35	0.002510	60	0.020340	85	0.161140	110	0.999999

TABLE IV - MORTALITY RATES FOR DISABLED FEMALE PARTICIPANTS

Age	q_x	Age	q_x	Age	q_x	Age	q_x
11	0 000000	36	0 002190	61	0 014210	86	0 119350
12	0 000000	37	0 002250	62	0 015540	87	0 129170
13	0 000000	38	0 002320	63	0 017000	88	0 139380
14	0 000000	39	0 002400	64	0 018590	89	0 150010
15	0 000000	40	0 002510	65	0 020340	90	0.161140
16	0 000000	41	0.002640	66	0 022240	91	0 172820
17	0 000000	42	0 002800	67	0 024310	92	0 185130
18	0 000000	43	0.003010	68	0 026570	93	0 198250
19	0 000000	44	0 003250	69	0 029040	94	0 212461
20	0 001460	45	0 003530	70	0 031750	95	0 228140
21	0 001540	46	0 003840	71	0.034740	96	0 245771
22	0 001620	47	0 004170	72	0 038040	97	0 265931
23	0 001690	48	0.004530	73	0 041680	98	0 289301
24	0 001740	49	0 004920	74	0 045610	99	0 316659
25	0 001790	50	0 005350	75	0 049790	100	0 351238
26	0 001830	51	0 005830	76	0 054150	101	0 400558
27	0 001860	52	0 006360	77	0 058650	102	0 488422
28	0 001890	53	0.006950	78	0 063260	103	0 668150
29	0 001910	54	0 007600	79	0 068120	104	0 999999
30	0 001930	55	0 008320	80	0 073370	105	0.999999
31	0 001960	56	0 009110	81	0.079180	106	0 999999
32	0 001990	57	0 009960	82	0 085700	107	0 999999
33	0 002030	58	0 010890	83	0 093060	108	0 999999
34	0 002080	59	0 011900	84	0 101190	109	0 999999
35	0 002130	60	0 013000	85	0 109980	110	0 999999

TABLE V - MORTALITY RATES FOR DISABLED MALE PARTICIPANTS RECEIVING SOCIAL SECURITY DISABILITY BENEFIT PAYMENTS

Age	q_x	Age	q_x	Age	q_x	Age	q_x
11	0.000000	36	0.046900	61	0.076300	86	0.177100
12	0.000000	37	0.046900	62	0.078000	87	0.185100
13	0.000000	38	0.047100	63	0.079700	88	0.198200
14	0.000000	39	0.047300	64	0.081300	89	0.212500
15	0.000000	40	0.047600	65	0.083000	90	0.228100
16	0.000000	41	0.048200	66	0.084900	91	0.245800
17	0.000000	42	0.048800	67	0.087100	92	0.265900
18	0.000000	43	0.049500	68	0.089600	93	0.289300
19	0.000000	44	0.050400	69	0.092400	94	0.316700
20	0.051000	45	0.051400	70	0.095300	95	0.351200
21	0.051000	46	0.052500	71	0.098600	96	0.400600
22	0.051000	47	0.053700	72	0.102100	97	0.488400
23	0.051000	48	0.055000	73	0.106000	98	0.668200
24	0.051000	49	0.056700	74	0.110700	99	0.999900
25	0.051000	50	0.058000	75	0.115600	100	0.999900
26	0.051400	51	0.059500	76	0.120800	101	0.999900
27	0.051800	52	0.061200	77	0.126400	102	0.999900
28	0.051000	53	0.062300	78	0.132600	103	0.999900
29	0.050200	54	0.064500	79	0.139100	104	0.999900
30	0.049500	55	0.066200	80	0.145700	105	0.999900
31	0.048800	56	0.067900	81	0.152200	106	0.999900
32	0.048200	57	0.069500	82	0.158200	107	0.999900
33	0.047600	58	0.071200	83	0.163800	108	0.999900
34	0.047300	59	0.072900	84	0.168800	109	0.999900
35	0.047000	60	0.074600	85	0.173200	110	0.999900

TABLE VI - MORTALITY RATES FOR DISABLED FEMALE PARTICIPANTS RECEIVING SOCIAL SECURITY DISABILITY BENEFIT PAYMENTS

Age	q_x	Age	q_x	Age	q_x	Age	q_x
11	0 000000	36	0 040200	61	0 044900	86	0 124100
12	0 000000	37	0 040000	62	0 045600	87	0 129200
13	0 000000	38	0 039900	63	0.046500	88	0 139400
14	0 000000	39	0.039700	64	0.047300	89	0 150000
15	0 000000	40	0.039600	65	0 050000	90	0 161100
16	0 000000	41	0.039400	66	0.051500	91	0.172800
17	0 000000	42	0 039300	67	0 053500	92	0.185100
18	0 000000	43	0 039200	68	0 055800	93	0.198200
19	0.000000	44	0 039200	69	0.058400	94	0.212500
20	0 042600	45	0.039200	70	0.061000	95	0.228100
21	0 042600	46	0.039200	71	0 063900	96	0.245600
22	0 042600	47	0.039400	72	0 067100	97	0.265900
23	0 042600	48	0.039600	73	0.070900	98	0.289300
24	0.042600	49	0.039800	74	0.074800	99	0.316700
25	0 042600	50	0 040100	75	0.078200	100	0.351200
26	0 042700	51	0.040300	76	0 081200	101	0 400600
27	0.042800	52	0 040700	77	0.085000	102	0.488400
28	0 043000	53	0.041000	78	0.087900	103	0.668200
29	0 043000	54	0 041300	79	0.091300	104	0.999900
30	0.043200	55	0.041700	80	0.094600	105	0.999900
31	0.042500	56	0.042000	81	0.099000	106	0.999900
32	0 041900	57	0.042400	82	0 102800	107	0.999900
33	0.041300	58	0.042900	83	0.107000	108	0.999900
34	0.040900	59	0.043500	84	0 112300	109	0.999900
35	0 040500	60	0 044200	85	0.118800	110	0 999900

APPENDIX B - INTEREST RATES AND INTERVALS OF DEFERMENT

The interest rates and intervals of deferment contained in this Appendix will be amended by the PBGC from time to time to reflect changes in market conditions

The following interest rates and intervals of deferment shall be effective for plans which terminate on or after September 2, 1974 and on or before September 30, 1975

Table I - Interest rate for valuing immediate annuities

An interest rate of 8% shall be used to value immediate annuities, and to compute the quantity "G" in §2610 6

Table II - Interest rate for valuing death benefits.

An interest rate of 5% shall be used to value death benefits pursuant to §2610 8

Table III - Interest rates and intervals of deferment for valuing deferred annuities

The following interest rates shall be used to value deferred annuities pursuant to §2610 6

(1) i_1 = 7 1/4%

(2) i_2 = 5 3/4%

(3) i_3 = 4 1/4%

The following intervals of deferment shall be used to value deferred annuities pursuant to §2610 6

(1) n_1 = 7 years

(2) n_2 = 8 years

APPENDIX C - ILLUSTRATIVE BENEFIT VALUATION RESULTS

The following results are obtained by application of the appropriate methods and rates set forth in this regulation to a plan terminating on September 15, 1974.

Table 1 - Current value of a life annuity of 10 dollars per month payable to a healthy participant

Age of Participant	Male	Female
45	$1,334 48	$1,392.31
50	$1,262.56	$1,334 48
55	$1,176.12	$1,262.56
60	$1,074.44	$1,176 12
62	$1,029.82	$1,137.23
63	$1,006 84	$1,116 91
65	$ 959 87	$1,074 44
67	$ 912.11	$1,029.44
70	$ 837 96	$ 959.87
75	$ 708 65	$ 837.96
80	$ 581.36	$ 708.65
85	$ 462.26	$ 581 36

Table 2 - Current value of a deferred life annuity of 10 dollars per month payable to a healthy participant at ages 60 and 65.

Age of Participant	Deferred to Age 60		Deferred to Age 65	
	Male	Female	Male	Female
25	$156.58	$180 92	$103.28	$126.41
30	$193 86	$224 10	$127.87	$156.58
35	$240.19	$277.45	$158.44	$193.86
40	$298.44	$343 78	$196 86	$240 19
45	$372 76	$427 15	$245 88	$298 44
50	$504 62	$573 01	$309.92	$372.76
55	$713.06	$797 88	$425.77	$504.62
60	xx	xx	$615 01	$713.06
61	xx	xx	$669.98	$772.38
62	xx	xx	$731.00	$837.43
63	xx	xx	$798.92	$908.94
64	xx	xx	$874 80	$987.62

Issued in Washington, D.C., this 9th day of December 1975.

STEVEN E. SCHANES,
Executive Director Pension Benefit Guaranty Corporation.

Issued on the date set forth above, pursuant to a resolution of the Board of Directors approving the publication of these proposed regulations and authorizing its Executive Director to issue same.

HENRY ROSE,
Secretary.

[FR Doc.75-33609 Filed 12-11-75;8:45 am]

federal register

FRIDAY, DECEMBER 12, 1975

PART V·

DEPARTMENT OF LABOR

Employment Standards Administration

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MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions and Republication of Index

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756) The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756) The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the orginal General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Alabama:	
AL75–1112	Nov. 28, 1975.
Alaska:	
AK75–5134	Nov. 7, 1975.
Connecticut:	
CT75–2113; CT75–2114	Oct. 3, 1975.
Florida:	
FL75–1030	Mar. 7, 1975.
New York:	
NY75–3063	June 20, 1975.
Ohio:	
AR–3035	Aug. 23, 1974.
South Dakota:	
SD75–5119	Sept. 26, 1975.
SD75–5121	Oct. 3, 1975.
Texas:	
TX75–4164	Oct. 24, 1975.
TX75–4196	Nov. 21, 1975.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

California:	
CA75–5087 (CA75–5148); CA75–5088 (CA75–5149).	July 25, 1975.
Georgia:	
GA75–1008 (GA75–1113)	Jan. 17, 1975.
Idaho:	
ID75–5120 (ID75–5140)	Oct. 3, 1975.
Mississippi:	
MS75–1067 (MS75–1114)	July 3, 1975.
Nebraska:	
AQ–93 (NE75–4202)	May 3, 1974.
New York:	
AR–2101 (NY75–3115)	Dec. 27, 1974.
Virginia:	
VA75–3004 (VA75–3117); VA75–3005 (VA75–3118); VA75–3006 (VA75–3116).	Jan. 3, 1975.
VA75–3069 (VA75–3119)	July 11, 1975.
West Virginia:	
WV75–3007 (WV75–3106)	Feb. 7, 1975.

Signed at Washington, D.C., this 5th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
DECISION #AL75-1112 - Mod. #4 (40 FR 55620 November 28, 1975) Statewide Alabama					
CHANGE: Electricians Zone I	$9 10a				
a. Plus fringe benefits of 30¢ Health and Welfare, 1% + 40 pension & 5% apprentice training					
ADD: To Zone III Counties: Shelby County					
DECISION #AK75-5134 - Mod. #1 (40 FR 52248 - November 7, 1975) Statewide, Alaska					
Add: Electricians: Technicians	$14 70	70	1%+2 00		15

DECISION NO. CT75-2113 - Mod #2 (40 FR 45962 October 3 1975) Fairfield, Litchfield, New London, & Windham Counties, Connecticut	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
Change: Bricklayers; Cement masons; Finishers; Marble masons; Plasterers; Stonemasons; Terrazzo workers; & Tile setters (Building construction): Fairfield County: Bridgeport, Easton, Fairfield, Monroe, Southport, Stratford, & Trumbull	$9 60	50	50		$50 00p/y
Glaziers: New London County; Windham County	10 41	84	55	k	
Plumbers; Steamfitters: Fairfield County: Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, & Sherman; Litchfield County: Bridgewater, & New Milford	9 85	75	50	50	02
New London County: Bozrah, Colchester, East Lyme, Franklin, Griswold, Groton, Lebanon, Lisbon, Lyme, Montville (to Four Corners), New London, North Stonington, Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown, & Waterford; Windham County: except Windham	11 32	40	70		025
Omit: Footnote: v 1 paid holiday: D					

DECISION NO. CT75-2114 Mod #2
(40 FR 45970 - October 3 1975)
Hartford, Middlesex New Haven & Tolland Counties
Connecticut

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
Change:					
Bricklayers; Cement masons; Finishers; Marble masons; Plasterers; Stonemasons; Terrazzo workers; & Tile setters (Building construction):					
New Haven County: Devon to the Orange Town line and the Indian River in Milford	$9 60	50	50		$50 00p/y
Glaziers:					
Hartford County; Middlesex County; New Haven County: Wallingford; Tolland County	10 41	84	55	1	
Plumbers; Steamfitters:					
Middlesex County: Essex Ivoryton & Saybrook	11 32	40	70		025
Omit:					
Footnote:					
u 1 paid holiday: D					

DECISION # FL75-1030 - Mod. #2
(40 FR 10891 - March 7, 1975)
Bay, Escambia Gulf, Okaloosa Santa Rosa, and Walton Counties, Florida

Change:	
Ironworkers:	
Reinforcing	4 07
Rodman	2 25

DECISION NO. 75-NY-3063-Mod. #2
(40FR26233 June 20, 1975)
Monroe County, New York

Omit: Mod #1 issued 40FR55610 dated November 28, 1975

Add: Laborers, Tunnel Rock

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
Top men	$8 51	80	1 34		
Concrete bottom man, bull gang, cage men, bottom man, track gang, car pushers, compress air lines, fan lines, and water lines	8 81	80	1 34		
Mucking machine tender, shaft mucker, shaft driller, tender air track driller tender	8 91	80	1 34		
Air track driller, chuck tender (heading) powder monkey	9 01	80	1 34		
Burning and welding	9 21	80	1 34		
Rod men form work (metal), pile driving (wood or metal)	9 31	80	1 34		
Set up men and slusher men, electrical, heading driller (jack leg)	9 41	80	1 34		
Blaster, form work (wood), and cement finishing	9 51	80	1 34		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
DECISION #AR-3035 - Mod. #3 (39 FR 30778 - August 23, 1974) Cuyahoga & Lake Counties, Ohio					
Change:					
Electricians:					
Cuyahoga County	$11 33	50	1%+ 40		.02 3/10of1%
Lake County	11.23	.50	1%+.50		
DECISION ØSD75-5119 - Mod. Ø1 (40 FR 44475 September 26, 1975) Meade and Pennington Counties, South Dakota					
Change:					
Electricians:					
0 15 miles from Rapid City Post Office					
Electricians	$8 45	40	1%	6%	1½%
Cable Splicers	9 00	40	1%	6%	1½%
Over 15 miles from Rapid City Post Office					
Electricians	8 85	40	1%	6%	1½%
Cable Splicers	9 40	40	1%	6%	1½%
DECISION ØSD75-5121 - Mod. Ø1 (40 FR 46000 - October 3, 1975) Minnehaha County, South Dakota					
Change:					
Electricians:					
0 30 miles from Sioux Falls Post Office					
Electricians	8 77	40	1%	6%	1½%
Cable Splicers	9 66	40	1%	6%	1½%
Over 30 miles from Sioux Falls Post Office					
Electricians	9 77	40	1%	6%	1½%
Cable Splicers	10 66	40	1%	6%	1½%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
DECISION ØTX75-4164 - Mod. Ø1 (40 FR 49969 - October 24, 1975) Bexar County, Texas					
Change:					
Electricians:					
Single or multiple family dwellings or apartments up to & including 8 units not exceeding 2 stories	$ 6 35	30	1%		1/2%
Over 8 units or over 2 stories	9 23	30	1%		1/2%
DECISION ØTX75-4196 - Mod. Ø1 (40 FR 54417 - November 21, 1975) Bexar County, Texas					
Change:					
Asbestos workers	9.23	35	45		08

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Imperial, Inyo Kern, Los Angeles, Mono, Orange, Riverside San Bernardino, San Luis Obispo, Santa Barbara and Ventura

DECISION NUMBER: CA75-5148

DATE: Date of Publication

Supersedes Decision No. CA75-5087 dated July 25, 1975, in 40 FR 31487

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	Education and/or Appr Tr
ASBESTOS WORKERS	$12 40	80	97		06
BOILERMAKERS	10 85	65	1 00	50	02
BRICKLAYERS; Stonemasons:					
Imperial County	9 80	77	98		06
Inyo, Kern and Mono Counties	9 30	70	1 00		07
Los Angeles County (Cities of Santa Monica, Malibu, Venice, Pasadena, South Pasadena, Arcadia, Monrovia and South of Rosecrans Blfd , including Long Beach); Orange County	10 03	80	1 10		07
Los Angeles County (except Cities of Santa Monica Malibu Venice, Pasadean, South Pasadena Arcadia Monrovia and South of Rosecrans Blvd including Long Beach)	10 03	80	1 20		07
Riverside and San Bernardino Counties	10 50	70	80		07
Santa Barbara and San Luis Obispo Counties	8 47	1 05	1 20	85	01
Ventura County	9 80	78	1 15		02
BRICK TENDERS	7 805	85	1 65	50	
CARPENTERS:					
Carpenters	9 07	1 02	1 55	80	06
Saw Filers	9 15	1 02	1 55	80	06
Table power saw operators	9 17	1 02	1 55	80	06
Shinglers; Piledrivermen, bridge or dock carpenters; Derrick bargemen; Rock slinger	9 20	1 02	1 55	80	06
Hardwood floor layers	9 27	1 02	1 55	80	06
Head Rock Slinger	9 30	1 02	1 55	80	06
Pneumatic nailer	9 32	1 02	1 55	80	06
Millwrights	9 57	1 02	1 55	80	06

DECISION NO CA75-5148

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
CEMENT MASONS:					
Cement Masons	$8 76	95	1 55	1 00	08
Cement floating and troweling machine	9 01	95	1 55	1 00	08
DRYWALL INSTALLERS	10 74	1 02	1 55	80	07
ELECTRICIANS:					
Imperial County					
Electricians	11 15	50	17%+1 25		
Cable Splicers	11 43	50	17%+1 25		
Kern (China Lake Naval Ordance Test Station, Edwards AFB)					
Electricians; Technicians	12 75	70	17%+1 00		10
Cable Splicers	14 025	70	17%+1 00		10
Kern County (Remainder of County)					
Electricians; Technicians	10 25	70	17%+1 00		10
Cable Splicers	11 275	70	17%+1 00		10
Los Angeles County					
Electricians	10 23	71	17%+1 25		02
Cable Splicers	10 53	71	17%+1 25		02
Traffic Signal and Street Lighting:					
Electricians	10 23	71	17%+1 25		02
Utility Technician No 1	7 67	71	17%+1 25		02
Utility Technician No 2	7 16	71	17%+1 25		02
Tunnel:					
Electricians	11 25	71	17%+1 25		02
Cable Splicers	11 55	71	17%+1.25		02
Sound Technicians:					
Sound Technicians (on building construction)	10 17	50	17%		
Sound Technicians (on modification of existing buildings)	8 21	50	17%		
Orange County					
Electricians	11 40	45	17%+ 85		02
Cable Splicers	11 92	45	17%+ 85		02
Riverside County					
Electricians	9 91	60	17%+ 40		04
Cable Splicers	10 21	60	17%+ 40		04

DECISION NO GA75-5148

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ELECTRICIANS: (Cont'd)					
Inyo, Mono and San Bernardino Counties					
Electricians	$9 36	50	17%+1 25		04
Cable Splicers	9 66	50	17%+1 25		04
Tunnel Laborers:					
Electricians	9 32	40	17%+ 75		02
Cable Splicers	9 62	40	17%+ 75		02
San Luis Obispo County					
Electricians	10 23	88	17%+1 15		03
Cable Splicers	11 25	88	17%+1 15		03
Santa Barbara County (Vandenburg AFB)					
Electricians	11 75	70	17%+1 15		05
Cable Splicers	12 75	70	17%+1 15		05
Remainder of County					
Electricians	10 50	70	17%+1 15		05
Cable Splicers	11 50	70	17%+1 15		05
Ventura County					
Electricians	11 17	70	17%+ 80		02
Cable Splicers	12 29	70	17%+ 80		02
ELEVATOR CONSTRUCTORS:					
Imperial, Inyo, Kern (South of Tehachapi Range), Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties					
Elevator Constructors	10 76	445	29	3%+a	02
Elevator Constructors' Helpers	70%JR	445	29	3%+a	02
Elevator Constructors' Helpers (Prob)	50%JR				
Kern County (North of Tehachapi Range)					
Elevator Constructors	10 70	445	29	3%+a	02
Elevator Constructors' Helpers	70%JR	445	29	3%+a	02
Elevator Constructors' Helpers (Prob)	50%JR				

DECISION NO GA75-5148

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
GLAZIERS:					
Imperial County	$9 69	55	60		
Inyo, Kern, Mono Counties	7 68	41	55	66	05
Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo and Ventura Counties	10 76	55	95		04
IRONWORKERS:					
Fence Erectors	9 34	93	1 65	1 10	03
Reinforcing	10 23	93	1 65	1 10	03
Ornamental; Structural	10 23	93	1 65	1 10	03
IRRIGATION AND LAWN SPRINKLERS:					
Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties	8 70	10%	16%	13%	3/4%
LATHERS:					
Inyo, Kern and Mono Counties	9 13	60	1 30	70	05
Los Angeles County (except City Lancaster)	11 00	60	75		03
Los Angeles County (City of Lancaster Only)	8 50	50			02
Orange County	8 29	55	65	50	03
Ventura County	9 06	60	1 10	1 00	02
San Luis Obispo and Santa Barbara Counties	8 72	57	1 00	1 50	
LINE CONSTRUCTION:					
Imperial County					
Groundmen	8 92	50	17%+1 25		
Linemen	11 15	50	17%+1 25		
Cable Splicers	11 43	50	17%+1 25		
Kern (China Lake Naval Ordnance Test Station and Edwards AFB)					
Groundmen	10 1875	70	17%+1 00		10
Linemen	12 75	70	17%+1 00		10
Cable Splicers	14 025	70	17%+1 00		10
Kern County (Remainder of County)					
Groundmen	7 6875	70	17%+1 00		10
Linemen	10 25	70	17%+1 00		10
Cable Splicers	11 275	70	17%+1 00		10

DECISION NO CA75-5148

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LINE CONSTRUCTION: (Cont d)					
Los Angeles County					
Groundmen	$7 86		1%		
Linemen	10 48		1%		
Cable Splicers	10 78		1%		
Riverside County					
Groundmen	7 45	60	1%+ 40		04
Linemen; Line Equipment Operators	9 93	60	1%+ 40		04
Cable Splicers	10 23	60	1%+ 40		04
Ventura County					
Groundmen	9 24	70	1%+ 55		02
Linemen	10 42	70	1%+ 55		02
Cable Splicers	11 46	70	1%+ 55		02
MARBLE SETTERS:					
Inyo and Mono Counties	9 26	81	51	1 03	
Imperial County	9 64	62	1 00	75	
Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo Santa Barbara and Ventura Counties	8 16	65	55		
PAINTERS:					
Imperial, Orange, Riverside, Los Angeles (Pomona Area), San Bernardino (excluding Western portion)					
Brush; Paint burners	9 27	69	95	70	07
Paperhangers; Iron, steel and bridge (swing stage); Sheet rock taper	9 77	69	95	70	07
Brush (swing stage); Spray	9 52	69	95	70	07
Steeplejack	10 67	69	95	70	07
Inyo Kern (Lancaster Mojave, Palmdale China Lake Naval Ordnance Test Station and Edwards AFB) Los Angeles (except Pomona Area) Mono, San Bernardino (West of a line North in Trono including China Lake Area, Johannesburg Boron South including the Wrightwood Area)					
Brush	9 67	405	50	40	01

DECISION NO CA75-5148

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PAINTERS: (Cont'd)					
Structural steel and bridge; Paint burner	$9 79	405	50	40	01
Tapers	10 195	405	50	40	01
Brush Swing stage (13 stories or less); Paperhangers; Sand blasters; Spray	9 92	405	50	40	01
Brush swing stage (over 13 stories)	10 04	405	50	40	01
Structural steel and bridge, swing	10 07	405	50	40	01
Spray sandblaster swing stage (13 stories or less); Paste Machine; Special coating spray	10 17	405	50	40	01
Steeplejack	10 92	405	50	40	01
Kern County (Remainder of County)					
Brush	9 27	45	51		03
Brush or Roller, swing stage; Paperhangers; Taping joint sheet rock	9 52	45	51		03
Spray; Sandblasters	9 77	45	51		03
Steeplejack	10 77	45	51		03
San Luis Obispo Santa Barbara and Ventura Counties					
Brush	10 24	55	50		03
Iron and steel; Paperhangers; Paste machine operator; Sandblaster	10 49	55	50		03
Spraymen	10 74	55	50		03
Steeplejack	11 49	55	50		03
Tapers, sheet rock	10 36	55	50		03
Parking Lot Striping Work and/or Highway Markers:					
Inyo and Mono Counties					
Striper	7 92	40	20	b	
Striper Helper	6 82	40	20	b	
Traffic Delineating Device Applicator; Traffic Surface Sandblaster	6 82	40	20	b	

DECISION NO GA75-5148

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PAINTERS: (Cont'd)					
Helper (traffic delineating device applicator, traffic surface sandblaster)	$6 32	40	,20	b	
Remaining Counties					
Traffic delineating device applicator	6 82	40	20	b	
Traffic surface protective coating applicator; Wheel stop installer; Traffic surface sandblaster; Striper	6 43	40	20	b	
Helper (traffic surface protective coating applicator, wheel stop installer, traffic surface sandblaster, striper)	5 43	40	20	b	
PLASTERERS:					
Imperial County	10 07	45	1 00	85	06
Inyo, Kern and Mono Counties	7 77	45	60	60	06
Los Angeles and Orange Counties	9 745	68	1 85	70	10
Riverside and San Bernardino Counties	10 675				01
San Luis Obispo County	10 55				
Santa Barbara County	8.69	70	1 05		01
Ventura County	8 625	55	50		02
PLASTER TENDERS:					
Imperial, Inyo, Mono, Riverside and San Bernardino Counties	9 53	85	1 65	45	
Kern County	7 87	75	1 50	43	
Los Angeles and Orange Counties	9 225	85	1 95	75	
San Luis Obispo County	7 75	85	1 65	50	
Santa Barbara County (except Santa Maria)	8 98	85	1 65	50	
Santa Barbara County (Santa Maria)	9 18	85	1 65	50	
Ventura County	9 08	85	1 65	1 05	
PLUMBERS: Steamfitters:					
Imperial, Los Angeles, Orange, Riverside, San Bernardino San Luis Obispo, Santa Barbara and Ventura Counties	10 95	10%	16%	13%	3/4%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PLUMBERS; Steamfitters: (Cont'd)					
Inyo, Kern (except east of Los Angeles (Aqueduct) and Mono Counties	$10 03	60	1 60	1 00	17
Kern County (East of Los Angeles Aqueduct)	12 28	60	1 60	1 00	17
REFRIGERATION AND AIR CONDITIONING:					
Riverside and San Bernardino Counties	7 85	,70	50	60	03
ROOFERS:					
Imperial County	9 34	40	75	1 00	
Inyo, Kern and Mono Counties	7 75	50	50		
Riverside and San Bernardino Counties	9 30	60	65	1 00	
Los Angeles, Orange and Ventura Counties	10 74	82	80		045
San Luis Obispo and Santa Barbara Counties	8 83	535	34		0025
SHEET METAL WORKERS:					
Imperial County	8 93	74	1 20		
Inyo, Kern, Los Angeles (North of line between Gorman and Big Pines) and Mono Counties	9 47	84	1 35		02
Los Angeles County (Remaining portion)	11 53	94	1 50		02
Orange County	9 52	69	1 20		
Riverside and San Bernardino Counties	8 25	69	1 05		05
San Luis Obispo, Santa Barbara and Ventura Counties	9 72	69	1 05		
SOFT FLOOR LAYERS:					
Imperial County	8 33	45	90	90	06
Inyo (Including Inyo Kern Naval Reservation), Kern (East of the Los Angeles Aqueduct), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Luis Obispo and Ventura Counties	9 12	65	62	52	03
Kern County (remaining portion)	9 02	60	45	52	03

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
SPRINKLER FITTERS:					
Imperial, Inyo, Kern Mono, Orange (except Santa Ana) Riverside, San Bernardino (except Ontario, San Luis Obispo, Santa Barbara and Ventura (except Santa Paula, Point Mugu and Port Hueneme)	$13 72	50	80		08
Los Angeles (Los Angeles City and Area within 25 miles and Pomona), Orange (Santa Ana), San Bernardino (Ontario), and Ventura (Santa Paula Point Mugu and Port Hueneme)	11 14	54	60		09
TERRAZZO WORKERS:					
Imperial County	9 64	62	1 00	75	
TILE SETTERS:					
Imperial County	9 64	62	1 00	75	
Los Angeles Orange and Ventura Counties	9 25	495	70		06
San Luis Obispo and Santa Barbara Counties	8 47	1 05	1 20	85	01
TILE SETTERS' HELPERS:					
Imperial County	7 64	40	65	75	
Los Angeles Orange and Ventura Counties	8 005	57	1 00		12

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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 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 Six Paid Holidays: A through F

b. Employer contributes $ 17 per hour to Holiday Fund plus $ 10 per hour to Vacation Fund for one year s service; $ 30 per hour after one year but less than 5 years' service, $ 40 per hour after 5 years' but less than 10 years service and $ 50 per hour after 10 years' service

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LABORERS	Basic Hourly Rates	Fringe Benefits Payment			
		H&W	P I	Vac	App Tr
CLEANING AND HANDLING OF PANEL FORMS; Concrete screeding for rough strike off; Concrete, water curing; Demolition laborer, the cleaning of brick and lumber; Dry packing of concrete, plugging, filling of shee bolt holes; Fire watcher, limbers, brush loaders, pilers and debris handler; Gas and oil pipeline; Laborers, general or construction; Laborer, temporary water and air lines; Material hoseman (walls slab, floors and decks); Mixer truck chute man (Walls, Slab Decks, floors, foundations and footing curb and gutter and sidewalks); Rigging and signalling; Slip form raisers; Window cleaner	$7 20	85	1 65	50	10
CUTTING TORCH (Demolition); Scaler; Tarman; Mortarman	7 25	85	1 65	50	10
GUINEA CHASER	7 38	85	1 65	50	10
ASPHALT SHOVELER; Fine grader, highway and street paving, air ports, runways, and similar type heavy construction; Landscape gardener and nursery man	7 30	85	1 65	50	10
PACKING ROD STEEL AND PANS; Tanks scaler and cleaner	7 32	85	1 65	50	10
UNDERGROUND (INCLUDING CAISSON BELLOWERS)	7 33	85	1 65	50	10
CHUCK TENDER; Septic tank digger and installer	7 35	85	1 65	50	10
CESSPOOL DIGGER AND INSTALLER	7 38	85	1 65	50	10

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LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payment			
		H&W	P I	Vac	App Tr
CONCRETE CURER IMPERVIOUS MEMBRANE AND FORM OILER; Rip rap stonepaver placing stone or sacked concrete; Sandblaster (pot tender)	$7 39	85	1 65	50	10
PIPELAYERS BACKUP MAN, COATING, GROUTING, MAKING OF JOINTS, SEALING, CAULKING, DIAPERING and INCLUDING RUBBER GASKET JOINTS, POINTING and ANY and ALL OTHER SERVICES	7 49	85	1 65	50	10
BUGGYMOBILE MAN; Cement dumper (on 1 yd or larger mixer and handling bulk cement); Gas and oil pipeline wrapper pot tender; Power broom sweepers (small); Roto scraper and tiller; Tree climber, faller, chain saw operator, Pittsburg chipper and similar type brush shredders; Trenching machine, hand propelled	7 41	85	1 65	50	10
ASPHALT RAKER, LUTEMAN and IRONER; Concrete core cutter, grinder or sander; Concrete saw man, cutting, scoring old or new concrete, Impact wrench, multi plate; Pneumatic, gas, electric tools, vibrating machines and similar mechanical tools not separately classified herein; Tampers, barko wacker and similar type	7 51	85	1 65	50	10
ROCK SLINGER	7 46			50	10
DRILLER, JACKHAMMER - 2½ ft DRILL STEEL OR LONGER	7 59	85	1 65	50	10
CONCRETE VIBRATOR OPERATOR, 70 lbs. and over	7 61	85	1 65	50	10

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LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H&W	P I	V H	App T
GAS AND OIL PIPELINE WRAPPER - (6 and over); Kettlemen, pot men and men applying asphalt, lay kold, creosote, lime caustic and similar type materials	$7 54	85	1 65	50	10
GRIBBER, SHORER, LAGGING, SHEETING, AND TRENCH BRACKING HAND-GUIDED LAGGING HAMMER	7.71	85	1 65	50	10
BLASTER POWDERMAN	7 85	85	1 65	50	10
STEEL HEADERBOARD MAN AND GUIDE-LINE SETTER	7 62	85	1 65	50	10
SANDBLASTER (Nozzleman)	7 65	85	1 65	50	10
DRILLER (Core Diamond Wagon)	7 85	85	1 65	50	10
HEAD ROCK SLINGER	7 72	85	1 65	50	10
GUNNITE LABORERS:					
Nozzlemen and Rodmen	8 82	85	1 65	50	
Gunmen	8 32	85	1 65	50	
Reboundmen	7 36	85	1 65	50	

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LABORERS (Tunnel)	Basic Hourly Rates	Fringe Benefits Payments H&W	P I	V Ho	App T
BATCH PLANT LABORERS; Bull gang mucker, trackman; Concrete crew, including rodders and spreaders; Dumpman; Dumpman (outside); Swamper (brakeman and switchman on tunnel work); Tunnel materials handling man; Tool man	$8 68	85	1 65	50	
CABLE TENDER, Chucktender; Nipper; Steel form raiser and setter's helper; Vibratorman jackhammer, pneumatic tools (except driller)	8 80	85	1 65	50	
BLASTER, Driller, Powderman; Chemical grout jetman; Cherry pickerman; Grout gunman; Grout mixerman; Group pumpman; Jackleg miner; Jumbo man; Kemper and other pneumatic Concrete placer operator; Miner tunnel (hand or machine); Powderman (primer house); Primer man; Shotcrete man; Steel form raiser and setter; Timberman; Retimberman (wood or steel); Tunnel concrete finisher	8 96	85	1 65	50	
SHAFT, Raise miner; Diamond driller	9 24	85	1 65	50	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H&W	Pen	Vac	Apprent
POWER EQUIPMENT OPERATORS (DREDGING) HYDRAULIC SUCTION DREDGES					
LEVERMAN	$10 27	95	1 75	30	04
WATCH ENGINEER; Welder	9 72	95	1 75	30	04
DECKMATE	9 27	95	1 75	30	04
WINCH MAN (stern winch or dredge)	9 20	95	1 75	30	04
BARGEMAN; Deckhand; Fireman; Oiler; Leverhand	8 69	95	1 75	30	04
(CLAM SHELL DREDGES)					
LEVERMAN	10 27	95	1 75	30	04
WATCH ENGINEER	9 72	95	1 75	30	04
DECKMATE	9 27	95	1 75	30	04
BARGEMATE	9 20	95	1 75	30	04
BARGEMAN; Deckhand; Fireman; Oiler	8 69	95	1 75	30	04

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	Basic Hourly Rates	Fringe Benefits Payments			
		H&W	Pen	Vac	Apprent
POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)					
Group 1:	$8 52	95	1 75	30	04
Group 2:	8 79	95	1 75	30	04
Group 3:	9 06	95	1 75	30	04
Group 4:	9 19	95	1 75	30	04
Group 5:	9 40	95	1 75	30	04
Group 6:	9 50	95	1 75	30	04
Group 7:	9 62	95	1 75	30	04
Group 8:	9 78	95	1 75	30	04
Group 9:	9 90	95	1 75	30	04
TRUCK DRIVERS					
Group 1:	8 07	1 00	65	1 00	10
Group 2:	8 15	1 00	65	1 00	10
Group 3:	8 21	1 00	65	1 00	10
Group 4:	8 30	1 00	65	1 00	10
Group 5:	8 33	1 00	65	1 00	10
Group 6:	8 35	1 00	65	1 00	10
Group 7:	8 39	1 00	65	1 00	10
Group 8:	8 40	1 00	65	1 00	10
Group 9:	8 45	1 00	65	1 00	10
Group 10:	8 48	1 00	65	1 00	10
Group 11:	8 53	1 00	65	1 00	10
Group 12:	8 55	1 00	65	1 00	10
Group 13:	8 60	1 00	65	1 00	10
Group 14:	8 85	1 00	65	1 00	10
Group 15:	9 10	1 00	65	1 00	10
Group 16:	9 20	1 00	65	1 00	10

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Brakeman; Compressor operator; Deck hand; Engineer oiler; Generator operator; Heavy duty repairman helper; Pump operator; Signalman; Switchman

Group 2: Concrete mixer, skip type; Conveyor; Fireman; Generator pump or compressor, (2-5 inclusive) portal units - over 5 units 10¢ per hour for each additional unit up to nine units; Hydrostatic pump; Oiler crusher (asphalt or concrete plant); Plant operator, generator pump or compressor; Skiploader - wheel type up to 3/4 yd without attachment; Tar pot fireman; Temporary heating plant operator; Trenching machine oiler; Truck crane oiler

Group 3: A-Frame or winch truck; Chainman; Elevator (inside); Equipment greaser (rack); Ford Ferguson (with dragtype attachments); Helicopter Radioman (Ground); Power concrete curing machine; Power concrete saw; Power-driven jumbo form setter; Ross carrier (jobsite); Stationary pipe wrapping and cleaning machine

Group 4: Asphalt plant fireman; Boring machine; Boxman or mixerman (asphalt or concrete); Chip spreading machine; Concrete pump (small portable); Bridge type unloader and turntable; Dinky locomotive or motorman (up to and including 10 tons); Equipment greaser (grease truck); Helicopter hoist operator; Highline cableway signalman; Hydra-hammer-aero stomper; Power sweeper; Roller (compacting); Screed (asphalt or concrete); Rodman; Trenching machine (up to 6 ft)

Group 5: Asphalt plant engineer; Concrete batch plant operator - (oiler or journeyman - trainee required); Backhoe (up to and including 3/4 yds); Bit sharpener; Concrete joint machine operator (canal and similar type); Concrete planer; Deck engine operator; Drilling machine (including water wells); Forklift (under 5 ton capacity); Hydrographic seeder machine (straw, pulp or seed); Instrumentman; Machine tool; Maginnis Internal Full Slab Vibrator; Mechanical berm curb or gutter (concrete or asphalt); Mechanical finisher operator (concrete Clary-Johnson-Bidwell or similar); Pavement breaker (truck mounted oiler) Road oil mixing machine; Roller operator (asphalt or finish); Rubber tired earth moving equipment (single engine up to and including 25 yds. struck); Self-propelled tar pipelining machine operator; Slip form pump (power driven hydraulic lifting device for concrete forms); Tugger hoist (1 drum); Tunnel locomotive operator (over 10 and up to and including 30 tons); Stinger crane (Austin - Western or similar type); Skiploader operator (crawler and wheel type over 3/4 yd and up to and including 1 1/2 yds); Tractor operator Bulldozer, Tamper, Scraper (single engine up to 100 h p flywheel and similar types up to and including D-5 and similar types); Welder - general

POWER EQUIPMENT OPERATORS (Cont d)
(Except Piledriving and Steel Erection)

Group 6: Asphalt or concrete spreader (tamping or finishing); Asphalt paving machine (Barber Green or similar type - 2 screedman required); BHL Lima Road Pactor Wagner Pactor or similar; Bridge crane operator; Cast in place pipe laying machine operator; Combination mixer and compressor (gunite work); Compactor self-propelled operator; Concrete pump (truck mounted) (oiler required); Concrete mixer operator - paving; Crane operator (up to and including 25 ton capacity); Crushing plant operator; Elevating grader; Forklift (over 5 tons); Grade checker; Gradall operator; Grouting machine; Heading shield; Heavy duty repairman; Hoist operator (Chicago boom and similar type); Kolman belt loader and similar type; LeTourneau blob compactor or similar type; Lift slab machine (Vagtbord and similar types); Lift mobile operator Loader operator (Athey, Euclid Sierra and similar type); Material hoist; Mucking machine (1/4 yd - rubber-tired rail or track type); Pneumatic concrete placing machine (Hackley-Presswell or similar type); Pneumatic heading shield (tunnel); Pumpcrete gun; Rubber-tired earth moving equipment (single engine - Caterpillar Euclid Athey Wagon and similar types with any and all attachments over 25 yds and up to and including 50 cu yds struck); Rubber-tired scraper (self-loading-paddle wheel type); Skiploader (crawler and wheel type over 1-1/2 yds up to and including 6-1/2 yds); Self-propelled curb and gutter machine; Surface heaters and planer; Rubber-tired earth moving equipment multiple engine, (up to and including 25 yds struck); Trenching machine (over 6 ft depth capacity, manufacturer's rating); Tower crane; Tractor compressor drill combination; Tractor (any type larger than D-5-100 Flywheel HP and over or similar) (Bulldozer tamper scraper and push tractor single engine); Tractor (boom attachments); Traveling pipe wrapping cleaning and bending machine; Tunnel locomotive (over 30 tons); Shovel Backhoe Dragline Clamshell (over 3/4 yds and up to 5 cu yds M R C

Group 7: Crane - over 25 tons up to and including 100 tons; Derrick barge; (Long boom pay applicable); Dual drum mixer; Heavy duty repairman-welder combination; Hoist operator; Stiff Legs Guy Derrick or similar type up to and including 100 tons (Long boom pay applicable); Monorail locomotive (Diesel, gas or electric); Motor patrol - blade (single engine); Multiple engine tractor (Euclid and similar type except Quad 9 cat); Party Chief; Rubber-tired earth moving equipment single engine over fifty (50) yds struck; Rubber-tired earth moving equipment (multiple engine Euclid Caterpillar and similar) (over 25 yds and up to 50 cu yds struck); Tractor loader (crawler and wheel type over 6-1/2 yds); Tower crane repairman; Shovel Backhoe Dragline Clamshell (over 5 cu yds ; M R C ; (Long Boom pay applicable); Wood mixer and similar pugmill equipment

Group 8: Auto grader operator; Automatic slip form; Crane - over 100 tons (Long Boom pay applicable); Hoist Stiff legs Guy derricks or similar types (cable of hoisting 100 tons or more)(Long boom pay applicable); Mass excavator; Mechanical finishing machine; Mobile Farm Traveler Operator; Motor

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

patrol (Multi-engine); Pipe mobile machine; Rubber-tired earth moving equipment (multiple engine, Euclid Caterpillar and similar type over 50 cu yds struck); Rubber-tired scraper (Push-pull) (50¢ per hour additional to base rate); Rubber-tired self-loading scraper operator (Paddle wheel-auger type, self-loading - 2 or more units); Tandem equipment operators (2 units only); Tandem tractor operator (Quad 9 or similar type); Tunnel mole boring machine operator

Group 9: Canal liner; Canal trimmer; Helicopter pilot; Highline Cableway; Rubber-tired self-loading scraper (paddle wheel-Auger type self-loading - 2 or more units); Wheel excavator (over 750 cu yds); Remote controlled earth moving equipment operator ($1 00 per hour additional)

TRUCK DRIVERS

Group 1: Warehouseman and Teamster

Group 2: Driver or vehicle or combinations of vehicles of 2 axles (including all vehicles less than six tons); Traffic Control Pilot Car excluding moving heavy equipment permit load

Group 3: Truck mounted Power Broom

Group 4: Drivers of vehicles or combination of vehicles of 3 axles

Group 5: Bootman; Cement Distributor; Fuel Truck; Road Oil Spredder Truck; Water Truck, 2 axle

Group 6: Dump, of less than 16 yards

Group 7: Transit mix, under 3 yards; Dumpcrete, less than 6½ yards

Group 8: Truck Repairman Helper

Group 9: Water Truck, 3 or more axles

Group 10: PB and similar type truck when performing within the Teamsters jurisdiction; Pipeline and utility working truck including winch, but limited to truck applicable to Pipeline and Utility work, where a composite crew is used; Slurry Driver; Truck Greaser and Tireman (50c per hour additional for Tireman)

Group 11: Transit mix, 3 yards or more; Dumpcrete, 6½ yards and over

Group 12: Driver of vehicle or combination of vehicles of 4 or more axles

Group 13: Dump, 16 yards but less than 25 yards

Group 14: A-Frame or Swedish Crane, or similar type of equipment driver; Fork Lift Driver; Ross Carrier, highway

Group 15: All-off-highway equipment within Teamsters Jurisdiction (off highway combination of vehicles or equipment with multiple power sources, $1 00 per hour additional); Dump, 25 yards or more; Truck Repairman

Group 16: Truck Repairman Welder

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Imperial Kern Los Angeles, Orange Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura

DECISION NUMBER: CA75-5149

DATE: Date of Publication

Supersedes Decision No CA75-5088 dated July 25 1975 in 40 FR 31496

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ASBESTOS WORKERS	$12 40	80	97		06
BOILERMAKERS	10 85	65	1 00	50	.02
BRICKLAYERS; Stonemasons:					
Imperial County	9 80	77	98		06
Kern County	9 30	70	1 00		07
Los Angeles County (Cities of Santa Monica, Malibu, Venice Pasadena, South Pasadena, Arcadia, Monrovia and South of Rosecranes Blvd , including Long Beach); Orange County	10 03	80	1 10		07
Los Angeles County (except Cities of Santa Monica, Malibu, Venice, Pasadena, South Pasadena, Arcadia, Monrovia and South of Rosecrans Blvd , including Long Beach)	10 03	80	1.20		07
Riverside and San Bernardino Counties	10 50	70	80		07
Santa Barbara and San Luis Obispo Counties	8 47	1 05	1 20	85	01
Ventura County	9 80	78	1 15		02
BRICK TENDERS	7 805	85	1 65	50	
CARPENTERS:					
Carpenters	9 07	1 02	1 55	80	06
Saw Filers	9 15	1 02	1 55	80	06
Table Power Saw Operators	9 17	1 02	1 55	80	06
Shinglers; Piledrivermen bridge or dock carpenters; Derrick bargemen; Rock slinger	9 20	1 02	1 55	80	06
Hard wood floor layers	9 27	1 02	1 55	80	06
Head rock slinger	9 30	1 02	1 55	80	06
Pneumatic nailer	9 32	1 02	1 55	80	06
Millwrights	9 57	1 02	1 55	80	06

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
CEMENT MASONS:					
Cement Masons	$8 76	95	1 55	1 00	08
Cement Floating and Troweling Machine	9.01	95	1 55	1 00	08
DRYWALL INSTALLERS	10 74	1 02	1 55	80	07
ELECTRICIANS:					
Imperial County					
Electricians	11 15	50	17%+1 25		
Cable Splicers	11 43	50	17%+1 25		
Kern (China Lake Naval Ordnance Test Station, Edwards AFB)					
Electricians; Technicians	12 75	70	17%+1 00		10
Cable Splicers	14 025	70	17%+1 00		10
Kern County (Remainder of County)					
Electricians; Technicians	10 25	70	17%+1 00		10
Cable Splicers	11 275	70	17%+1 00		10
Los Angeles County					
Electricians	10 23	71	17%+1 25		02
Cable Splicers	10 53	71	17%+1 25		02
Orange County					
Electricians	11 40	45	17%+ 85		02
Cable Splicers	11 92	45	17%+ 85		02
Riverside County					
Electricians	9 91	60	17%+ 40		04
Cable Splicers	10 21	60	17%+ 40		04
San Bernardino County					
Electricians	9 36	50	17%+1.25		04
Cable Splicers	9 66	50	17%+1 25		04
San Luis Obispo County					
Electricians	10 23	88	17%+1 15		03
Cable Splicers	11 25	88	17%+1 15		03
Santa Barbara County (Vandenberg AFB)					
Electricians	11 75	70	17%+1 15		05
Cable Splicers	12 75	70	17%+1 15		05
Remainder of County					
Electricians	10 50	70	17%+1 15		05
Cable Splicers	11 50	70	17%+1 15		05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ELECTRICIANS: (Cont d)					
Ventura County					
Electricians	$11 17	70	17%+ 80		02
Cable Splicers	12 29	70	17%+ 80		02
ELEVATOR CONSTRUCTORS:					
Imperial, Kern (South of Tehachapi Range), Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties					
Elevator Constructors	10 76	445	29	3%+a	02
Elevator Constructors' Helpers	70%JR	445	29	3%+a	02
Elevator Constructors' Helpers (Prob)	50%JR				
Kern County (North of Tehachapi Range)					
Elevator Constructors	10 70	445	29	3%+a	02
Elevator Constructors' Helpers	70%JR	445	29	3%+a	02
Elevator Constructors' Helpers (Prob)	50%JR				
GLAZIERS:					
Imperial County	9 69	55	60		
Kern County	7 68	41	55	66	05
Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo and Ventura Counties	10 76	55	95		04
IRONWORKERS:					
Fence Erectors	9 34	93	1 65	1 10	03
Reinforcing	10 23	93	1 65	1 10	03
Ornamental; Structural	10 23	93	1 65	1 10	03
IRRIGATION AND LAWN SPRINKLERS: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties	8 70	10%	16%	13%	3/4%
LATHERS:					
Kern County	9 13	60	1 30	70	05
Los Angeles County (except City of Lancaster)	11 00	60	75		03

DECISION NO GA75-5149

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LATHERS: (Cont'd)					
Los Angeles County (City of Lancaster only)	$8 50	50			02
Orange County	8 29	55	65	50	03
Ventura County	9 06	60	1 10	1 00	02
San Luis Obispo and Santa Barbara Counties	8 72	57	1 00	1 50	
PAINTERS:					
Imperial, Orange, Riverside, Los Angeles (Pomona Area) San Bernardino (excluding Western portion)					
Brush; Paint Burners	9 27	69	95	70	07
Paperhangers; Iron, steel and bridge (swing stage); Sheet rock taper	9 77	69	95	70	07
Brush (swing stage); Spray	9 52	69	95	70	07
Steeplejack	10 67	69	95	70	07
Kern (Lancaster, Mojave, Palmdale, China Lake Naval Ordnance Test Station and Edwards AFB), Los Angeles (except Pomona Area), San Bernardino (west of a line North in Trona including China Lake Area, Johannesburg, Boron, South including the Wrightwood Area)					
Brush	9 67	405	50	40	01
Structural steel and bridge; Painter Burner	9 79	405	50	40	01
Tapers	10 195	405	50	40	01
Brush swing stage (13 stories or less); Paperhangers; Sand blasters; Spray	9 92	405	50	40	01
Brush swing stage (over 13 stories)	10 04	405	50	40	01
Structural Steel and bridge, swing	10 07	405	50	40	01

DECISION NO CA75-5149

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vac tion	Education and/or Appr Tr
PAINTERS: (Cont d)					
Spray sandblaster swing stage (13 stories or less); Paste machine; Special coating spray	$10 17	405	50	40	01
Steeplejack	10 92	405	50	40	01
Kern County (remainder of County)					
Brush	9 27	45	51		03
Brush or Roller, Swing stage; Paperhangers; Taping Joint Sheet Rock	9 52	45	51		03
Spray; Sandblasters	9.77	45	51		03
San Luis Obispo, Santa Barbara and Ventura Counties					
Brush	10 24	55	50		03
Iron and steel; Paperhangers; Paste machine operator; Sandblaster	10 49	55	50		03
Spraymen	10 74	55	50		03
Steeplejack	11 49	55	50		03
Tapers, sheetrock	10 36	55	50		03
PLASTERERS:					
Imperial County	10 07	45	1 00	85	06
Kern County	7 77	45	60	60	06
Los Angeles and Orange Counties	9 745	68	1 85	70	10
Riverside and San Bernardino Counties	10 675				.01
San Luis Obispo County	10 55				
Santa Barbara County	8 69	70	1 05		01
Ventura County	8 625	55	50	50	02
PLASTERERS' TENDERS:					
Imperial, Riverside and San Bernardino Counties	9 53	85	1 65	45	
Kern County	7 87	75	1 50	43	
Los Angeles and Orange Counties	9 225	85	1 95	75	
San Luis Obispo County	7 75	85	1 65	50	
Santa Barbara County (except Santa Maria)	8 98	85	1 65	50	
Santa Barbara County (Santa Maria)	9 18	85	1 65	50	
Ventura County	9 08	85	1 65	1 05	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensi s	V cation	Education and/or Appr Tr
PLUMBERS: Steamfitters: Imperial, Los Angeles Orange, Riverside, San Bernardino San Luis Obispo Santa Barbara, and Ventura Counties	$10 95	10%	16%	13%	3/4%
Kern (except east of Los Angeles Aqueduct)	10 03	60	1 60	1 00	17
Kern County (East of Los Angeles Aqueduct)	12 28	60	1 60	1 00	17
REFRIGERATION & AIR CONDITIONING Riverside and San Bernardino Counties	7 85	70	50	60	03
ROOFERS:					
Imperial County	9 34	40	75	1 00	
Kern County	7 75	50	50		
Los Angeles, Orange and Ventura Counties	10 74	82	80		045
San Luis Obispo and Santa Barbara Counties	8 83	535	34		0025
Riverside and San Bernardino Counties	9 30	60	65	1 00	
SHEET METAL WORKERS:					
Imperial County	8 93	74	1 20		
Kern, Los Angeles (North of a line between Gorman and Big Pines)	9 47	84	1 35		02
Los Angeles County (Remaining portion)	11 53	94	1 50		02
Orange County	9 52	69	1 20		
Riverside and San Bernardino Counties	8 25	69	1 05		05
San Luis Obispo Santa Barbara and Ventura Counties	9 72	69	1 05		
SOFT FLOOR LAYERS:					
Imperial County (Kern Naval Reservation) Kern (East of the Los Angeles Aqueduct) Los Angeles Orange Riverside, Santa Barbara San Bernardino San Luis Obispo and Ventura Counties	8 33	45	90	90	06
	9 12	65	62	52	03

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
SOFT FLOOR LAYERS: (Cont d)					
Kern County (Remaining portion)	$9 02	60	45	52	03
SPRINKLER FITTERS:					
Imperial, Kern, Orange, (except Santa Ana), Riverside, San Bernardino (except Ontario), San Luis Obispo, Santa Barbara and Ventura (except Santa Paula, Point Mugu and Port Hueneme)	13 72	50	80		08
Los Angeles (Los Angeles City and Area within 25 miles, and Pomona), Orange (Santa Ana), San Bernardino (Ontario), and Ventura (Santa Paula, Point Mugu and Port Hueneme)	11 14	54	60		09
TILE SETTERS:					
Imperial County	9 64	62	1 00	75	
Los Angeles, Orange and Ventura Counties	9 25	495	70		06
San Luis Obispo and Santa Barbara Counties	8 47	1 05	1 20	85	01
TILE SETTERS' HELPERS:					
Imperial County	7 64	40	65	75	
Los Angeles, Orange and Ventura Counties	8 005	57	1 00		12

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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 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. Six Paid Holidays: A through F

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LABORERS	Basic Hourly Rate	Fringe Benefit Payments H&W	Pension	Vacation	Apprentice
CLEANING AND HANDLING OF PANEL FORMS; Concrete screeding for rough strike off; Concrete water curing; Demolition laborer the cleaning of brick and lumber; Dry packing of concrete, plugging, filling of shee-bolt holes; Fire watcher, limbers brush loaders pilers and debris handler; Gas and oil pipeline; Laborers general or construction; Laborer temporary water and air lines; Material hoseman (walls, slab floors and decks); Mixer-truck chute man (Walls Slab Decks floors foundations and footing-curb and gutter and sidewalks); Rigging and signalling; Slip form raisers; Window cleaner	$ 7 20	85	1.65	50	10
CUTTING TORCH (Demolition); Scaler; Tarman; Mortarman	7 25	85	1 65	50	10
GUINEA CHASER	7 38	85	1 65	50	10
ASPHALT SHOVELER; Fine grader, highway and street paving, airports runways and similar type heavy construction; Landscape gardener and nursery man	7 30	85	1 65	50	10
PACKING ROD STEEL AND PANS; Tanks scaler and cleaner	7 32	85	1 65	50	10
UNDERGROUND (INCL CAISSON BELLOWERS)	7 33	85	1 65	50	10
CHUCKTENDER; Septic tank digger and installer	7 35	85	1 65	50	10
CESSPOOL DIGGER AND INSTALLER	7 38	85	1 65	50	10
CONCRETE CURER - IMPERVIOUS MEMBRANE AND FORM OILER; Rip rap stonepaver placing stone or sacked concrete; Sandblaster (pot tender)	7 39	85	1 65	50	10

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LABORERS (Cont'd)	Basic Hourly Rate	Fringe Benefit Payments H&W	Pension	Vacation	Apprentice
PIPELAYERS' BACKUP MAN, COATING, GROUTING, MAKING OF JOINTS SEALING CAULKING, DIAPERING & INCLUDING RUBBER GASKET JOINTS, POINTING & ANY AND ALL OTHER SERVICES	$ 7 49	85	1 65	50	10
BUGGYMOBILE MAN; Cement dumper (on 1 yd or larger mixer and handling bulk cement); Gas and oil pipeline wrapper-pot tender; Power broom sweepers (small); Roto scraper and tiller; Tree climber, faller, chain saw operator Pittsburgh chipper and similar type brush shredders; Trenching machine hand propelled	7 41	85	1 65	50	10
ASPHALT RAKER, LUTEMAN AND IRONER; Concrete core cutter grinder or sander; concrete saw man cutting scoring old or new concrete Impact wrench, multi-plate; Pneumatic, gas, electric tools, vibrating machines and similar mechanical tools not separately classified herein; Tampers barko wacker and similar type	7 51	85	1 65	50	10
ROCK SLINGER	7 46	85	1 65	50	10
DRILLER, JACKHAMMER - 2 1/2 Ft DRILL STEEL OR LONGER	7 59	85	1 65	50	10
CONCRETE VIBRATOR OPERATOR 70 lbs and over	7 61	85	1 65	50	10
PIPELAYER (NON-METALLIC INCL SEWER DRAIN AND UNDERGROUND TILE); Prefabricated manhole installer	7 71	85	1 65	50	10
GAS AND OIL PIPELINE WRAPPER - (6' and over); Kettlemen potmen and men applying asphalt, lay-kold, creosote lime caustic and similar type materials	7 54	85	1 65	50	10

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LABORERS (Cont'd)	Basic Hourly Rate	Fringe Benefits Payment			
		H&W	P I	Vacation	Appr Tr
CRIBBER, SHORER, LAGGING, SHEETING, AND TRENCH BRACKING, HAND-GUIDED LAGGING HAMMER	$ 7 71	85	1 65	50	10
BLASTER POWDERMAN	7 85	85	1 65	50	10
STEEL HEADERBOARD MAN AND GUIDELINE SETTER	7 62	85	1 65	50	10
SANDBLASTER (Nozzleman)	7 65	85	1 65	50	10
DRILLER (Core-Diamond-Wagon)	7 85	85	1 65	50	10
HEAD ROCK SLINGER	7 72	85	1 65	50	10
GUNNITE LABORERS:					
NOZZLEMEN AND RODMEN	8 82	85	1 65	50	10
GUNMEN	8 32	85	1 65	50	10
REBOUNDMEN	7 36	85	1 65	50	10

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POWER EQUIPMENT OPERATORS (Except Piledriving & Steel Erection)	Basic Hourly Rate	Fringe Benefits Payment			
		H&W	P I	Vacation	Appr T
Group 1:	$ 8 52	95	1 75	30	04
Group 2:	8 79	95	1,75	30	04
Group 3:	9 06	95	1 75	30	04
Group 4:	9 19	95	1 75	30	04
Group 5:	9 40	95	1 75	30	04
Group 6:	9 50	95	1 75	30	04
Group 7:	9 62	95	1 75	30	04
Group 8:	9 78	95	1 75	30	04
Group 9:	9 90	95	1 75	30	04
TRUCK DRIVERS					
Group 1:	8 07	1 00	65	1 00	10
Group 2:	8 15	1 00	65	1 00	10
Group 3:	8 21	1 00	65	1 00	10
Group 4:	8 30	1 00	65	1 00	10
Group 5:	8 33	1 00	65	1 00	10
Group 6:	8 35	1 00	65	1 00	10
Group 7:	8 39	1 00	65	1 00	10
Group 8:	8 40	1 00	65	1 00	10
Group 9:	8 45	1 00	65	1 00	10
Group 10:	8 48	1 00	65	1 00	10
Group 11:	8 53	1 00	65	1 00	10
Group 12:	8 55	1 00	65	1 00	10
Group 13:	8 60	1 00	65	1 00	10
Group 14:	8 85	1 00	65	1 00	10
Group 15:	9 10	1 00	65	1 00	10
Group 16:	9 20	1 00	65	1 00	10

Group 1: Brakeman; Compressor operator; Deck hand; Engineer oiler; Generator operator; Heavy duty repairman helper; Pump operator; Signalman; Switchman

Group 2: Concrete mixer, skip type; Conveyor; Fireman; Generator pump or compressor, (2-5 inclusive) portal units - over 5 units 10¢ per hour for each additional unit up to nine units; Hydrostatic pump; Oiler crusher (asphalt or concrete plant); Plant operator, generator pump or compressor; Skiploader - wheel type up to 3/4 yd without attachment; Tar pot fireman; Temporary heating plant operator; Trenching machine oiler; Truck crane oiler

Group 3: A-Frame or winch truck; Chainman; Elevator (inside); Equipment greaser (rack); Ford Ferguson (with dragtype attachments); Helicopter Radioman (Ground); Power concrete curing machine; Power concrete saw; Power-driven jumbo form setter; Ross carrier (jobsite); Stationary pipe wrapping and cleaning machine

Group 4: Asphalt plant fireman; Boring machine; Boxman or mixerman (asphalt or concrete); Chip spreading machine; Concrete pump (small portable); Bridge type unloader and turntable; Dinky locomotive or motorman (up to and including 10 tons); Equipment greaser (grease truck); Helicopter hoist operator; Highline cableway signalman; Hydra-hammer-aero stomper; Power sweeper; Roller (compacting); Screed (asphalt or concrete); Rodman; Trenching machine (up to 6 ft)

Group 5: Asphalt plant engineer; Concrete batch plant operator - (oiler or journeyman - trainee required); Backhoe (up to and including 3/4 yds); Bit sharpener; Concrete joint machine operator (canal and similar type); Concrete planer; Deck engine operator; Drilling machine (including water wells); Forklift (under 5 ton capacity); Hydrographic seeder machine (straw, pulp or seed); Instrumentman; Machine tool; Maginnis Internal Full Slab Vibrator; Mechanical berm curb or gutter (concrete or asphalt); Mechanical finisher operator (concrete Clary-Johnson-Bidwell or similar); Pavement breaker (truck mounted oiler) Road oil mixing machine; Roller operator (asphalt or finish); Rubber tired earth moving equipment (single engine up to and including 25 yds. struck); Self-propelled tar pipelining machine operator; Slip form pump (power driven hydraulic lifting device for concrete forms); Tugger hoist (1 drum); Tunnel locomotive operator (over 10 and up to and including 30 tons); Stinger crane (Austin - Western or similar type); Skiploader operator (crawler and wheel type over 3/4 yd and up to and including 1 1/2 yds); Tractor operator Bulldozer, Tamper Scraper (single engine up to 100 h p flywheel and similar types, up to and including D-5 and similar types); Welder - general

Group 6: Asphalt or concrete spreader (tamping or finishing); Asphalt paving machine (Barber Green or similar type - 2 screedman required); BEL Lima Road Pactor; Wagner Pactor or similar; Bridge crane operator; Cast in place pipe laying machine operator; Combination mixer and compressor (gunite work); Compactor self-propelled operator; Concrete pump (truck mounted) (oiler required); Concrete mixer operator - paving; Crane operator (up to and including 25 ton capacity); Crushing plant operator; Elevating grader; Forklift (over 5 tons); Grade checker; Gradall operator; Grouting machine; Heading shield; Heavy duty repairman; Hoist operator (Chicago boom and similar type); Kolman belt loader and similar type; LeTourneau blob compactor or similar type; Lift slab machine (Vagtbord and similar types); Lift mobile operator Loader operator (Athey, Euclid Sierra and similar type); Material hoist; Mucking machine (1/4 yd - rubber-tired rail or track type); Pneumatic concrete placing machine (Hackley-Presswell or similar type); Pneumatic heading shield (tunnel); Pumperete gun; Rubber-tired earth moving equipment (single engine - Caterpillar, Euclid, Athey, Wagon and similar types with any and all attachments over 25 yds and up to and including 50 cu yds struck); Rubber-tired scraper (self-loading-paddle wheel type); Skiploader (crawler and wheel type over 1-1/2 yds up to and including 6-1/2 yds); Self-propelled curb and gutter machine; Surface heaters and planer; Rubber-tired earth moving equipment, multiple engine, (up to and including 25 yds struck); Trenching machine (over 6 ft depth capacity, manufacturer's rating); Tower crane; Tractor compressor drill combination; Tractor (any type larger than D-5-100 Flywheel HP and over or similar) (Bulldozer tamper scraper and push tractor single engine); Tractor (boom attachments); Traveling pipe wrapping cleaning and bending machine; Tunnel locomotive (over 30 tons); Shovel, Backhoe Dragline Clamshell (over 3/4 yds and up to 5 cu yds M R C

Group 7: Crane - over 25 tons up to and including 100 tons; Derrick barge; (Long boom pay applicable); Dual drum mixer; Heavy duty repairman-welder combination; Hoist operator; Stiff Legs Guy Derrick or similar type up to and including 100 tons (Long boom pay applicable); Monorail locomotive (Diesel, gas or electric); Motor patrol - blade (single engine); Multiple engine tractor (Euclid and similar type except Quad 9 cat); Party Chief; Rubber-tired earth moving equipment single engine over fifty (50) yds struck; Rubber-tired earth moving equipment (multiple engine Euclid, Caterpillar and similar) (over 25 yds and up to 50 cu yds struck); Tractor loader (crawler and wheel type over 6-1/2 yds); Tower crane repairman; Shovel Backhoe Dragline Clamshell (over 5 cu yds ; M R C ; (Long Boom pay applicable); Wood mixer and similar pugmill equipment

Group 8: Auto grader operator; Automatic slip form; Crane - over 100 tons (Long Boom pay applicable); Hoist, Stiff legs Guy derricks or similar types (cable of hoisting 100 tons or more)(Long boom pay applicable); Mass excavator; Mechanical finishing machine; Mobile Farm Traveler Operator; Motor

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

patrol (Multi-engine); Pipe mobile machine; Rubber-tired earth moving equipment (multiple engine, Euclid, Caterpillar and similar type over 50 cu yds struck); Rubber-tired scraper (Push-pull) (50¢ per hour additional to base rate); Rubber tired self-loading scraper operator (Paddle wheel-auger type, self-loading - 2 or more units); Tandem equipment operators (2 units only); Tandem tractor operator (Quad 9 or similar type); Tunnel mole boring machine operator

Group 9: Canal liner; Canal trimmer; Helicopter pilot; Highline Cableway; Rubber-tired self-loading scraper (paddle wheel-Auger type self-loading - 2 or more units); Wheel excavator (over 750 cu yds.); Remote controlled earth moving equipment operator ($1 00 per hour additional)

TRUCK DRIVERS

Group 1: Warehouseman and Teamster

Group 2: Driver or vehicle or combinations of vehicles of 2 axles (including all vehicles less than six tons); Traffic Control Pilot Car, excluding moving heavy equipment permit load

Group 3: Truck mounted Power Broom

Group 4: Drivers on vehicles or combination of vehicles of 3 axles

Group 5: Bootman; Cement Distributor; Fuel Truck; Road Oil Spreader Truck; Water Truck, 2 axle

Group 6: Dump, of less than 16 yards

Group 7: Transit mix, under 3 yards; Dumpcrete, less than 6½ yards

Group 8: Truck Repairman Helper

Group 9: Water Truck, 3 or more axles

Group 10: PB and similar type truck when performing within the Teamsters' jurisdiction; Pipeline and utility working truck including which, but limited to truck applicable to Pipeline and Utility work, where a composite crew is used; Slurry Driver; Truck Greaser and Tireman (50¢ per hour additional for Tireman)

Group 11: Transit mix, 3 yards or more; Dumpcrete, 6½ yards and over

Group 12: Driver of vehicle or combination of vehicles of 4 or more axles

Group 13: Dump, 16 yards but less than 25 yards

Group 14: A Frame or Swedish Crane, or similar type of equipment driver; Fork Lift Driver; Ross Carrier, highway

Group 15: All off highway equipment with Teamster's jurisdiction (off highway combination of vehicles or equipment with multiple power sources, $1 00 per hour additional); Dump, 25 yards or more; Truck Repairman

Group 16: Truck Repairman Welder

SUPERSEDEAS DECISION

STATE: Georgia COUNTY: Ware
Decision No : GA75-1113 DATE: Date of Publication
Supersedes Decision No : GA75-1008 dated January 17, 1975 in 40 FR 3093
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including four stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
Bricklayers	7 20				
Carpenters	5 50				
Cement masons	5 00				
Electricians	5 50				
Glaziers	3 48				
Ironworkers	4 43				
Laborers:					
Common	2 50				
Mortar mixers	3 25				
Plasterer tenders	3 00				
Painters	3 50				
Plasterers	6 00				
Plumbers	5 00				
Roofers	4 50				
Sheet metal workers	5 25				
Truck drivers	4 20				
POWER EQUIPMENT OPERATORS:					
Backhoes	3 25				
Bulldozers	4 00				
Carnes, derrick, draglines	4 00				
Motor graders	3 00				
Pumps	3 25				
Scrapers	2 75				

SUPERSEDEAS DECISION

STATE: Idaho COUNTIES: Statewide
DECISION NUMBER: ID75 5140 DATE: Date of Publication
Supersedes Decision No ID75 5120 dated October 3, 1975, in 40 FR 45978
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

DECISION NO ID75-5140

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ASBESTOS WORKERS:					
Benewah, Bonner, Boundary, Clearwater, Northern half of Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties	$9 70	44	75		
Remainder of Counties and Southern half of Idaho County	8 71	50	82		
BOILERMAKERS	8 90	65	1 00	50	02
BRICKLAYERS; Stonemasons:					
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka, Twin Falls Counties	7 90	35	40		
Bingham (South half), Bannock, Bear Lake, Caribou, Franklin, Oneida, Power Counties	8 75	30	50		
Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, Washington Counties	8 90	40	30		
Idaho, Clearwater, Latah, Lewis, Nez Perce Counties	9 41	55	50		
Benewah, Bonner, Boundary, Kootenai, Shoshone Counties	9 75				
CARPENTERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the Northern boundary of Township 29 North), Kootenai, Latah, Lewis Nez Perce, Shoshone Counties					
Carpenters	8 34	50	55		045
Piledrivermen; Sawfilers; Stationary Power Woodworking Tool Operator; Floor Layer; Floor Finisher; Floor Sander	8 49	50	55		045
Shingler (wood and composition)	8 54	50	55		045
Carpenters (burned, charred, creosoted or similarly treated material); Boom Man	8 59	50	55		045
Millwrights and Machine Erector	8 84	50	55		045
Piledriver (creosoted material)	8 74	50	55		045
CARPENTERS: (Cont'd)					
Remainder of Counties and Idaho County (South of the Northern boundary of Township 29 North)					
Carpenters; Floor Layer; Shingler; Drywall Applicator and Installer	$7 97	47	35	40	10
Saw Filer; Piledriverman; Bridgeman and Wharf Builders	8 14	47	35	40	10
Millwrights; Machine Erectors; Piledriverman's Boom Man	8 26	47	35	40	10
CEMENT MASONS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties					
Cement Masons	8 93	50	65		04
Gunnite; Power Machine; Power Tools; Power Troweling Machine; Troweling Magnesite or other material with oxichloride base	9 08	50	65		04
Remainder of Counties and Idaho County (South of the 46th Parallel)					
Cement Masons	7 80	40	35	30	10
Power Trowel; Power Grinder; Gunnite and Composition Floor Layer	8 00	40	35	30	10
ELECTRICIANS:					
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties					
Electricians	9 90	35	17+ 40		02
Cable Splicers	10 30	35	17+ 40		02

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ELECTRICIANS: (Cont'd)					
Ada Adams, Boise, Canyon Elmore Gem, Owyhee Payette Valley and Washington Counties					
Electricians	$9 45	45	17%+ 25		1%
Cable Splicers	10 395	45	17%+ 25		1%
Remaining Counties					
Electricians Technicians	9 20	45	17%+ 25		1%
Cable Splicers	10 12	45	17%+ 25		1%
ELEVATOR CONSTRUCTORS:					
Benewah Bonner Boundary, Clearwater, Idaho (North of 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties					
Elevator Constructors	8 975	445	29	3%+a	02
Elevator Constructors' Helpers	70%JR	445	29	3%+a	02
Elevator Constructors' Helpers (Prob)	50%JR				
Remainder of Counties and Idaho County (South of the 46th Parallel)					
Elevator Constructors	8 05	445	29	3%+a	02
Elevator Constructors Helpers	70%JR	445	29	3%+a	02
Elevator Constructors Helpers (Prob)	50%JR				
GLAZIERS:					
Bonner, Boundary Kootenai and Shoshone Counties	7 455	31	10	545	
Benewah Clearwater Idaho (North of the 46th Parallel), Latah, Lewis, Nez Perce Cos	7 28	31	25	28+b	
Ada Adams, Boise, Canyon Elmore, (except Mt Home AFB), Gem Gooding, (Western part of County from a line running no th and south through the eastern limits of Bliss), Idaho (Southern part of County from a line running east and west through the North limits of Elk City), Owyhee, Payette, Valley and Washington Counties	6 14	25	30	23	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
GLAZIERS: (Cont'd)					
Remaining Counties	$6 62	21		b	
IRONWORKERS (Ornamental - Structural Reinforcing):					
Adams (North of the Weiser-Gibbonsville Line), Benewah, Bonner, Boundary Clearwater, Idaho, Kootenai, Latah, Lemhi (North of the Weiser Gibbonsville Line), Lewis, Nez Perce, Shoshone, Valley (North of the Weiser Gibbonsville Line), Washington (North of the Weiser Gibbonsville Line) Counties	9 15	48	80		05
Remaining Counties and Adams, Lemhi, Valley Washington Counties South of the Weiser Gibbonsville Line	9 19	50	75		02
LATHERS:					
Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee Payette, Valley, Washington and Idaho County (South of the 46th Parallel)	6 65				
Benewah, Bonner Boundary Clearwater, Idaho (North of the 46th Parallel), Kootenai Latah, Lewis, Nez Perce, and Shoshone Counties	8 88	45			
MARBLE SETTERS:					
Clearwater, Idaho Latah, Lewis, Nez Perce Counties	9 41	55	50		
Blaine Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka, and Twin Fall Counties	7 40	25			

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PAINTERS:					
Bannock, Bear Lake Bingham, Blaine, Bonneville, Butte, Camas, Caribou, Cassia, Clark, Custer, Franklin, Fremont, Gooding (except Bliss and Western 1/3 of County), Jefferson, Jerome, Lemhi Lincoln, Madison, Minnidoka, Oneida, Power, Teton and Twin Falls Counties					
Brush; Perfatapers	$6 31	25	10		
Structural Steel; Swing Stage; Spray	6 76	25	10		
Ada, Adams, Boise, Canyon, Elmore, (except Mt Home AFB), Gem, Gooding, (Western 1 3 of County including Bliss), Owyhee, Payette, Idaho (Sputh of the 46th Parallel), Valley and Washington Cos					
Painters and Tapers	7 60	31	25		02
Elmore (Mt Home AFB)					
Painters and Tapers	8 60	31	25		02
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties					
Brush	8 46	31	60		02
Spray; Steel; Steam Cleaning; Rollers (over 9" or 10" handle), Finish Drywall Taper	8 71	31	60		02
Swing Stage and over 30 ft high	8 81	31	60		02
Bitumastic; Sand Blast; Bridges; Towers; Stacks; Steeples; Tanks on legs	8 86	31	60		02
Electric, TV and Radio Transmission Towers	9 21	31	60		02

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PLASTERERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties	$8 88	45			
Remaining Counties	7 50	32	20	20	
PLUMBERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the 46th Parallel), Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties	10 02	65	1 10	1 00	11
Remaining Counties and Idaho County (South of the 46th Parallel)					
Plumbers	9.19	37	50		10
Utility Helpers	70%JR	37	50		10
ROOFERS:					
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka, Twin Falls Counties					
Roofers and Kettlemen	6 90		10		
Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power and Teton Counties	8 25		30		
Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Idaho (South of the 46th Parallel), Lemhi, Owyhee, Payette, Valley and Washington Counties					
Roofers; Kettlemen	7 40	33	20		
Roofers working with coal tar and pitch products	8 90	33	20		
Benewah, Bonner, Boundary, Kootenai, and Shoshone Cos					
Roofers	7 59	40	25		01
Roofers working with pitch Products	8 59	40	25		01
Clearwater, Idaho (North of the 46th Parallel), Latah, Lewis, Nez Perce Counties					
Roofers; Kettlemen; Waterproofers	8 25				

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
SHEET METAL WORKERS:					
Benewah, Bonner, Boundary, Clearwater Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties	$9 95	37	50		
Bannock, Bear Lake, Bingham, Blaine Bonneville, Butte, Caribou, Clark Franklin Fremont, Jefferson, Madison, Oneida Power and Teton Counties	8 63	37	20+3%		06
Remaining Counties	9 46	52	30		14
SOFT FLOOR LAYERS:					
Bannock, Bear Lake, Bingham, (South from a line running East and West thru northern limits of Blackfoot including AEC Test Site), Blaine, Butte, (South from a line running east and west thru northern limits of the AEC Test Site), Bonneville (South from a line running east and west thru northern limits of Blackfoot), Camas, Caribou Cassia, Clark Franklin, Fremont, Gooding, Jefferson, (that portion containing AEC Test Site), Jerome, Lemhi, Lincoln, Madison, Minnidoka, Oneida, Power, Teton and Twin Falls Counties	6 70				
Benewah, Bonner, Boundary Clearwater, Idaho Kootenai, Latah, Lewis Nez Perce and Shoshone Counties	7 89	25	40	31	
Ada, Adams Boise, Canyon, Elmore (except Mt Home AFB) Gem Gooding (Western 1/3 of County including Bliss), Owyhee Payette, Idaho (South of the 46th Parallel) Valley and Washington Counties	6 00	25	10		10

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vac tion	Education and/or Appr Tr
SPRINKLER FITTERS	$10 30	50	80		08
TERRAZZO WORKERS & TILE SETTERS:					
Ada, Adams Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley and Washington Counties	7 75	40	30		
Bannock, Bear Lake, Bingham, (southern half) Caribou Franklin, Oneida and Power Counties	7 95	30	50		
Benewah, Bonner, Boundary, Kootenai, Shoshone Counties	9 50				
Blaine, Camas Cassia, Gooding, Jerome, Lincoln, Minnidoka and Twin Falls Counties	7 40	25			
TERRAZZO WORKERS & TILE SETTERS HELPERS:					
Benewah, Bonner Boundary, Clearwater, Idaho, Kootenai Latah Lewis, Nez Perce and Shoshone Counties					
Terrazzo and Tile Setters' Helpers	6 10				
Finisher Helper	6 55				
WELDERS: 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 for 6 months to 5 years service to Vacation Plan Six Paid Holidays: A through F

b All employees who have been employed for a period of one year shall have two weeks vacation with pay Also 7 paid holidays: A through F plus Washington's Birthday

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pension	Vacation	Appr Tr
LINE CONSTRUCTION (AREA 1) (Benewah, Bonner, Boundary, Clearwater, Kootenai, Idaho, Latah, Lewis, Nez Perce and Shoshone Counties)					
Cable Splicers; Leadman Pole Sprayer	$11 12	35	1%	10	1/2%
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	10 04	35	1%	10	1/2%
Tree Trimmer	9 06	35	1%	10	1/2%
Line Equipment Man	8 65	35	1%	10	1/2%
Head Groundman (chipper); Head Groundman; Powderman; Jackhammer Man	7 56	35	1%	10	1/2%
Groundman; Tree Trimmer Helper	7 12	35	1%	10	1/2%
LINE CONSTRUCTION (AREA 2) (Remaining Counties)					
All work over 34 5 KV and all work on steel towers and/or multiple wood structures and all sub stations of 1,000 KVA or greater capacity, all communications, underground work, 34 5 KV, street and highway lighting and motor traffic controls:					
Groundman	6 40	35	1%		3/4%
Equipment Operators	7 74	35	1%		3/4%
Lineman	8 50	35	1%		3/4%
Cable Splicer	9 35	35	1%		3/4%
All power construction of 34 5 KV and under when performed for an operating utility. Street lighting when performed for an operating utility or municipality					
Groundman	6 16	35	1%		3/4%
Equipment Operator	7 22	35	1%		3/4%
Lineman	8 02	35	1%		3/4%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LABORERS (AREA 1) (Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel)					
Group 1	$7 50	.50	70		02
Group 2	7 65	50	70		02
Group 3	7 75	50	70		02
Group 4	7 80	50	70		02
Group 5	7 85	50	70		02
Group 6	7 90	50	70		02
Group 7	7 95	50	70		02
Group 8	8 15	50	70		02
Group 9:					
Class A	7 55	50	70		02
Class B	7 60	50	70		02
Class C	8 00	50	70		02
Class D	8 05	50	70		02
LABORERS (AREA 2) (Remaining Counties and that portion of Idaho County South of the 46th Parallel)					
Group 1	6 22	50	55	20	10
Group 2	6 32	50	55	20	10
Group 3	6 42	50	55	20	10
Group 4	6 52	50	55	20	10
Group 5	6 57	50	55	20	10
Group 6	6 82	50	55	20	10
Group 7	7 07	50	55	20	10
UNDERGROUND WORK					
Group 8	6 37	50	55	20	10
Group 9	6 52	50	55	20	10
Group 10	6 82	50	55	20	10

POWER EQUIPMENT OPERATORS: (Area 1)
(Benewah Bonner, Boundary, Clearwater, Kootenai Latah Lewis Nez Perce Shoshone, and that portion of I Idaho County North of the 46th Parallel)

	ZONE 1*	ZONE 2*	ZONE 3*	Fringe Benefits Payments			
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr Tr
Group 1	$8 05	$8 55	$9 00	75	85		03
Group 2	8 35	8 85	9 30	75	85		03
Group 3	8 90	9 40	9 85	75	85		03
Group 4	9 05	9 55	10 00	75	85		03
Group 5	9 20	9 70	10 15	75	85		03
Group 6	9 45	9 95	10 40	75	85		03
Group 7	9 70	10 20	10 65	75	85		03

*ZONE 1: Within a 15 mile radius from the center of the following Cities: Coeur d' Alene and Lewiston, Idaho; and Spokane, Washington
*ZONE 2: From a 15 to 45 mile radius from the center of the aboved named Cities
*ZONE 3: Over a 45 mile radius from the center of the above named Cities

POWER EQUIPMENT OPERATORS (Area 2)
(Remaining Counties and that portion of Idaho County South of the 46th Parallel)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
Group 1	$7 40	50	65		10
Group 2	7 56	50	65		10
Group 3	7 88	50	65		10
Group 4	8 19	50	65		10
Group 5	8 36	50	65		10
Group 6	8 54	50	65		10
Group 7	8 95	50	65		10
Group 8	9 18	50	65		10
Group 9	9 41	50	65		10
Group 10	9.65	50	65		10

TRUCK DRIVERS (AREA 1)
(Benewah, Bonner, Boundary, Clearwater, Kootenai Latah Lewis, Nez Perce Shoshone and that portion of Idaho County North of the 46th Parallel)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Educati n and/or Appr Tr
Group 1	$8 48	92	75		
Group 2	8 53				
Group 3	8 58	92	75		
Group 4	8 68	92	75		
Group 5	8 88	92	75		
Group 6	8 93	92	75		
Group 7	8 98	92	75		
Group 8	9 03	92	75		
Group 9	9 13	92	75		
Group 10	9 18	92	75		
Group 11	9 48	92	75		
Group 12	9 63	92	75		
Group 13	9 78	92	75		
Group 14	9 93	92	75		

TRUCK DRIVERS (AREA 2)
(Remaining Counties and that portion of Idaho County South of the 46th Parallel)

Group 1	7 10	55	55	20	10
Group 2	7 16	55	55	20	10
Group 3	7 22	55	55	20	10
Group 4	7 28	55	55	20	10
Group 5	7 33	55	55	20	10
Group 6	7 54	55	55	20	10
Group 7	7 60	55	55	20	10
Group 8	7 66	55	55	20	10
Group 9	7 77	55	55	20	10
Group 10	7 83	55	55	20	10
Group 11	7 89	55	55	20	10
Group 12	7 95	55	55	20	10
Group 13:					
Class A	7 43	55	55	20	10
Class B	7 54	55	55	20	10
Class C	7 77	55	55	20	10
Class D	7 95	55	55	20	10
Class E	8 06	55	55	20	10
Class F	8 18	55	55	20	10
Class G	8 51	55	55	20	10
Class H	8 74	55	55	20	10
Class I	8 97	55	55	20	10
Group 14	8 39	55	55	20	10

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LABORERS (AREA 1)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 1: Brush Hog Feeder; Carpenter Tender; Concrete Crewman (to including stripping of forms, hand operating jacks on slip form con struction, application of concrete curing compounds, pumpcrete ma chine, handling the nozzle of squeezecrete or similar machine 6' and smaller); Concrete Signalman; Crusher Feeder; Demolition (to include clean up, burning, loading, wrecking and salvage of all material); Driller Helper; Dumpman; Fence Erector (to include guard rails, guide and reference posts, sign posts, and right of way markers); General Laborer; Grout Machine Header Tender; Nipper; Rip rap Man; Scaleman; Stake Jumper; Structural Mover (to include separating foundation preparation, cribbing, shoring, jacking and unloading of structure); Tailhoseman (water nozzle); Track Laborer (RR); Truck Loader; Timber, Bucker and Faller (by hand); Window Cleaner (prior to completion of construction)

Group 2: Cement Finisher Tender; Cement Handler; Demolition Torch; Dope Pot Fireman, non mechanical; Form Cleaning Machine Feeder, Stacker; Form Setter, paving; Driller Helper (when required to move and position machine); Nozzleman, water and air or steam; Pipe Layer, corrugated metal culvert; Pipewrapper; Pot Tender; Powderman Helper; Power Tool Operator, gas, electric, pneumatic; Sandblast Tailhoseman; Scaffold Erector, wood or steel; Railroad Equipment, power driven, except dual mobile power spiker or puller; Rodder and Spreader; Wheelbarrow, power driven; Well-point Man; Vibrator up to 4"

Group 3: Asphalt Raker; Asphalt Roller, walking; Chain Saw Operator with attachments; Concrete Saw walking; Grade Checker, using level; Jack-hammer Operator; Multi section Pipe Layer; Nozzleman (to include squeeze and flowcrete nozzle); Pavement Breaker; Power Buggy Operator; Railroad Power Spiker or Puller, dual mobile; Tamper (to include operation of Barco, Essex and similar tamper and pavement breakers); Trencher, Shawnee; Water Pipe Liner; Wagon Drills

Group 4: Chain Saw (faller); Laser Beam Operator; Pipe Layer (Caulker, Coleman, Jointer, Mortarman, Rigger, Jacker, Shoere and Lagger but not including laying corrugated metal culvert pipe)

Group 5: Concrete Stack; Mortar Mixer

Group 6: Caisson Worker, free air; High Scaler

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LABORERS (AREA 1 (Cont d)

Benewah, Bonner, Boundary, Clearwater, Kootenai Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 7: Brush Machine (to include Horizontal Construction Joint Clean up Brush Machine, power propelled); Drills (to include Down the hole Drilles with 3½ inch piston or larger and Out of the hole Drills with 4½ inch piston or larger); Gunnite (to include operation of machine and nozzle); Hod Carrier; Monitor Operator, Air Track or similar mounting; Nozzleman (to include Jet Blasting Nozzleman over 1,200 pounds, Jet Blast Machine, power propelled, Sand Blast Nozzle); Vibrator, 4 inches and over

Group 8: Air Track Drills with Dual Masts and Drills; Powderman

TUNNEL AND SHAFT, FREE AIR

Group 9:
Class A: Bull Gang, Pump Crete Crewman including distributing pipe, assembling and dismantle and nipper
Class B: Brakeman, Dumpman
Class C: Miner and Nozzleman for concrete and laser Beam Operator on tunnels
Class D: Raise and Shaft Miner and Laser Beam Operator on raises and shafts

LABORERS (AREA 2)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 1: General Laborers Sloper, Clearing and Grading; Form Stripper; Concrete Crew; Concrete Curing Crew; Carpenter Tender; Asphalt Laborer; Hopper Tender; Flagman, (including Pilot Car Watchman, Heater Tender; Stake Jumper, Choker Setter; Spreader and Welfsman; Power Wheelbarrow; Scouring Concrete; Rip Rap Man (hand placed : Fence Erector and Installer - manual or mechanical (includes the installation and erection of fences, guard rails, median rails reference posts, guide posts and right of way markers); Crusher Helper; Cribbing and Shoring (in open ditches); Machinery and Parts Cleaner; Leverman - manual or mechanical; Demolition - salvage; Landscaper; Tool Room Man; Janitor

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LABORERS (AREA 2) (Cont d)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 2: Chuck Tender; Driller Helper; Air Tampers; Gunite Nozzleman Tender; Pipewrapper Tar Pot Tender; Concrete Sawyer; Signalman, handling cement; Dumpman; Steam Nozzleman; Air and Water Nozzleman (Green Cutter concrete); Vibrator (less than 4"); Pumpcrete and Grout Pump Crew; Hydraulic Monitor

Group 3: Pipelayer, including sewer drainage, sprinkler systems and water lines; Free Air Caisson; Jackhammer; Paving Breaker; Powderman Helper; Asphalt Raker, Gasoline Powered Tamper; Electric Ballast Tamper; Sand Blasting Form Setter - airport paving; Gunman (gunite); Manhole Setter; Hand Guided Machines, such as Roto Tillers, Trenchers Post Hole Diggers, Walking Garden Tractors etc ; Form Setter (highway curb and gutter); Vibrator (4" and over); Timber Faller and Bucker; Metal Pan Installer

Group 4: Hod Carrier; Mason Tender; Plaster Tender; Mason Tender (concrete); Terrazzo Tile Tender

Group 5: Highscaler; Wagon Drill; Grade Checker; Gunite Nozzleman; Diamond Drillers on Drills

Group 6: Drill with Manufacturers rating 3 or over

Group 7: Powderman

UNDERGROUND WORK

Group 8: Reboundman; Chucktender; Nipper; Dumpman; Vibrator (less than 4"); Brakeman; Muckers; Bull Gang

Group 9: Form Setter and Mover

Group 10: Miners; Machinemen; Timbermen; Steelmen; Drill Doctors; Spaders and Tuggers; Spiling and/or Caisson Workers, Vibrator (on 4)

POWER EQUIPMENT OPERATORS (AREA 1)

Benewah, Bonner, Boundary Clearwater, Kootenai, Latah Lewis Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 1: Bit Grinders; Bolt Threading Machine; Compressors, under 2 000 cu ft per minute gas, diesel or electric power; Crusher Feeder (mechanical); Deckhand; Drillers Helper; Fireman and Heater Tender; Grade Checker; Helper (mechanic or welder H D); Oiler; Oiler and Cable Tender, Mucking Machine; Pumpman; Rollers all type on subgrade (farm type Case, John Deere and similar - or compacting or vibrator) except when pulled by dozer with operable blade; Steam Cleaner; Welding Machine

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POWER EQUIPMENT OPERATORS (AREA 1) (Cont d)

Benewah Bonner Boundary Clearwater Kootenai Latah Lewis Nez Perce Shoshone and that portion of Idaho County North of the 46th Parallel

Group 2: A Frame Truck (single drum); Assistant Refrigeration Plant (under 1,000 tons); Assistant Plant Operator Fireman or Pugmixer (asphalt); Bagley or Stationary Scraper; Batch Plant and Wet Mix Operator, single unit (concrete); Belt Finishing Machine; Bending Machine (pipeline); Blower Operator (cement); Cement Hog; Compressor (2 000 cu ft. or over 2 or more gas, diesel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Elevator Hoisting materials; Dope Pots (power agitated); Fork Lift or Lumber Stacker Hydra lift and similar; Gin Trucks (pipeline); Hoist, single drum; Loader (Bucket Elevators and Conveyors); Longitudinal Float; Mixer (portable concrete); Pavement Breaker (Hydra hammer and similar); Post Hole Auger or Punch; Power Broom; Railroad Ballast Regulation Operator, (self propelled); Railroad Power Tamper Operator (self-propelled); Railroad Power Tamper Jack Operator (self propelled); Spray Curing Machine (concrete); Spreader Box (self propelled); Straddle Buggy (Ross and similar on construction job site); Tractor (farm type R/T with attachments except Backhoe); Tugger Operator; Ditch Witch or similar

Group 3: A Frame Truck (2 or more drums); Assistant Refrigeration Plant and Chiller Operator (over 1,000 tons); Backfillers (Cleveland and similar); Belt crete Conveyors with Power Pack or similar; Belt Loader (Kocal or similar); Blade operator (motor patrol and attach ments); Boat Operators; Boom Cats (side); Boring Machine (earth); Boring Machine (rock under 8 bit)(Quarry Master, Joy or similar); Bump Cutter (Wayne, Saginaw or similar); Canal Linning Machine (Con crete); Chipper (without crane); Cleaning and Doping Machine (pipe line); Concrete Pumps (squeeze crete flow crete, pumpcrete Whitman and similar); Drills (Churn, Core, Calyx or Diamond); Elevating Belt type Loader (Euclid Barber Greene or similar) Elevating Grader type Loader (Dumor, Adams or similar); Equipment Serviceman Greaser and Oiler; Generator Plant Engineers (diesel electric); Gunite Combination Mixer and Compressor; Hoist (2 or more drums or tower hoist); Loaders (overhead and front end under 4 yards R/T); Locomotive Engineer; Mixer mobile; Mucking Machines; Power or Curb Extruder (asphalt and concrete); Pump (Grout or Jet); Rollerman (finishing pavement); Rubber tired Scraper (one motor with one scraper under 40 yards); Screed Operator; Soil Stabilizer (P & H or similar); Spreader Machine; Tractor (Crawler including Dozer, Scraper, Drills, Booms, Rollers, etc); Traverse Finishing Machine; Trenching Machines (under 7 feet depth capacity); Turnhead Operator; Vacuum Drill (reverse circulation drill under 8")

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POWER EQUIPMENT OPERATORS (AREA 1) (Cont'd)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 4: Asphalt Plant Operator; Crusher, Grizzle and Screening Plant Operator; H. D Mechanic; H. D. Welder; Refrigeration Plant Engineer (under 1,000 ton); Rubber tired Scraper, Multi engine power, with one scraper (Euclid, TS 24 and similar); Rubber tired Scrapers, one motor with one scraper (40 yards and over); Surface Heater and Planer Machine; Turnhead (with no screening)

Group 5: Automatic Subgrader (ditches and trimmers) (Autograde, ABC, R A Hansen and similar on grade wire); Backhoes (under 3 yards); Batch and Wet Mix Operator multiple units (2 and including 4); Chipper (with crane); Clamshell Operator (under 3 yards); Concrete Slip Form Paver; Cranes all (under 65 tons); Derricks and Stifflegs (under 65 tons); Draglines (under 3 yards); Drilling Equipment (8" bit and over)(Robbin's Reverse Circulation and similar); Loader Operator (Front End and Over head - yards to 8 yards); Piledriving Engineers; Paver (dual drum); Quad-track or similar equipment; Railroad Track Liner Operator (self-propelled); Rubber tired Scrapers, multi-engine, power with one scraper (Euclid, TS 24 and similar); Push Pull or Help Mate in use; Rubber-tired scrapers, multiple engines with two scrapers; Shovels (under 3 yards); Refrigeration Plant Engineer (1,000 tons and over); Signalmen (Whirleys, Highline Hammerheads or similar); Trenching Machines (7 feet depth and over); Multiple Dozer units with single blade

Group 6: Backhoes (3 yards and over); Batch Plant (over 4 units); Cable way Controller - Dispatcher; Cableway Operator; Clamshell Operator (3 yards and over); Cranes, all - 65 tons and over; Derricks and Stiffleg (65 tons and over); Draglines (3 yards and over); Elevating Belt (Holland type); Loader (360 degrees revolving Kochring Scooper or similar); Loaders (overhead and front end over 8 or 12 yards); Rubber tired Scrapers (multiple engine with trees or more scrapers); Shovels (3 yards and over); Tower Crane; Whirleys and Hammerheads (all)

Group 7: Helicopter Pilot; Loaders (overhead and front end - over 12 yards)

POWER EQUIPMENT OPERATORS (AREA 2)

Remaining Counties and that portion of Idaho County, South of the 46th Parallel

Group 1: Brakemen; Crusher; Plant Feeder (mechanical); Deckhand; Drill Helpers; Grade Checkers; Heater Tender; Land Plane; Oilers; Pumpman; Rear Chainman

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POWER EQUIPMENT OPERATORS (AREA 2) (Cont'd)

Remaining Counties and that portion of Idaho County, South of the 46th Parallel

Group 2: Air Compressor; Assistant Refrigeration Plant Operator; Bell Boy; Bit Grinder Operator; Blower Operator (cement); Bolt Threader Machine Operator; Broom; Cement Hog; Concrete Mixer; Concrete Saw Multiple Cut; Discing Harrowing or Mulching (regardless of motive power); Distributor Leverman; Drill Steel Threader Machine Operator; Fireman all; Heavy Duty Mechanic Helper or Welder Helper; Head Chainman; Hoist single drum; Hydraulic Monitor Operator skid mounted; Oiler (single piece of equipment); Pugmixer box or screed Operator; Spray Curing Machine; Tractor rubber tired farm type using attachments

Group 3: A Frame Truck (Hydra Lift, Swedish Cranes, Ross Carrier, Hyster on construction jobs); Battery Tunnel Locomotive; Belt Finishing Machine; Cable Tenders (underground); Chip Spreader Machine (self-propelled); Hoist 2 or more drums or Tower Hoist; Hydralift Fork Lift and similar (when hoisting); Oilers (underground); Power Loader (Bucket Elevator, Conveyors); Rodman; Road Roller (regardless of motive power)

Group 4: Boring Machine (earth of rock) Quarry Master Joy - Tractor mounted; Drills: Churn - Core - Calyx or Diamond, Front End and Over-head Loaders and similar machines - (up to and including 4 yards) -(Rubber-tired); Grout Pump; Hydra hammer; Instrument Man; Locomotive Engineer; Longitudinal Float Machine Mixermobile; Spreader Machine; Tractor - Rubber tired - using Backhoe, Transverse Finishing Machine, Trenching Machines, Waggoner Compactor and similar, Asphalt Spreaders

Group 5: Concrete Plant Operator; Concrete Road Paver (dual); Elevating Grader Operator; Euclid Elevating Loader; Generator Plant Operator - Mechanic (diesel electric) ; Post Hole Auger or Punch Operator; Power Shovels and Draglines - under 1 yard; Pump crete; Refrigeration Plant Operator; Road Roller (Finishing High Type Pavement); Skidder - rubber-tired; Subgrader; Multiple Station Beltline Operator (Teton Dam Project only); Service Oiler

Group 6: Asphalt Pavers - self-propelled; Asphalt Plant Operator; Blade Operator (motor patrol); Concrete Slip Form Paver; Cranes - up to and including 50 ton; Crusher Plant Operator; Derrick Operator; Drilling Equipment (Bit under 8 inches) (Robbins Reverse Circulation and similar); Front End and Overhead Loaders and similar Machines (over 4 yards to and including 7 yards); Kochring Scooper; Heavy Duty Mechanic or Welder; Mucking Machine (underground); Multi batch Concrete Plant Operator; Pile driver Engineer; Power Shovels and Draglines (1 yard to and including 3½ yards); Tower Crane Operator; Tractor - Crawler type - including all attachments; Refrigeration Plant Operator (over 1,000 tons); Trimmer Machine Operator; Tournapulls - Euclid and similar to and including 40 yards

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POWER EQUIPMENT OPERATORS (AREA 2) (Cont d)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 7: Cableway Operator; Continuous Excavator (Barber Greene WL-50); Cranes - over 50 ton Dredges; Drilling Equipment (Bit 8 inches and over); (Robbins Reverse Circulation and similar); Fine Grader - CMI or Equivalent; Front End and Overhead Loaders and similar Machines - (over 7 yards); Power Shovels and Draglines over 3½ yards; Quad type Tractors with all attachments, Tournapulls Euclid and similar over 40 yards to and including 50 yards; Multipel Scraper Units

Group 8: Tournapulls Euclid and similar over 50 yards to and including 75 yards

Group 9: Tournapulls Euclid and similar - over 75 yards to and including 100 yards

Group 10: Tournapulls Euclid and similar over 100 yards

TRUCK DRIVERS (AREA 1)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 1: Flat Bed Truck, Single rear axle; Escort Driver; Fish Truck; Fork Lift, 3,000 pounds and under; Fuel Truck Driver (steam cleaner and washer); (Helper and Swamper; Leverperson loading trucks at bunkers; Pickup hauling material; Seeder and Mulcher; Stationary Fuel Operator; Team Driver; Tractor (small rubber tired pulling trailer or similar equipment); Water Tank Truck 1 800 gallons

Group 2: Bus Driver or Employeehaul Driver; Flat Bed Truck, dual rear axle; Power Boat hauling employees or material; Tireperson No 1; Warehouseperson

Group 3: Buggy Mobile and similar; Bulk Cement Tanker; Oil Tank Driver; Power Operated Sweeper; Semi trailer, Low Bed, Truck and Trailer; Straddle Carrier (Ross, Hyster and similar); Transit Mixers and Trucks hauling concrete (3 yards and under); Trucks, side, end, and bottom dump (under 6 yards); Water Tank Truck (1,801 - 4,000 gallons)

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TRUCK DRIVERS (AREA 1) (Cont d)

Benewah Bonner Boundary Clearwater Kootenai Latah Lewis Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 4: Auto Crane 2,000 pounds capacity; Bulk Cement Spreader; Dumptor (6 yards and under); Flaherty Spreader, Box Driver; Flat Bed Truck (using power take off); Fork Lift (over 3,000 pounds); Oil Distributor Driver (road, bootperson, leverperson helper); Rubbertired Tunnel Jumbo; Scissor Truck; Slurry Truck Driver; Transit Mixers and Trucks hauling concrete (over 3 yards to 6 yards); Water Tank Truck (4 001 6,000 gallons); Wrecker and tow trucks

Group 5: Low Boy (under 50 tons); Service Greaser Tireperson No 2; Truck, side, end and bottom dump (over 6 yards to 12 yards)

Group 6: A Frame (Swedish Crane, Iowa 3,000, Hydrolift); Water Tank Truck (over 6,001 8 000 gallons)

Group 7: Dumptor (over 6 yards); Transit Mixers and Trucks hauling concrete (6 yards to 10 yards); Trucks, side, end, and bottom dump (over 12 yards including 20 yards)

Group 8: Low Boy (over 50 tons); Water tank truck (8,001 10 000 gallons)

Group 9: Transit Mixers and Trucks hauling concrete, (10 yards to 15 yards); Trucks, side, end and bottom dump (over 20 yards including 30 yards); Water Tank Trucks (10,001 - 12,000 gallons)

Group 10: Mechanic, field

Group 11: Tournarocker D W s and similar, with 2 or 4 wheel power tractor with trailer, gallonage or yardage scale which is greater; Transit mixers and Trucks hauling concrete (15 yards to 20 yards); Trucks, side, end and bottom dump (over 30 yards to 40 yards); Water Tank Truck (12 001 14,000 gallons)

Group 12: Transit Mixers and Trucks hauling concrete (over 20 yards); Trucks side, end and bottom dump (over 40 yards to 50 yards)

Group 13: Truck, side end and bottom dumps, (over 50 yards to 100 yards)

Group 14: Helicopter Pilot hauling employees or material; Trucks side end and bottom dump (over 100 yards)

TRUCK DRIVERS (AREA 2)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 1: Leverman loading at bunkers; Pilot Car or Escort Driver

Group 2: Flat Bed - 2 axle and pickup hauling material; Water Tank Truck (1,800 gallons and under); Fork Lift (3,000 and under)

DECISION NO 1D75-5140

TRUCK DRIVERS (AREA 2) (Cont d)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 3: Flat Bed 3 axle, Fuel Truck (1,000 gallons and under); Greaser; Tireman; Serviceman; Buggymobile; Man Haul (Shuttle Truck or Bus)

Group 4: Transit Mix Truck 3 yards and under; Warehouseman; Truck Helpers; Slurry or concrete pumping truck

Group 5: Flat Bed using power takeoff; Water Tank Truck (over 1,800 - 4,000 gallons); Semi trailer Low Boy - up to 96,000 lbs GVW, Bulk cement tanker up to 69,000 lbs GVW; Fork Lift - over 3,000 lbs (Bull lift, Hydro lift); Ross, Hyster and similar straddle equipment; "A" Frame truck (Swedish Crane, Iowa 3,000, Hydro lift)

Group 6: Transit Mix Truck, over 3 yds - 6 yds

Group 7: Water Tank Truck - over 4,000 gallons; Fuel Truck over 1,000 gallons; Distributor or Spreader Truck

Group 8: Transit Mix Truck - over 6 yds - 8 yds ; Dumptors; Field Tireman; Serviceman

Group 9: Transit Mix Truck - over 8 yds - 10 yds ; Snow Plow (Truck mounted)

Group 10: Low Boy - 96,000 lbs GVW and over; Bulk Cement Tanker - 96,000 lbs GVW and over

Group 11: Transit Mix Truck - over 10 yds

Group 12: Turnarocker and similar equipment

Group 13: Truck - side, end and bottom dump
Class A: 6 yards and under
Class B: Over 6 yards - including 12 yards
Class C: Over 12 yards - including 20 yards
Class D: Over 20 yards - including 30 yards
Class E: Over 30 yards - including 40 yards
Class F: Over 40 yards - including 50 yards
Class G: Over 50 yards - including 75 yards
Class H: Over 75 yards - including 100 yards
Class I: Over 100 yards

Group 14: Truck Mechanic

STATE: Mississippi COUNTY Statewide *See below
DECISION NUMBER: MS75-1114 DATE: Date of Publication
Supersedes Decision No : MS75-1067 dated July 3, 1975 in 40 FR 28354
DESCRIPTION OF WORK: Highway, Sewer Line and Water Line Construction,

	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air tool operator	3 00	3 00	3 40	3 00	3 50	3 35
Asphalt raker	2 50	2 50	3 00	2 75	2 90	3 00
Bricklayers	5 50	5 50	5 00	5 50	5 00	5 50
Carpenters	4 00	4 00	4 00	4 00	4 00	4 50
Carpenters helper	3 00	3 03	3 11	3 00	3 50	3 50
Cement masons (Finisher)	3 75	4.00	4 00	3 80	4 00	4 15
Concrete saw operator	3 25	3 25	3 25	4 00	3 25	5 00
Electricians	5 50	6 00	7 00	6 50	6 00	6 00
Form setter	3 95	3 25	3 25	3 00	3 25	3 25
Grade checker	3 25	2 50	2 70	2 50	3 00	3 00
Ironworkers, reinforcing	3 75	3 75	3 75	3 75	4 00	4 50
Ironworkers, structural	3 00	3 75	3 00	3 00	3 00	3 50
Laborer, unskilled	2 30	2 30	2 30	2 30	2 30	2 30
Mason tender (Cement mason helper)	3 00	3 00	2 95	3 00	3 00	3 00
Painter (Structural steel)	4 00	3 50	4 00	4 00	4 00	4.00
Piledriverman	3 00	3 00	3 00	3 00	4 00	4 50
Truck driver	2 50	2,50	2 70	2 50	2 50	5 00
Tugboat operator						3 00
Welder	4 00	3 50	3 50	3 50	3 50	4 00
POWER EQUIPMENT OPERATORS:						
"A" frame truck (winch)			5 00		3 00	4 50
Aggregate spreader operator	3 25	3 00	3 50	3 00	2 90	3 50
Air compressor operator	3 25	3 25	3 00	3 00	3 50	3 00
Asphalt distributor-spreader operator	3 25	3 00	3 50	3 00	3 00	3 30
Asphalt plant	3 00	3 00	3 00	3 00	3 25	3 75
Backhoe or shovel operator	4 00	3 50	3 85	3 55	3 75	4 00
Bulldozer operator	4 00	3 75	4 00	4 00	4 00	4 00
Concrete batch plant operator	4 00	4 00	4 00	3 10	3 50	3 75
Concrete breaker & hydo-hammer operator	2 50	2 50	2 50			
Concrete finishing machine operator	4 00	3 50	3 50	4 00	3 75	3 50
Concrete paving machine operator	3 50	3 50	3 50	3 50	3 25	3 50
Concrete spreader machine operator	3 00	3 00	4 25	3 25	3 00	3 00
Crane, dragline operator	4 25	4 50	4 75	4 25	4 30	5 00
Crusher feeder operator		3 00	3 00	3 50	3 25	3 25
Curing machine operator	3 00	3.00	3 00	3 00		3 00
Earth auger	3 00	3 00	3 50	3 00	3 25	4 00
Fireman	3 00	3 00	3 45	3 00	3 00	3 00
Guard rail post driver		3 50	3 50		3 50	3 00
Joint filler	2 50	2 50	2 50		3 00	3 00
Joint setter	2 50		3 50	3 00	3 00	
Loader operator (all types)	3 00	3 50	3 50	3 00	3 30	3 50
Mechanic	4 20	4 00	4 00	3 85	4 00	4 50
Mechanic helper	3 00	3 25	3 50	3 00	3 50	3 00
Mixer operator (all types)	3 50	3 00	3 25	3 00	3 00	3 00
Motor patrol operator	4 00	3 90	4 25	4 00	4 00	4 00
Mulcher operator	3 25	2 75	2 75	2 75	2 75	2 75
Oiler-greaser	3 00	3 20	3 00	3 00	3 15	3 00
Piledriver operator	3 50	3 75	4 25	4 25	4 50	4 25
Pipelayer	3 50	4 00	3 10	3 00		3 30
Roller operator (self-propelled)	2 75	2 75	3 00	2 90	2 95	3 00
Scales (all types)	2 50	2 50	3 25	2 50	2 60	2 90
Scraper operator	4 00	3 50	4 00	3 50	3 95	3 75
Steel machine operator			2 50			
Striping machine operator	4 25	4 25	4 00	4 25	4 00	4 00
Sub grader machine operator	3 15					3.60
Tractor operator (track type)	3 00	3 00	4 00	3 00	3 25	3:00
Tractor operator (wheel type)	2 75	2 75	2 75	2 75	2 75	2 75
Trenching machine	3 00	4 00	3 00	3 00	3 00	3 25

COUNTIES:

*ZONE I: Alcorn, Benton Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe Okitbbeha, Pontotoc, Prentiss Tippah, Tishomingo, Union and Webster

*ZONE II: Bolivar, Carroll, Coahoma, DeSoto Grenada Leflore Montgomery, Panola Quitman, Sunflower, Tallahatchie, Tate, Tuncia, Washington, and Yalobusha

*ZONE III: Claiborne, Copiah, Hinds Holmes, Humphreys, Issaquena Madison, Rankin, Sharkey Simpson, Warren and Yazoo

*ZONE IV: Attala, Clarke, Jasper, Kemper, Lauderdale Leake Neshoba, Newton Noxubee, Scott, Smith and Winston

*ZONE V: Adams, Amite, Covington Forrest, Franklin, Greene, Jefferson, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln Marion, Perry, Pike Walthall, Wayne, and Wilkinson

*ZONE VI: George, Hancock, Harrison Jackson Pearl River and Stone,

SUPERSEDEAS DECISION

STATE: Nebraska

COUNTIES: Cedar, Cuming, Pierce, Stanton and Wayne Counties

DECISION NO. NE75 4202

DATE: Date of Publication

Supersedes Decision No AQ 93 dated May 3, 1974 in 39 FR 15653

DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including four (4) stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
Bricklayers	$6 50				
Carpenters	5 26				
Cement Masons	4 00				
Drywall Tapers	3 50				
Electricians	5 39				
Glaziers	5 90				
Ironworkers	3 04				
Laborers:					
common laborers	3 04				
Painters, brush	3 40				
Plumbers	5 00				
Roofers	7 43				
Sheet Metal Workers	4 96				
Truck Drivers	3 00				
Power Equipment Operators:					
Air Compressor	3 04				
Bulldozer	3 04				
Cranes	4 50				
Front end loader, under 3/8 cubic yd	3 85				
Graders	3 10				
Crawler tractor with scoop	3 04				
Scraper	3 25				
Finishing Machine	4 25				
Trenching Machine	4 50				

SUPERSEDEAS DECISION

STATE: NEW YORK

COUNTIES: BRONX, KINGS QUEENS NEW YORK & RICHMOND

DECISION NO : NY75 3115

DATE: DATE OF PUBLICATION

Supersedeas Decision No. NY 2101 dated December 27 1974 in 39 FR 44925

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) heavy and highway construction

3-24-31-41-43-New York-1-2-3-K 1 of 4

BUILDING HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H&W	P I	V H	App T
Asbestos workers	$9 70	60	1 60	1 17	
Boilermakers	10 57	5%	5%+10%	7%	02
Bricklayers	10 75	78	2 92	30	
Carpenters, Building:					
Carpenters, soft floor layers	10 39	1 10	1 68	60	02
Millwrights	10 39	1 10	1 68	60	02
Dock builders & piledrivermen	10 39	1 10	1 68	60	02
Carpenters, Heavy					
Carpenters	10 39	1 10	1 68	60	02
Dock builders & piledrivermen	10 39	1 10	1 68	60	02
Timbermen	9 45	1 10	1 68	60	02
Cement masons	9 35	1 005	1 505	1 00	01
Electricians and linemen	11 50	o	1%+a	b+5 7%	
Elevator constructors	9 52	445	29+ j	c + d	02
Elevator constructors' helpers	7 14	445	29+ j	c + d	02
Elevator constructors' helpers (prob)	4 76				
Elevator constructors modernization	8 75	445	29+ j	c + d	02
Elevator constructors modernization helpers	6 56	445	29+ j	c + d	02
Elevator constructors repair	7 90	445	29+ j	c + e	02
Elevator constructors repair's helpers	5.92	445	.29+ j	c + e	02
Glaziers	9 10	66	46+1 20	365	03
Ironworkers:					
Structural	10 55	1.00	2 40	1 20	04
Ornamental finisher	9 24	63	2 20	73	03
Reinforcing	9 10	785	655+1 10	75	01
Laborers:					
Asphalt rakers	8 93	1 10	95	m	
Asphalt tampers	8 72	1 10	95	m	
Asphalt laborers	8 70	1 10	95	m	
Blasters (Hwy)	8 59	805	1 335	c + .65	
Cement concrete workers	8 00	1 30	1 41	1 20	
Curb setters flaggers (Hwy)	10 49	1 05	95	e	
Form setters (Hwy)	9 84	1 10	95	m	
Laborers, puddlers concrete rakers (Hwy)	8 77	1 10	95	m	
Laborers, (Bldg , & Hwy)	3 15	1 30	1 41		
Mason tenders	8 30	687	1 295		
Pneumatic gas electric tool op (Hvy)	7 46	805	1 335	65+e	
Laborers Demolition:					
Burner	9 00	0%	8%	35	
Burner helpers	8 70	6%	8%	35	

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3-24-31-41-43-New York-1-2-3-K

Laborers: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H&W	P I	V H	App Tr
Pavers (Hwy)	$10 90	1.10	95	e	
Plasterers' helpers (Kings)	8 05	1 60		80	
Plasterers' helpers (Queens)	9 45	1 40		1 00	
Plasterers' helpers (NY Bronx-Richmond)	7 90	.90	60	35	01
Power carriers (Hvy)	6 77	805	1 335	65	
Rammers (Hwy)	10 06	1 05	95	e	
Wagon drills (Hvy)	7 62	805	1.335	65+c	
Lathers, metallic	9 10	785	.65+1.10	75	01
Lathers, nail on (King & Queens)	8 40	655	1 655	70	01
Lathers, nail on (NY Bronx-Richmond)	6 75		25		01
Lead burners	9 25	35			01
Marble setters:					
Carvers	7 55	63	1 41		
Cutters, setters	8 00	63	1 41		
Sawyers, rubbers, polishers	7 17	63	1 41		
Crane operators & derrickmen	6 93	63	1 41		
Crane operators helpers	6 93	63	1 41		
Painters:					
Brush	8 50	63	55+g	25	
Spray, spray gun and scaffold work	10 32	.63	55+g	25	
Structural steel	7 50	8%	11%		
Structural steel spray	8 50	8%	11%		
Plasterers:					
Kings	8 05	95		1 40	01
Queens	8 70	1 00	20	1 30	01
Bronx-NY-Richmond	8 90	1 10	80	90	01
Plumbers:					
Manhattan and Bronx	9 25	1 07	1 00+ 86	72	06
Kings Queens	9 36	65	1 19+h	89	11
Richmond	9 55	60	1 55+i	1 02	25
Roofers:					
Composition, damp & waterproofers	9 00	1 44	2 20	63	
Slate tile (Kings Queens)	6 45	8%	50	5%	
Slate tile helpers (Kings Queens)	5 13	8%	50	5%	
Slate-tile (bronx NY-Richmond)	8 84	50	2 20	63	
Slate-tile helpers (Bronx-NY-Richmond)	7 10	50	80	80	
Sheet metal workers	11 17	597	927	387	02
Sprinkler fitters	8 655	1 90	13%	10%	05
Steamfitters	8 655	1 90	13%	10%	05

NY75 3115

3-24-31-41-43-New York-1-2-3-K

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pnsn	Vac'n	Apprtc
Stonemasons	$10 25	.50	1 00		
Stone derrickmen & riggers	10 55	74	77		01
Terrazzo workers	9 10	62	1.95		
Terrazzo workers' helpers	7 43	925	475		
Terrazzo workers, machine operator	7 68	925	475		
Tile setters	8 40	75	1 95		
Tile setters' helpers	7 74	50	1 27		
Tuckpointers:					
Steam cleaners	8 97	70	1 44	50	015
Waterproofers	8 72	70	1 44	50	015
Sandblasters	9 72	70	1 44	50	015
Truck Drivers: Building					
Ready mix concrete, sand, gravel and asphalt	8 02	73¼	1 58¼	k+1	
Euclids and turnapull operator	8 075	73¼	1 58¼	k+1	
4 wheel trucks, hi lo lift op	6 775	73¼	1 58¼	k+1	
Helpers & yardmen	6 525	73¼	1 58¼	k+1	
Welders - 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 contributes $7 00 per day to Annuity and Security Benefit Fund
b Holidays: A through F; Election Day; Employee's Birthday
c Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Columbus Day; Election Day; Armistice Day
d Employees with 6 months or more but less than 5 years service receive 2 weeks vacation, 5 or more years of service receive 3 weeks
e Employees with 6 months or more but less than 5 years service receive 2 weeks vacation, 5 or more years but less than 15 years receive 3 weeks, 15 or more years receive 4 weeks
f. Holidays: A through F; Washington's Birthday; Christmas Eve and Good Friday, providing employee has worked 15 full days during the 120 calendar days prior to the holiday, and regular schedule work days immediately preceding and following the holiday

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

FOOTNOTES: (Cont'd)

g $3 50 per day contribution for each men to a special annuity fund
h Employer contributes $ 857 to a Security Benefit Fund
i Employer contributes $.43 per hour to a Security Benefit Fund
j Employer contributes $7 00 per day to an Annuity Fund
k Holidays: A through F, Lincolh's Birthday; Washington's Birthday; Columbus Day; Election Day; Veteran's Day, providing the employee works two days in the calendar week in which the holiday falls and each remaining work day during such calendar week
l For each 15 days worked within the contract year an employee will receive one day's vacation with pay, with a maximum vacation of three weeks per year.
m Holidays: B, C, D & E, Election Day, Columbus Day, providing employee works at least 1 day in the week in which the holiday occurs
n Holidays: A through F
o Employer contributes 7 per cent to a combined Health & Welfare and Pension Fund
p Paid Holidays: New Year's Day, Christmas Day provided the employee works a full half-day preceding the holiday

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	P I	V c ti	App. T.	Oth rs
Double drum hoist	$11.07	5%	5%+.90	70 +a	02	
Stone derrick cranes, cherry picker	10.92	5%	5%+.90	70 +a	02	
Hoist, fork lifts, house cars, plaster (platform machine), plaster bucket plaster pumps compressors welding machines (cutting concrete-tank work), paint spraying, sand blasting, and all equipment used for hoisting material	10.50	5%	5%+.90	70 +a	02	
Cranes: All types - crawler or truck 100' to 149' boom	11.48	5%	5%+.90	70 +a	02	
150' to 249' boom	11.67	5%	5%+.90	70 +a	02	
250' to 349' boom	11.92	5%	5%+.90	70 +a	02	
350 to 450' boom	12.42	5%	5%+.90	70 +a	02	
Steel Erection: Three drum derricks	11.34	5%	5%+.90	70 +a	02	
Cranes 2 drum derricks cherry pickers	10.93	5%	5%+.90	70 +a	02	
Compressors, welding machines	9.54	5%	5%+.90	70 +a	02	
Tower Crane	11.25	5%	5%+.90	70 + a	02	

FOOTNOTES:

Paid Holidays: New Year s Day; Lincoln s Birthday; Washington s Birthday; Good Friday (Iron League only); Decoration Day; Independence Day; Labor Day; Columbus Day; Election Day; Armistice Day; Thanksgiving Day; and Christmas Day providing the employee is employed during the payroll week in which the holiday falls

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rate	Fringe Benefit Payment			
		H & W	P I	V ti	App T
Class 1	$11.05	5%	5%+a	70+b	05
Class 2	10.98	5%	5%+a	70+b	05
Class 3	10.77	5%	5%+a	70+b	05
Class 4	10.59	5%	5%+a	70+b	05
Class 5	10.28	5%	5%+a	70+b	05
Class 6	10.37	5%	5%+a	70+b	05
Class 7	10.13	5%	5%+a	70+b	05
Class 8	9.94	5%	5%+a	70+b	05
Class 9	9.90	5%	5%+a	70+b	05
Class 10	9.53	5%	5%+a	70+b	05
Class 11					
a	11.48	5%	5%+a	70+b	05
b	11.73	5%	5%+a	70+b	05
c	11.98	5%	5%+a	70+b	05
d	12.48	5%	5%+a	70+b	05
Class 12	10.80	5%	5%+a	70+b	05
Class 13	10.55	5%	5%+a	70+b	05
Class 14	10.38	5%	5%+a	70+b	05
Class 15	10.04	5%	5%+a	70+b	05

FOOTNOTES:

a Employer contributes $1.00 per hour to an annuity fund

b New Year's Day; Lincoln s Birthday; Washington s Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Election Day; Veterans' Day; Thanksgiving Day; Christmas Day providing the employee works one day in the payroll week in which the holiday occurs

POWER EQUIPMENT OPERATORS
HEAVY and HIGHWAY CONSTRUCTION

Class 1: Backhoes, Power shovels, Steel erection

Class 2: Mine hoist and cranes

Class 3: Gradalls Keystones, Cranes (on land or water with digging buckets including sand rock cranes, Bridge cranes, Clamshells, Drag lines, Trenching machines)

Class 4: Piledriving cranes (when driving piles), Piledriving rigs (when driving piles), Cranes (under direction of a dockbuilder foreman), Derrick boats, Tunnel shovels, Concrete Plant (on site only)

Class 5: Cherrypicker (20 tons and over)

Class 6: Tunnel mucking machines, Back filling machines, Cranes (including but not limited to those utilizing scale boxes and mucking buckets), Paver dual drums

Class 7: Elevator (manually operated), Pavers, Cableways, Land derricks, Power houses (which contain low air pressure units), Asphalt spreaders, Autogrades (C M I and machines of similar nature)

Class 8: Power houses (other than above), Portable compressors (used for steel erection), Compressors (3 or more in battery), Driving of truck mounted compressors, Double drum hoist, Concrete pumps, Well point pumps, Tugger machines (compressed air caissons), Drilled in caissons, Soil solidification equipment, Welding machines (used for steel erection)

Class 9: Rollers (irrespective of motor power), Concrete mixers

Class 10: River cofferdam pumps, Welding machine (1 operator 2 through 5 machines, 2 operators 6 through 10 machines except where ARC is operated by members of L 15), Concrete breaking machines, portable compressors (1 or 2 in battery not over 100' apart), High pressure boilers, Single drum hoist, Locomotives (over 10 tons), Push button machines, Stationary engineers (car, operating and maintenance of conveyor roller and plant equipment in asphalt plants)

POWER EQUIPMENT OPERATORS (Cont d)
HEAVY and HIGHWAY CONSTRUCTION

Class 11: Long Boom Land Cranes:

a	100'	149'
b	150	249'
c	250'	349'
d	350'	450'

Class 12: Junior engineers (when operating loaders rubber tired and/or tractor type with a manufacturer s minimum rated bucket capacity of 6 cubic yards and over)

Class 13: Junior engineers (when operating the following equipment and attachments): Scrapers, Turn a pulls, Tugger hoists (used exclusively for handling excavated material), Tractors (rubber tired and/or track type), Hysters and roustabout cranes, Back scratchers, Cherrypickers (all capacities, including the crew requirement for a manufacturer's minimum rated capacity of cherrypicker twenty tons and over), Austin Western and machines of a similar nature, Pasin machines, Stetco silent hoist and machines of a similar nature, Vac all, Meyers machines, John beam and machines of a similar nature, Bulldozers, Loaders (rubber tired and/or tractor type with a manufacturer's minimum rated bucket capacity or less than 6 cubic yards), Conveyors Motor graders, Curb and gutter pavers and machines of a similar nature, Ross carriers and travel lifts and machines of a similar nature

Class 14: Junior engineers when operating the following pieces of minor equipment: Tractors, Locomotives (10 tons and under), Post hole diggers, Ditch winch (walk behind), Motor generators, Road finishing machines, Mixers (16S and under with or without loading devices), Rollers (5 tons and under), Tugger hoists, Dual purpose trucks, Fork lifts, Dumpster dumpers, Firemen (tending to); Steam operated shovels, Power boilers, Steam operated pile drivers, Steam operated derrick boats, Steam operated water rigs

Class 15: Apprentice engineers and oilers (all gasoline, electric, diesel, or air operated), Shovels, Cranes, Draglines, Backhoes, Keystones, Grad alls, Pavers, Trenching machines, Concrete pumps, Gunite machines, Compressors (3 or more in battery), Power houses, there duties shall be to assist the engineer in oiling, greasing and repairing of all machines, giving signals when necessary, chaining buckets and scale boxes, driving truck cranes, driving and operating fuel and grease truck

SUPERSEDEAS DECISION

STATE: Virginia COUNTY: Henrico and the Independent City of Richmond

DECISION NO : VA75-3116 DATE: Date of Publication

Supersedes Decision No VA75-3006, dated January 3, 1975 in 40 FR 946

DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ASBESTOS WORKERS	$ 8 43	30	10		01
BOILERMAKERS	9 25	40	80		02
BRICKLAYERS & STONEMASONS	8 15	50	25		01
CARPENTERS & SOFT FLOOR LAYERS	7 60	30	30		01
CEMENT MASONS:					
Cement Masons	6 95				
Machine Men	7 05				
Scaffolds 30' & over	7 20				
ELECTRICIANS:					
Zone 1 - within a 12 air mile radius of Staples Mill Road & Broad Street in the City of Richmond	8 72	5%	1%		½ of 1%
Zone 2 - remainder of the city of Richmond & Henrico county	9 47	5%	1%		½ of 1%
ELEVATOR CONSTRUCTORS:					
Mechanics	7 65	445	29	3%+a+b	07
Helpers	5 355	445	29	3%+a+b	07
Probationary helpers	3 825				
GLAZIERS	5:95	30	10		01
IRONWORKERS - Structural Ornamental & Reinfo cing:					
Zone 1 up to 10 miles from Capital Square	8 85	30	40		05
Zone 2 - from 10 miles to 30 miles radius	9 225	30	40		05
Zone 3 - from 30 miles and beyond	9 475	30	40		05
LABORERS:					
Unskilled	4 40	10	15		05
Tenders motorized Georgia buggy opers nozzlemen (gunite or sandblasting) concrete saw opers air tool & vibrator opers	4 50	10	15		05
Mortar mixers hod carriers pipelayers caulkers & marble tile & terrazzo workers helpers	4 65	10	15		05
Burners (wrecking)	4 75	10	15		05
Floor base & terrazzo grinders	4 80	10	15		05

DECISION NO VA75-3116

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LABORERS (CONT'D):					
Wagon drill & air tract & similar drills	$ 4 90	10	15		05
Powdermen	5 15	10	15		05
LATHERS:					
Lathers (plaster finish & drywall finish)	8 19		20		01
Sheet rock applicator	6 59		20		01
LEAD BURNERS	9 25		35	c	01
LINEMEN:					
Zone 1 - within a 12 mile air radius of Staples Mill Road & Broad St in the city of Richmond:					
Linemen & cable splicers	8 72	5%	1%		½ of 1%
Zone 2 - remainder of the city of Richmond & Henrico County	9 47	5%	1%		½ of 1%
MARBLE, TILE & TERRAZZO WORKERS	7 15				
MILLWRIGHTS	8 45	30	30		01
PAINTERS:					
Brush paperhangers tapers & finishers	6 80				
Structural steel swing stage & bosun chair	7 05				
Scaffold or other hazardous work above 50 ft	7 05				
Spray	7 30				
Sandblasting elevated tanks smoke stacks and all towers	7 45				
PILEDRIVERMEN & DOCK BUILDERS	5 80	20	20		
PLASTERERS	7 60				
PLUMBERS & STEAMFITTERS	8 90	40	30		05
ROOFERS:					
Composition	5 35				
Helpers	3 75				
SHEET METAL WORKERS:					
The city of Richmond	8 67	20	20		005
Remainder of County	8 92	20	20		005
SPRINKLER FITTERS	8 55	50	80		08

DECISION NO VA75-3116

Welders - receive rate prescribed for craft performing operation to which welding is incidental

PAID HOLIDAYS (Where applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of sevice as vacation pay credit

b Holidays: A through F

c Holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve (provided employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular schedule work days immediately preceding & following the holiday)

SUPERSEDEAS DECISION

STATE: VIRGINIA

COUNTY: YORK AND THE INDEPENDENT CITIES OF HAMPTON AND NEWPORT NEWS (including Langley AFB Fort Eustis and Fort Monroe)

DECISION NO.: VA75-3117

DATE: DATE OF PUBLICATION

Supersedes Decision No VA75-3004, dated January 3, 1975 in 40 FR 941

DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4 stories), Heavy Construction and Sewer & Water Construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ASBESTOS WORKERS	$ 7 90	30	25		
BOILERMAKERS	9 25	40	80		02
BRICKLAYERS & STONEMASONS	7 50	30			
CARPENTERS & SOFT FLOOR LAYERS	7 60	30	30		01
CEMENT MASONS:					
Cement masons	6 80				
Machine & scaffold men	6 90				
ELECTRICIANS:					
Zone 1 - within a 16 air mile radius of 7812 Warwick Blvd Newport News:					
Wiremen	8 20	5%	6%		1%
Cable splicers	8.45	5%	6%		1%
Zone 2 - beyond a 16 air mile radius of 7812 Warwick Blvd , Newport News:					
Wiremen	9 20	5%	6%		1%
Cable Splicers	9 45	5%	6%		1%
ELEVATOR CONSTRUCTORS:					
Mechanics	7 32	395	26	2½%fa+b	02
Helpers	5 12	395	26	2½%fa+b	02
Probationary Helpers	3 66				
GLAZIERS	5 95	30	10		01
IRONWORKERS:					
Structural, ornamental riggers, reinforcing, fence erectors & machinery movers	8 05	45	40		06
LABORERS:					
Unskilled	4 40	10	15		05
Tenders motorized Georgia Buggy opers , nozzlemen (gunite or sandblasting) concrete saw opers , air tool & vibrator opers	4 50	10	15		05
Mortar mixers, hod carriers, pipelayers, caulkers & marble, tile & terrazzo workers' helpers	4 65	10	15		05

DECISION NUMBER: VA75-3117

PAGE 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LABORERS (CONT'D):					
Burners (wrecking)	$ 4 75	10	15		05
Floor, base & terrazzo grinders	4 80	10	15		05
Wagon drill & air tract	4 90	10	15		05
Powdermen	5 15	10	15		05
LATHERS	6 59		25		01
LINE CONSTRUCTION:					
Zone 1 - within a 16 air mile radius of 7812 Warwick Blvd Newpprt News:					
Linemen	8 20	5%	6%		½ of 1%
Cable splicers	8 45	5%	6%		½ of 1%
Zone 2 - beyond a 16 air mile radius of 7812 Warwick Blvd Newport News:					
Linemen	9 20	5%	6%		½ of 1%
Cable splicers	9 45	5%	6%		½ of 1%
MARBLE SETTERS	7 50	30			
MILLWRIGHTS	8 45	30	30		01
PAINTERS:					
(York Co from a point on the north shore of Queens Creek at the intersection of York River due west to a point on the eastern shore of James River including all cities therein; the cities of Hampton and Newport News):					
Brush & roller	6 70				
Paperhanger taper, spray roller (handle 6' or over), structural steel (to 74' from ground up), swing stage & bosun chair (from ground up), sandblasting	7 05				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr
PAINTERS (Cont'd):					
All work over 74' from ground Bituminous coatings, hot creosote	$$ 7 20 8 10				
Sign (The remainder of York County):	7 35				
Brush & roller	7 30				
Paperhanger, taper, spray, roller (handle 6' or over), structural steel (69 74' from ground up), swing stage & bosun chair (from ground up), sandblasting	7 65				
All work over 74' from ground Bituminous coatings, hot creosote	7 80 8 70				
Sign	7 95				
PILEDRIVERMEN & DOCK BUILDERS	5 80	20	20		
PLASTERERS	8 91				
PLUMBERS & STEAMFITTERS	8 40	30	40		01
ROOFERS:					
Composition	5 35				
Helpers	3 75				
SHEET METAL WORKERS:					
Newport News & Hampton	8 10	45	35		005
York County	8 35	45	35		005
SPRINKLER FITTERS	8 55	50	80		08
TERRAZZO WORKERS & TILE SETTERS	6 55			30	
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

PAID HOLIDAYS (Where Applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a Holidays: A through F.
b Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit

DECISION NO VA75-3117

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION					
GROUP 1	$ 8 05	325	20		05
GROUP 2	6 44	325	20		05
GROUP 3	5 36	325	20		05
GROUP 4	5 18	325	20		05
GROUP 5	5 01	325	20		05

CLASSIFICATIONS:

GROUP 1
Tunnel machine, cranes, derricks, pile drivers, pavers, two or more drum hoist, finish motor grader, mechanic, batch plant, gradall, quad

GROUP 2
Cableways, tractors with attachments, combination front end loader and backhoe, front end loader, rubber tired scraper and pans; rough motor grader, 20 ton locomotive, bulldozers, pump crete, trenching machine, mixer larger than 16 S, fork lift

GROUP 3
Compressor over 125 cu ft , bottom and end dumps, tractors without attachments, 1 drum Hoist, rollers, welding machines (gas or diesel), locomotive under 20 tons, power plant generator 1200 KW or larger), pumps (over 2 inches, including wellpoints), A-frame trucks, mechanic's helper

GROUP 4
Fireman

GROUP 5
Oilers

DECISION NO VA75-3117

HEAVY CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
CARPENTERS	$ 5 85	20	20		01
CEMENT MASONS	4 70				
ELECTRICIANS	6 85	25	1%		005
IRONWORKERS	6 15	30	30		03
LABORERS:					
Laborers unskilled	3 50	10	10		03
Air tool operator	3 75	10	10		03
Mortar micers	3 75	10	10		03
Form setters	4 00				
PILEDRIVERMEN	5 15	20	20		
PLUMBERS	6 35	20	30		
TRUCK DRIVERS	2 20				
POWER EQUIPMENT OPERATORS:					
Backhoe	4 42				
Oilers	3 80				
Cranes	5 90	225	10		03
Bulldozers	3 53				
Grader	3 30				
Roller	3 13				
Gradall	3 40				
Fireman	3 40				
Mechanics	6 30	225	10		03

DECISION NO VA75-3117

SEWER & WATER CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
CEMENT MASONS	$ 4 00				
LABORERS:					
Laborers	2 42				
Air tool op (jackhammer, vibrator)	2 73				
Asphalt raker	3 00				
Pipelayers	3 65	10	10		03
TRUCK DRIVERS	2 42				
POWER EQUIPMENT OPERATORS:					
Asphalt distributor	2 50				
Backhoe	3 65				
Bulldozers	3 50				
Cranes	5 25	225	10		04
Front end loader	3 00				
Roller	2 50				
Motor grader	3 30				

SUPERSEDEAS DECISION

STATE: VIRGINIA

LOCATION: The Cities of Norfolk Chesapeake, Portsmouth and Virginia Beach

DECISION NO VA75-3118

DATE: Date of Publication

Supersedes Decision No VA75 3005, dated January 3, 1975 in 40 FR 944

DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr
ASBESTOS WORKERS	$ 7 90	30	25		
BOILERMAKERS	9 25	40	80		02
BRICKLAYERS &STONE MASONS:					
Bricklayers & stone masons	8 00	50	20		02
CARPENTERS & SOFT FLOOR LAYERS	7 60	30	30		01
CEMENT MASONS:					
Cement masons	6 80				
Machines & Scaffold men	6 90				
ELECTRICIANS & CABLE SPLICERS	8 45	5%	6%		1%
ELEVATOR CONSTRUCTORS	7 32	395	26	2½+a+b	02
ELEVATOR CONSTRUCTORS' HELPERS	5 12	395	26	2½+a+b	02
ELEVATOR CONSTRUCTORS' HELPERS (PROB)	3 66				
GLAZIERS	5 95	30	10		01
IRONWORKERS:					
Structural, ornamental, machinery movers, riggers, fence erectors and reinforcing	8 05	45	40		06
LABORERS:					
Unskilled	4 40	10	15		05
Tenders, motorized Georgia Buggy opers nozzlemen (gunite or sandblasting), concrete saw opers , air tool & vibrator opers	4 50	10	15		05
Mortar mixers, hod carriers, pipelayers, caulkers & marble tile & terrazzo workers helpers	4 65	10	15		05
Burners (wrecking)	4 75	10	15		05
Floor, base & terrazzo grinders	4 80	10	15		05
Wagon drill & air tract	4 90	10	15		05
Powdermen	5 15	10	15		05
LATHERS	6 59		25		01
LEAD BURNERS	9 25	35		c	01
LINE CONSTRUCTION:					
Linemen & Cable Splicers	8 45	5%	6%		½ of 1%

DECISION NO VA75-3118

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
MARBLE SETTERS	$ 6 25	35	20		
MILLWRIGHTS	8 45	30	30		01
PAINTERS:					
Brush & roller	7 00		25		
Structural steel from ground to 74'	7 50		25		
Spray paperHangers & glove work	7 35		25		
Any work over 74' from ground	8 30		25		
Bituminous coating & hot creosote	8 65		25		
Swing stage (under 40'), rollers (with handles 6' & over), epoxy (brushed or rolled)	7 25		25		
Swing stage over 40' up to 74'	7 50		25		
Sandblasting	7 75		25		
PILEDRIVERMEN & DOCK BUILDERS	5 80	20	20		
PLASTERERS	8 91				
PLUMBERS & STEAMFITTERS	8 35	40	35		06
ROOFERS:					
Composition	5 35				
Helpers	3 75				
SHEET METAL WORKERS	7 85	45	35		005
SPRINKLER FITTERS	8 55	50	80		08
TERRAZZO WORKERS & TILE SETTERS	6 25	35	20		
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

DECISION NO VA75-3118

PAID HOLIDAYS (Where Applicable):
A-New Year's Day; B Memorial Day; C-Independence Day; D Labor Day;
E-Thanksgiving Day; F Christmas Day

FOOTNOTES:
a Employer contributes 4% basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years service as vacation pay credit
b Holidays: A through F
c Holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve (provided employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular schedule work days immediately preceding & following the holiday)

DECISION NO VA75-3118

POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
GROUP 1	$ 8 05	325	20		05
GROUP 2	6 44	325	20		05
GROUP 3	5 36	325	20		05
GROUP 4	5 18	325	20		05
GROUP 5	5.01	325	20		05

CLASSIFICATIONS:

GROUP 1
Tunnel machine, cranes, derricks, pile drivers, pavers, two or more drum hoist, fin motor grader, mechanic, batch plant, gradall, quad

GROUP 2
Cableways, tractors with attachments, combination front end loader and backhoe, fro end loader, rubber tired scraper and pans, rough motor grader, 20-ton locomotive, bulldozers, pump crete, trenching machine, mixer larger than 16 S, fork lift

GROUP 3
Compressor over 125 cu ft , bottom and end dumps, tractors without attachments, 1 hoist, rollers, welding machines (gas or diesel), locomotive under 20-tons,,power p generator (1200 KW or larger), pumps (over 2 inches, including wellpoints), A-frame trucks, mechanic's helper

GROUP 4
Firemen

GROUP 5
Oilers

SUPERSEDEAS DECISION

STATE: VIRGINIA

LOCATION: RADFORD ARMY AMMUNITION PLANT

DECISION NO.: VA75 3119

DATE: DATE OF PUBLICATION

Supersedeas Decision No VA75 3069, dated July 11, 1975 in 40 FR 29438

DESCRIPTION OF WORK: Building Construction, (excluding single family houses and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ASBESTOS WORKERS	$ 7 98	50	45		01
BOILERMAKERS	9 25	40	80		02
BRICKLAYERS	8 25				
CARPENTERS	7 10	35	30		02
CEMENT MASONS	5 95				
ELECTRICIANS	7 94	30	1%		1 of 1%
IRONWORKERS:					
Structural & Reinforcing	8 85	55	60		03
LABORERS:					
Common Laborers	4 75	20	20		03
Mason Tenders	4 85	20	20		03
Air Tool Operators	5 00	20	20		03
LATHERS	6 50				
MILLWRIGHTS	8 65	35	20		02
PAINTERS:					
Brush	6 70	35	20		
Spray	7 10	35	20		
PLUMBERS & PIPEFITTERS	7 75	35	40	25	05
SHEET METAL WORKERS	7 20	25	25		02
SPRINKLER FITTERS	8 55	50	80		08
POWER EQUIPMENT OPERATORS:					
Backhoe Operators	7 29				
Bulldozer Operators	8 33	30	40		03
Crane Operators	7 62				
Oilers	4 88				
Roller Operators	5 95	30	40		03
Piledrivers	6 32				

SUPERSEDEAS DECISION

STATE: West Virginia
COUNTIES: Barbour, Boone, Brooke, Cabell Calhoun Clay, Doddridge, Fayette Gilmer, Hancock, Harrison, Jackson, Kanawha, Lewis, Marion Marshall Mason, Monongalia Ohio Pleasants, Putnam, Ritchie, Roane, Taylor, Upshur, Wayne, Wetzel, Wirt & Wood
DECISION NO.: WV75-3106 DATE: Date of Publication
Supersedes Decision No WV75-3007, dated February 7, 1975 in 40 FR 6136
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories). (See Heavy and Highway Construction General Wage Determination for all work in connection with the clearing and grading of the site, also all paving incidental to the project, and all incidental water lines and sewers utilities to within 5 feet of the building line, when such work is let as a separate contract by the owner or as a subcontract by the prime contractor)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ASBESTOS WORKERS:					
ZONE 1	$10 65	35	35		03
ZONE 2	9 92	35	70		

AREA COVERED BY ASBESTOS WORKERS ZONES

ZONE 1 - Boone Cabell Calhoun, Clay, Doddridge, Fayette, Gilmer Jackson Kanawha, Lewis, Mason, Pleasants Putnam, Ritchie Roane Upshur, Wayne Wirt & Wood Counties
ZONE 2 - Barbour, Brooke, Hancock Harrison, Marion Marshall Monongalia, Ohio, Taylor Tyler & Wetzel Counties

BOILERMAKERS:					
ZONE 1	8 55	60	80	1 00	02
ZONE 2	9 07	7%	7%		01

AREA COVERED BY BOILERMAKERS ZONES

ZONE 1 - Barbour, Boone Brooke Cabell Calhoun Clay, Doddridge Fayette, Gilmer, Harrison, Jackson, Kanawha Lewis Marion, Marshall Mason Monongalia, Ohio, Pleasants, Putnam, Ritchie, Roane Taylor, Tyler Upshur, Wayne Wetzel, Wirt & Wood Counties
ZONE 2 - Hancock County

BRICKLAYERS & STONEMASONS:					
ZONE 1	9 06	50	75		
ZONE 2	8 55	30	30	30+a	
ZONE 3	8 60	50	4%	6%	.02
ZONE 4	9 48	35			02
ZONE 5	9 40	30	25		
ZONE 6	9 65	40			
ZONE 7	10 63		20		
ZONE 8	9 05	45			
ZONE 9	9 00				

DECISION NO WV75-3106

AREA COVERED BY BRICKLAYERS & STONEMASONS ZONES

ZONE 1 - Boone, Clay, Fayette, Kanawha & Putnam Counties
ZONE 2 - Doddridge Gilmer Harrison Lewis Taylor & Upshur Counties
ZONE 3 - Marshall Ohio, Tyler & Wetzel Counties
ZONE 4 - Brooke & Hancock Counties
ZONE 5 - Monongalia County
ZONE 6 - Marion County
ZONE 7 - Cabell Mason & Wayne Counties.
ZONE 8 - Calhoun, Jackson Pleasants, Ritchie Roane Wirt & Wood Counties
ZONE 9 Barbour County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
CARPENTERS:					
ZONE 1					
Contracts under $100 000	$ 9 05	25	20		04
Contracts $100 000 or more	9 30	25	20		04
ZONE 2	8 91	40	50		03
ZONE 3	10 01	25	25		02
ZONE 4	9 16	25	25		02
ZONE 5	9 12	50	30		01
ZONE 6	9 19	25	25		02

AREA COVERED BY CARPENTERS ZONES

ZONE 1 - Barbour Doddridge Gilmer, Harrison Lewis, Marion Monongalia, Pleasants Taylor, Upshur & Wetzel Counties
ZONE 2 - Cabell & Wayne Counties
ZONE 3 - Boone, Clay, Jackson (southern portion including the towns of Leon, Ripley & Hereford), Kanawha Mason, Putnam and Roane Counties
ZONE 4 - Calhoun Jackson (remainder of county), Ritchie Wirt & Wood Counties
ZONE 5 - Brooke Hancock Marshall & Ohio Counties
ZONE 6 - Fayette Counties

DECISION NO WV75-3106

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr
CEMENT MASONS & PLASTERERS:					
ZONE 1					
Cement Masons	$ 8 75				
Plasterers	8 00				
ZONE 2					
Cement Masons	8 75		65		
Plasterers	9 10				01
ZONE 3					
Cement Masons	8 11	40			01
Plasterers	8 25	25			
ZONE 4					
Cement Masons	8 26	50			
Plasterers	8 51	30			
ZONE 5					
Cement Masons	7 36	38	05	30	03
ZONE 6					
Cement Masons	9 30				
Plasterers	8 80				01
ZONE 7	9 00				

AREA COVERED BY CEMENT MASONS & PLASTERERS ZONES

ZONE 1 - Calhoun, Gilmer, Jackson, Mason (northern portion of the county, south to but not including Point Pleasant), Pleasants, Ritchie, Tyler, Wirt & Wood Counties
ZONE 2 - Boone, Clay, Fayette, Kanawha, Putnam & Roane Counties
ZONE 3 - Brooke (the northern portion to Buffalo Creek) and Hancock Counties
ZONE 4 - Brooke (remainder of county), Marshall, Ohio & Wetzel Counties
ZONE 5 - Marion & Monongalia Counties
ZONE 6 - Doddridge, Harrison, Lewis, Taylor & Upshur Counties
ZONE 7 - Barbour County

DECISION NO WV75-3106

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ELECTRICIANS:					
ZONE 1					
Wiremen	$ 9 10	30	1%	1 02	03
Cable Splicers	10 01	30	1%	1 02	03
ZONE 2					
Wiremen	9 05	30	1%+1 02	1 02	04
Cable Splicers	9 30	30	1%+1.02	1 02	04
ZONE 3					
Wiremen	9 15	30	1%+ 32	1 09+b	04
Cable Splicers	9 40	30	1%+ 32	1 09+b	04
ZONE 4					
Wiremen	10 80	6%	7%	8%	1/5 of1%
Cable Splicers	11 20	6%	7%	8%	1/5 of1%
ZONE 5					
Contracts $15,000 or less:					
Wiremen	6 80	30	1%+ 12	52	04
Cable Splicers	7 10	30	1%+ 12	52	04
Contracts over $15 000:					
Wiremen	9 70	30	1%+ 12	52	04
Cable Splicers	10 00	30	1%+ 12	52	04
ZONE 6					
Wiremen	10 70	30	1%+ 07	02	04
Cable Splicers	11 75	30	1%+ 07	02	04
ZONE 7					
Contracts under $12,000:					
Wiremen	5 00	30	1%+ 87	1 27	02
Contracts over $12,000:					
Wiremen	8 35	30	1%+ 87	1 27	02
Cable Splicers	8 50	30	1%+ 87	1 27	02
ZONE 8					
Wiremen	9 80	30	1%+ 32	1 02	04
Cable Splicers	10 78	30	1%+ 32	1 02	04
Truck Drivers	8 75	30	1%+ 32	1 02	04

DECISION NO WV75-3106

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ELECTRICIANS (CONT'D):					
ZONE 9					
Wiremen	$10 25	30	1%+ 32	1 02	04
Cable Splicers	11 275	30	1%+ 32	1 02	04
Truck Drivers	8 75	30	1%+ 32	1 02	04

AREA COVERED BY ELECTRICIANS ZONES

ZONE 1 - Barbour Doddridge, Harrison, Lewis & Upshur Counties
ZONE 2 - Jackson, Pleasant Ritchie, Tyler Wirt & Wood Counties
ZONE 3 - Brooke (Buffalo Twp only) Marshall, Ohio & Wetzel Counties
ZONE 4 - Brooke (remainder of County) & Hancock Counties
ZONE 5 - Fayette (except Falls and Kanawha Twps) County
ZONE 6 - Boone, Calhoun, Clay, Fayette (Falls and Kanawha Twps only) Gilmer, Kanawha, Putnam & Roane Counties
ZONE 7 - Marion Monongalia & Taylor Counties
ZONE 8 - Cabell & Wayne Counties
ZONE 9 - Mason County

ELEVATOR CONSTRUCTORS:					
Boone, Clay, Fayette, Kanawha & Putnam Counties:					
Mechanics	9 27	445	29	3%+b+c	02
Helpers	6 49	445	29	3%+b+c	02
Probationary Helpers	4 635				
Cabell Mason & Wayne Counties:					
Mechanics	9 55	445	29	3%+b+c	02
Helpers	6 685	445	29	3%+b+c	02
Probationary Helpers	4 775				
Brooke, Hancock, Harrison, Marshall & Ohio Counties:					
Mechanics	8 86	445	29	3%+b+c	02
Helpers	6 20	445	29	3%+b+c	02
Probationary Helpers	4 43				

DECISION NO WV75-3106

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
GLAZIERS:					
ZONE 1	$ 8 53				
ZONE 2	9 50		20		
ZONE 3					
Inside	5 15	25	20	55+p	
Outside	5 70	25	20	55+p	

AREA COVERED BY GLAZIERS ZONES

ZONE 1 - Jackson, Pleasants, Ritchie Roane, Tyler, Wirt & Wood Counties
ZONE 2 - Boone, Cabell, Calhoun, Clay Fayette, Kanawha Mason Putnam & Wayne Counties
ZONE 3 - Barbour, Doddridge Gilmer Harrison Lewis Marion, Taylor & Upshur Counties

IRONWORKERS - Structural Ornamental & Reinforcing:					
ZONE 1	9 67	65	70		01
ZONE 2	9 30	60	50	5%	03
ZONE 3	9 35	55	55		05
ZONE 4					
Area 1 - 10 miles from Union Hall	10 26	65	70		01
Area 2 - 10-15 miles from Union Hall	10 41	65	70		01
Area 3 - 15 20 miles from Union Hall	10 51	65	70		01
Area 4 - 20-25 miles from Union Hall	10 61	65	70		01

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AREA COVERED BY IRONWORKERS ZONES

ZONE 1 Calhoun, Doddridge, Gilmer Jackson Lewis, Mason, Pleasants Ritchie, Roane, Upshur, Wirt & Wood Counties
ZONE 2 - Barbour, Brooke, Hancock Harrison, Marion, Marshall Monongalia Ohio, Taylor, Tyler & Wetzel Counties
ZONE 3 - Boone, Clay, Fayette, Kanawha & Putnam Counties
ZONE 4 - Cabell & Wayne Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LABORERS:					
ZONE 1					
GROUP 1	$ 6 65	30	30		03
GROUP 2	6 95	30	30		03
GROUP 3	7 30	30	30		03
ZONE 2					
GROUP 1	6 70	30	30		03
GROUP 2	7 00	30	30		03
GROUP 3	7 35	30	30		03
ZONE 3					
GROUP 1	6 20	30	30		03
GROUP 2	6 50	30	30		03
GROUP 3	6 85	30	30		03
ZONE 4					
GROUP 1	6 98	50	30		02
GROUP 2	7 145	50	30		02
GROUP 3	7 18	50	30		02
GROUP 4	7 225	50	30		02
GROUP 5	7 31	50	30		02
GROUP 6	7 48	50	30		02
GROUP 7	7 51	50	30		02
GROUP 8	7 66	50	30		02
GROUP 9	7 81	50	30		02
GROUP 10	7 88	50	30		02

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CLASSIFICATION DEFINITIONS
LABORERS ZONES 1,2&3

GROUP 1 Laborers; carpenter tender; flagman; water boy; demolition worker; fire watch; landscape laborer
GROUP 2 - Powderman helper; semi-skilled laborer; scaffold builders; chainmen & rod men; grade checker; signal man; brick masons tenders; plasterer tenders; cement finishers tenders; stone masons tenders; lathers tenders; tile setters tenders; mortar mixers jackhammer operators; vibrator operators; tamper operators; pavement buster operators; chipping & paening hammer operators; air syphon & air pump operators; riprap finishers; concrete saw operators; concrete technician; power saw operators; chain saw operators; motorized buggy operators; pipelayers helpers; drill operators helpers; shooters & Shorers; post hole digger operators; asphalt rakers; lance and/or water blaster operators; blacksmith helpers; batch house scale operators; workmen working with acid mortar, acid brick, acid or mastic asphalt; workmen working creosote; nozzlemen for gunnite or sandblasting; tool room attendants; ride or walk roller tampers
GROUP 3 - Blacksmith; powderman; air track operator; pipe layer (including laser beam set up); burner

LABORERS - ZONE 4

GROUP 1 - General laborers; carpenters tenders
GROUP 2 - Brick handlers; tenders for brick masons, plasterers, stone masons; tile setters; mortarmen for masons & plasterers; men mixing cement for cement finishers
GROUP 3 - Operators of concrete busters, jackhammers, air spades, chipping hammers, air tampers, vibrators, power buggy, cement saw, power saw, sand blaster, acetylene burners; welders; scuba divers; panel cleaning machines; all power driver tools operators; air pump operators; air blow pipe operators; pipe layers & helpers working in ditches or tunnels; hand spikers on railroads
GROUP 4 - Ditches, trenches, caissons & coffers over 6' deep (open top)
GROUP 5 - Laborers performing work pertaining to or in connection with repair stoves, blast furnaces & basic oxygen process furnaces, steeples & stacks, annealing process furnaces, Kilns, soaking pits, coke battries on industrial work; demolition of stacks 50' to 100'; tunnel laborers, muckers, including caissons & coffers, horizontal & underground
GROUP 6 - Demolition of stacks 100' to 150'
GROUP 7 - Miners, including caissons & coffers, horizontal or underground; mucking machine operators
GROUP 8 - Blaster men & helpers; billmen & lancer; bottom men in blast furnaces; stacks, stoves & dust covers
GROUP 9 - Gunnite nozzlemen
GROUP 10 - Demolition of stacks over 150'

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AREA COVERED BY LABORERS ZONES

ZONE 1 - Cabell, Mason & Wayne Counties
ZONE 2 Marshall Ohio & Wetzel Counties
ZONE 3 - Barbour Boone Calhoun, Clay Doddridge, Fayette, Gilmer, Harrison, Jackson, Kanawha, Lewis Marion, Monongalia, Pleasants Putnam Ritchie, Roane, Taylor Tyler Upshur, Wirt & Wood Counties.
ZONE 4 - Brooke & Hancock Counties.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LATHERS:					
ZONE 1	$ 8 30		10		01
ZONE 2	9 25		10		01
ZONE 3	8 41	30	10		01
ZONE 4	8 53	.45	1 10		01
ZONE 5	7 965		10		
ZONE 6	7 68		15		01

AREA COVERED BY LATHERS ZONES

ZONE 1 - Boone, Clay, Fayette, Kanawha Putnam & Roane Counties
ZONE 2 - Barbour, Doddridge, Gilmer Harrison Lewis, Marion Monongalia Taylor Tyler Upshur & Wetzel Counties
ZONE 3 - Brooke, Marshall & Ohio Counties
ZONE 4 - Hancock County.
ZONE 5 - Cabell Mason & Wayne Counties
ZONE 6 - Calhoun Jackson Pleasants Ritchie, Wirt & Wood Counties

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
LINE CONSTRUCTION:					
ZONE 1					
Linemen & Operators (all mechanized equipment)	$ 9 76	35	1%+ 32	1 02	½ of 1%
Cable Splicers	10 74	35	1%+ 32	1 02	½ of 1%
Groundmen	7 81	35	1%+ 32	1 02	½ of 1%
ZONE 2					
Linemen & Operators (all mechanized equipment)	9 65	35	1%+ 12	52	½ of 1%
Cable Splicers	9 95	35	1%+ 12	52	½ of 1%
Groundmen & Truck Drivers	7 72	35	1%+ 12	52	½ of 1%
ZONE 3					
Linemen & Operators (all mechanized equipment)	9 00	35	1%+1 02	1.02	½ of 1%
Cable Splicers	9 90	35	1%+1 02	1 02	½ of 1%
Groundmen	7 20	35	1%+1 02	1 02	½ of 1%
ZONE 4					
Linemen & Operators (all mechanized equipment)	9 10	30	1%	1 02	½ of 1%
Cable Splicers	10 01	30	1%	1 02	½ of 1%
Groundmen & Truck Drivers	7 28	30	1%	1 02	½ of 1%
ZONE 5					
Linemen & Operators (all mechanized equipment)	9 15	30	1%+ 32	1 09+b	½ of 1%
Cable Splicers	9 40	30	1%+ 32	1 09+b	½ of 1%
Groundmen	7 32	30	1%+ 32	1 09+b	½ of 1%
ZONE 6					
Linemen & Operators (all mechanized equipment)	10 80	5%	6%	8%	½ of 1%
Cable Splicers	11 20	5%	6%	8%	½ of 1%
Groundmen	7 02	5%	6%	8%	½ of 1%
ZONE 7					
Linemen & Operators (all mechanized equipment)	8 35	30	1%+ 87	1 27	½ of 1%
Cable Splicers	9 185	30	1%+ 87	1 27	½ of 1%
Groundmen	6 68	30	1%+ 87	1 27	½ of 1%

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AREA COVERED BY LINE CONSTRUCTION ZONES

ZONE 1 - Boone Cabell Calhoun Clay, Gilmer Kanawha Mason Putnam Roane & Wayne Counties
ZONE 2 - Fayette County
ZONE 3 - Jackson Pleasants, Ritchie Tyler Wirt & Wood Counties
ZONE 4 - Barbour, Doddridge, Harrison Lewis & Upshur Counties
ZONE 5 - Brooke (Buffalo Twp Only) Marshall Ohio & Wetzel Counties
ZONE 6 - Brooke (except Buffalo Twp) & Hancock Counties
ZONE 7 - Marion Monongalia & Taylor Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
MARBLE MASONS:					
ZONE 1	$ 9 06	50	75		
ZONE 2	9 12		20		
ZONE 3	8 55	45			
ZONE 4	8 55	30	30	30+a	
ZONE 5	9 48	35			02
ZONE 6	9 65	40			
ZONE 7	9 00				

AREA COVERED BY MARBLE MASONS ZONES

ZONE 1 - Boone, Clay, Fayette Kanawha & Putnam Counties
ZONE 2 - Cabell Mason & Wayne Counties.
ZONE 3 - Calhoun, Jackson, Pleasants, Ritchie, Roane, Wirt & Wood Counties
ZONE 4 - Doddridge, Gilmer, Harrison, Lewis, Taylor & Upshur Counties
ZONE 5 - Brooke & Hancock Counties
ZONE 6 - Marion County
ZONE 7 - Barbour County

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
MARBLE MASONS HELPERS, TERRAZZO WORKERS HELPERS & TILE SETTERS HELPERS:					
Cabell, Mason & Wayne Counties	$ 7 525		20		
MILLWRIGHTS:					
ZONE 1	10 29	25	25		02
ZONE 2	9 00	40	55		10
ZONE 3	9 43	40	.50		01
ZONE 4	9 60	25	:20		04
ZONE 5	9 98	40	37		03

AREA COVERED BY MILLWRIGHTS ZONES

ZONE 1 - Boone Clay, Fayette Jackson (southern portion including the Towns of Leon Ripley & Hereford) Kanawha Mason Roane (southern portion up to but not including Spence & Putnam Counties
ZONE 2 - Calhoun, Jackson (remainder of county) Pleasants Ritchie Roane (remainder of county) Tyler, Wetzel, Wirt & Wood Counties
ZONE 3 - Brooke, Hancock, Marshall & Ohio Counties.
ZONE 4 - Barbour, Doddridge, Gilmer Harrison Lewis Marion Monongalia Taylor & Upshur Counties
ZONE 5 - Cabell & Wayne Counties

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DECISION NO WV75-3106	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr
PAINTERS:						
ZONE 1						
Air Compressor Operator	$ 6 78	7 54				
Brush Painting	6 78	7 54				
Roller Dry-Wall Pointers & Tapers Dipping & Mitten Work & Spray	7 11	7 83				
Water Blasters Steam Jenny Nozzle Men Swinging Scaffold & Boatswain Chair Window Jack Work	7 81	8.32				
Brush Painters on Bridges Nedele Bean Cable Work Power Tool Work Brush & Flame Cleaning	8 20	8 68				
Operating Mechanical Taping Machines	8 41	9 01				
Sand Blasters	8 51	8 98				
All Stacks Vent Pipe Flag Poles in excess of 30' high all Towers Water Towers Elevated Towers Electrical Switch Yards Transformer Banks & Television Towers	9 49	9 86				
Vinyl hangers & Paper hangers (with tools)	7 10	7 83				

OLD NEW

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DECISION NO WV75-3106	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr Tr
PAINTERS (CONT'D):						
ZONE 2						
Flagman or Boatman	$ 4 25	5 00				
Brush-Roller Papefhanging-Wall Covering (under 48") Dry Wall Finishing Hanging & Preparing Scaffolding	5 25	6 00				
Dry Wall Machine Tool	5 50	6 25				
Power Cleaning Tool	5 75	6 50				
Wall Covering 48" or over Spray Sandblasting & Mittens, structural Steel, Material Emitting Toxic Vapors	6 00	7 00				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ZONE 3					
Commercial	$ 8 40				
Drywall Finishers	8 65				
Swing & Boatswain Chair	8 75				
Vinyl Wallcovering	8 90				
Structural Steel after Erection	9 25				
Repaint Structural Steel	8 50				
Spray Painting	9 40				
Towers, Tanks & Stacks	9 65				
Sand Blasting	10 25				
Extra Pay of heights 50' to 100' (50 per hour over 100 ft $1 00 per hour)					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PAINTERS (CONT'D):					
ZONE 4					
New Construction:					
Brush	$ 8 51		20		01
Roller	8 77		20		01
Spray & Blast	9 53		20		01
Pot Men	9 53		20		01
Commercial Repaint:					
Brush	7 09		20		01
Roller	7 37		20		01
Paper Hanger	8 51		20		01
Drywall	8 96		20		01
Spray, Pot Men	9 53		20		01
Paper & Vinyl Hangers	8 51		20		01
Open Structural Steel	8 86		20		01
Drywall Pointers & Tapers	8 96		20		01
Liquid Tile Brush	9 28		20		01
Stacks, Vent Pipes, Flag Poles, Electrical, Radio & T V. Towers & Tanks over 30' high	9 46		20		01
Hdroject, Steam Cleaning & Glove Work	9 53		20		01
Operating Mechanical Taping Machines	9 96		20		01
ZONE 5					
Commercial	6 82	20	25		02
Hazardous Work	8 63	20	25		02
ZONE 6					
Brush & Roller	6 42	50			01
Paper & Vinyl Hangers	6 42	50			01
Seamless Floors	6 42	50			01
Glove	6 67	50			01
Perfstaping	6 79	50			01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PAINTERS					
ZONE 6 (CONT'D)					
Brush Height over 40'	$ 6 92	50			01
Spray & sandblast seam less floors epoxy & steam cleaning	7 42	50			01
ZONE 7					
Brush	5 80	30	25		
Roller	6 05	30	25		
Spray	6 50	30	25		

AREA COVERED BY PAINTERS ZONES

ZONE 1 - Boone Clay, Fayette Kanawha & Putnam Counties
ZONE 2 - Monongalia County
ZONE 3 - Barbour Doddridge, Gilmer Harrison, Lewis Marion Taylor & Upshur Counties
ZONE 4 - Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt & Wood Counties
ZONE 5 - Cabell, Mason & Wayne Counties.
ZONE 6 - Brooke (south of Buffalo Creek), Marshall, Ohio & Wetzel Counties
ZONE 7 - Brooke (remainder of county) & Hancock Counties

PILEDRIVERMEN:					
ZONE 1	10 07	5%	8%		½ of 1%
ZONE 2					
Contracts less than $100,000	9 55	25	20		04
Contracts $100,000 or more	9 80	25	20		04
ZONE 3	9 20	40	50		03
ZONE 4	9 44	25	25		02
ZONE 5	10 26	25	25		02
ZONE 6	9 41	25	25		02

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AREA COVERED BY PILEDRIVERMEN ZONES

ZONE 1 - Brooke Hancock, Marshall & Ohio Counties.
ZONE 2 - Barbour Doddridge, Gilmer Harrison Lewis Marion Monongalia Pleasants Taylor Tyler Upshur & Wetzel Counties
ZONE 3 - Cabell & Wayne Counties
ZONE 4 - Fayette County
ZONE 5 - Boone, Clay Jackson (southern po tion including the towns of Leon Ripley Hereford) Kanawha, Putnam & Roane Counties
ZONE 6 - Calhoun Jackson (remainder of county) Ritchie Wirt & Wood Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PLUMBERS & PIPEFITTERS:					
ZONE 1	$ 8 55	35	5%	10%	04
ZONE 2	10 46	40	7%	8%	05
ZONE 3	8 13	25	30	10%	04
ZONE 4	9 02	40	50	10%	04
ZONE 5	9 47	40	40		
ZONE 6					
AREA 1 - within 8 mi radius of Cabell Co Courthouse Huntington W.V	9 42	40	60		02
AREA 2 - 8 to 15 mi from the Courthouse	9 62	40	60		02
AREA 3 - 15 to 25 mi from the Courthouse	9 82	40	60		02
AREA 4 - Over 25 mi. from the Courthouse	10 07	40	60		02

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AREA COVERED BY PLUMBERS & PIPEFITTERS ZONES

ZONE 1 - Brooke (south of Buffalo Creek) Marshall Ohio & Wetzel Counties
ZONE 2 - Brooke (remainder of county & Hancock Counties
ZONE 3 - Barbour Doddridge Gilmer Harrison Lewis Marion Taylor & Upshur Counties.
ZONE 4 - Monongalia County
ZONE 5 - Calhoun, Jackson (northern portion to but not including the Town of Ripley), Pleasants Ritchie, Roane (northern portion up to but not including Spencer), Tyler Wirt & Wood Counties.
ZONE 6 - Boone (southwest portion to but not including the Towns of Madison & Whitesville), Cabell Mason & Wayne Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
PLUMBERS & STEAMFITTERS:					
Plumbers	$ 9 78	45	30		05
Steamfitters	9 82	45	15		05

AREA COVERED BY PLUMBERS & STEAMFITTERS

Boone (northeast portion including the Towns of Madison & Whitesville) Clay Fayette, Jackson (southern portion including the Town of Ripley) Kanawha Putnam & Roane (remainder of county) Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
POWER EQUIPMENT OPERATORS:					
GROUP 1	$ 9 85	25	35		04
GROUP 2	9 35	25	35		04
GROUP 3	8 95	25	35		04
GROUP 4	8 55	25	35		04
GROUP 5	7 85	25	35		04

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CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

GROUP 1 - Operating cranes, derricks, tower cranes, and similar equipment, having a reach from the top of its boom to the ground of 175' or a lifting capacity of 70 tons; all shovels, draglines, clamshells, backhoes, end loaders, and concrete mixing plants of 4 cubic yard capacity or over; hoist with 18,000 pound line pull or over

GROUP 2 - All mechanics and those operating cranes, derricks and similar equipment hydraulic cranes in excess of 15 tons capacity; all shovels, draglines, clamshells, gradealls, tug or tow boats; concrete clamshells, gradealls, tug or tow boats - concrete mixing plants of 3 cubic yards capacity; endloaders in excess of 2½ cubic yards capacity; backhoes in excess of ½ cubic yard capacity; hoist in excess of 5,000 pounds line pull; side boom cat, standard guage locomotive.

GROUP 3 - Hydraulic cranes up to and including 15 tons capacity; endloaders up to and including 2½ cubic yards capacity; backhoes up to and including ½ cubic yard capacity; two drum hoist; well point system, concrete mixing plants, elevators, core drills, fork lift, rose carrier, air compressor (60 CFM or over), high compression equipment, concrete pumps double

GROUP 4 - Trencher, air tugger, concrete mixer, (2 bag) material hoist, (single) "A" frame truck, rubber tired scraper, power grader, dozer, tractor and pan, push cat, all tractors, oiler's standard guage locomotive crane, truck cranes; over 15 tons, grease truck operator and greaser, fireman, deckhand, asphalt and concrete paving equipment operators

GROUP 5 - Roller and compactor, concrete mixer, (1 bag) Barbour Greene loader, mechanic helper, crawler crane oiler, air compressor, welding machine, (gasoline powered) light plant, generator, conveyor, mechanical heater and pump operator

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
ROOFERS:					
ZONE 1	$ 7 45		10		
ZONE 2	9 54	34	10		d
ZONE 3	8 08	10	15		
ZONE 4					
Commercial:					
Roofers	9 10		10		01
Waterproofers	9 35		10		01
Unprotected roofing or reroofing:					
Roofers	6 90		10		01
Waterproofers	7 15		10		01

AREA COVERED BY ROOFERS ZONES

ZONE 1 - Cabell & Wayne Counties
ZONE 2 - Boone Clay Fayette Kanawha Mason & Putnam Counties
ZONE 3 - Brooke, Hancock Marshall & Ohio Counties
ZONE 4 - Barbour, Calhoun Doddridge Gilmer Harrison, Jackson, Lewis, Marion Monongalia, Pleasants Ritchie Roane Taylor Tyler Upshur Wetzel, Wirt & Wood Counties

SHEET METAL WORKERS:					
ZONE 1	9 38	34	40		04
ZONE 2	9 32	45	40		05
ZONE 3	8 93	45	45		02
ZONE 4	8 80	35	20		03

AREA COVERED BY SHEET METAL WORKERS' ZONES

ZONE 1 - Boone, Clay Fayette, Kanawha Mason & Putnam Counties
ZONE 2 - Cabell & Wayne Counties.
ZONE 3 - Brooke, Hancock Marshall & Ohio Counties.
ZONE 4 - Barbour, Calhoun, Doddridge Gilmer Harrison Jackson Lewis Marion, Monongalia, Pleasants, Ritchie Roane Taylor Tyler, Upshur Wetzel, Wirt & Wood Counties

DECISION NO WV75-3106	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
SOFT FLOOR LAYERS:					
ZONE 1	$ 10.01	25	25		02
ZONE 2	9 76	25	25		02
ZONE 3	9 12	50	30		01
ZONE 4	8 91	40	50		03
ZONE 5	9 19	25	25		02

AREA COVERED BY SOFT FLOOR LAYERS ZONES

ZONE 1 - Boone, Clay, Jackson (southern portion including the towns of Leon, Ripley & Hereford) Kanawha Mason, Putnam & Roane Counties
ZONE 2 - Calhoun Jackson (remainder of county) Ritchie Wirt & Wood Counties
ZONE 3 - Brooke Hancock, Marshall & Ohio Counties
ZONE 4 - Cabell & Wayne Counties
ZONE 5 - Fayette County

SPRINKLER FITTERS	10 40	50	80		08
TERRAZZO WORKERS:					
ZONE 1	9 06	50	75		
ZONE 2	8 55	30	30	30+a	
ZONE 3	8 55	45			
ZONE 4	9 12		20		
ZONE 5	9 00				

AREA COVERED BY TERRAZZO WORKERS ZONES

ZONE 1 - Boone, Clay, Fayette Kanawha & Putnam Counties
ZONE 2 - Doddridge, Gilmer Harrison Lewis, Taylor & Upshur Counties
ZONE 3 - Calhoun Jackson, Pleasants, Ritchie Roane Wirt & Wood Counties
ZONE 4 - Cabell Mason & Wayne Counties
ZONE 5 - Barbour County

DECISION NO WV75-3106	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
TRUCK DRIVERS (CONT'D):					
ZONE 3					
GROUP 1	$ 7 91	h	j	80	
GROUP 2	8 01	h	j	80	
GROUP 3	8 16	h	j	80	
GROUP 4	8 21	h	j	80	
GROUP 5	8 26	h	j	80	
GROUP 6	8 31	h	j	80	
GROUP 7	8 56	h	j	80	
ZONE 4					
GROUP 1	6 10	k	i		
GROUP 2	6 20	k	i		
GROUP 3	6 40	k	i		
GROUP 4	6 45	k	i		
GROUP 5	6 50	k	i		
GROUP 6	6 88	k	i		
ZONE 5					
GROUP 1	5 85	1	m	n	
GROUP 2	5 88	1	m	n	
GROUP 3	5 90	1	m	n	
GROUP 4	6 00	1	m	n	
GROUP 5	6 08	1	m	n	
GROUP 6	6 13	1	m	n	
GROUP 7	6 16	1	m	n	
GROUP 8	6 43	1	m	n	
GROUP 9	6 50	1	m	n	
GROUP 10	6 53	1	m	n	
ZONE 6					
GROUP 1	5 37	o			
GROUP 2	5 38	o			
GROUP 3	5 42	o			
GROUP 4	5 45	o			
GROUP 5	5 47	o			
GROUP 6	5 70	o			
GROUP 7	6 00	o			
GROUP 8	6 10	o			

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr Tr
TILE LAYERS:					
ZONE 1	$ 9 06	50	75		
ZONE 2	8 55	30	30	30+a	
ZONE 3	8 55	45			
ZONE 4	9 54		20		
ZONE 5	9 00				

AREA COVERED BY TILE LAYERS ZONES

ZONE 1 - Boone, Clay, Fayette, Kanawha & Putnam Counties
ZONE 2 - Doddridge, Gilmer Harrison Lewis, Taylor & Upshur Counties
ZONE 3 - Calhoun, Jackson, Pleasants, Ritchie Roane, Wirt & Wood Counties
ZONE 4 - Cabell, Mason & Wayne Counties
ZONE 5 - Barbour County

TRUCK DRIVERS:					
ZONE 1					
GROUP 1	8 16	f	8		
GROUP 2	8 26	f	8		
GROUP 3	8 41	f	8		
GROUP 4	8 46	f	8		
GROUP 5	8 51	f	8		
GROUP 6	8 61	f	8		
GROUP 7	8 81	f	8		
ZONE 2					
GROUP 1	6 30	h	i		
GROUP 2	6 40	h	i		
GROUP 3	6 55	h	i		
GROUP 4	6 70	h	i		
GROUP 5	6 95	h	i		
GROUP 6	7 05	h	i		

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CLASSIFICATION DEFINITIONS
TRUCK DRIVERS - ZONE 1

GROUP 1 - Warehousemen, yardmen, truck helpers, pick-ups, stationwagons, panel trucks, flatbody material truck (straight job), greasers, washers, tiremen, gas pumps attendants, dump trucks (up to 5 cubic yards)
GROUP 2 - Tank truck (straight).
GROUP 3 - Dump trucks (5 cubic yards and over), semi-dump trucks, semi-trailers, (whether flat rack, or pole and hauled or pushed by truck or tractor), Agitator or mixer trucks (up to 5 cubic yards), farm type tractor, tank truck (semi)
GROUP 4 - Low-Boy trailers, winch trucks, fork trucks, distributor trucks (front and back end), truck crane, moni-rail truck
GROUP 5 - Material checker and receiver, mechanics helpers
GROUP 6 - Agitator or mixer truck (5 cubic yards and over)
GROUP 7 - Mechanics, euclid, dumpster, turnarocker, rose carriers, athey wagon or similar equipment, A-frame, hydrolift, dual purpose trucks

TRUCK DRIVERS ZONE 2

GROUP 1 - Warehousemen, yardmen, truck helpers, pick-ups, stationwagons, panel trucks.
GROUP 2 - Flatbody material trucks (straight jobs), dump trucks (up to 5 cubic yards), greasers, washers, tiremen, gas pump attendants, mechanic helpers, material checkers & receivers, tank truck (straight)
GROUP 3 - Dump trucks (5 cubic yards & over), semi-dump trucks, semi-trailers (whether flat, rack or pole and hauled or pushed by truck or tractors), agitators or mixed trucks (up to 5 cubic yards), tank trucks (semi), monorails
GROUP 4 - Low-boy trailers, winch trucks, fork truck, distributor trucks (front and back end), truck crane, agitators or mixer trucks (5 cubic yards & over), hydraulic tail gate, farm type tractors
GROUP 5 - Euclids, dumpsters, turnarockers, rose carriers, athey wagons or similar equipment, A-frame, hydrolift, dual purpose trucks
GROUP 6 - Mechanics

DECISION NO WV75-3106

TRUCK DRIVERS - ZONE 3

GROUP 1 - Warehousemen, yardmen, truck helpers, pick-ups, stationwagons, panel trucks, flatbody material truck (straight job), greasers, washers, tiremen, gas pump attendants, dump trucks (up to 5 cubic yards)
GROUP 2 - Tank truck (straight)
GROUP 3 - Dump trucks (5 cubic yards and over), semi-dump trucks, semi-trailers (whether flat rack or pole and hauled or pushed by truck or tractors), agitator or mixer trucks (up to 5 cubic yards), tank truck (semi)
GROUP 4 - Low-boy trailers, winch trucks, fork trucks, distributor trucks (front and back end), truck crane, moni-rail truck
GROUP 5 - Material checker and receiver, mechanics helpers
GROUP 6 - Agitator or mixer truck (5 cubic yards and over)
GROUP 7 - Mechanics, tri-axle dump trucks, hydraulic lift tailgate truck and farm type tractors, end dumpsters, turnarockers, ross carriers, athey wagon or similar equipment, A-frame, hydrolift, dual purpose trucks

TRUCK DRIVERS - ZONE 4

GROUP 1 - Warehouse, yardmen, truck helpers, pick-ups, stationwagons, panel trucks, team 2 - up
GROUP 2 - Flatbody material trucks (straight jobs), dump trucks (up to 5 cubic yards), material checkers, material receivers, team 4 - up, greasers, tiremen and mechanic helpers (truck)
GROUP 3 - Semi-dump truck, semi-trailers (flat rack or pole), low-boy trucks, distributor trucks, agitators or mixer trucks (up to and including 5 yards), dump trucks and dumpsters (5 to 12 yards)
GROUP 4 - Dump truck, agitator or mixer trucks and other hauling equipment (12 yards to 20 yards), mucker trucker, rubber-tired tractors (towing or pushing)
GROUP 5 - Dump truck, agitator or mixer trucks and other hauling equipment (20 yards and over)
GROUP 6 - "A" Frame operator, mechanics (truck)

TRUCK DRIVERS ZONE 5

GROUP 1 - Flat bed material trucks, dump trucks, semi-dump trucks
GROUP 2 - Tank trucks (straight & semi)
GROUP 3 - Semi-trailers, tractor trailers
GROUP 4 - Pole trailer.
GROUP 5 - Agitator & mixer trucks (up to 5 cubic yards)
GROUP 6 - Euclids, dumpsters, turnarocker, ross carriers, athey wagons
GROUP 7 - Agitator & mixer trucks (over 5 cubic yards).
GROUP 8 - Low-boy trailers, winch trucks, ford trucks (front and back end), truck crane.
GROUP 9 - A-Frame.
GROUP 10 - Mechanics

DECISION NO WV75-3106

TRUCK DRIVERS - ZONE 6

GROUP 1 - Warehousemen, yardmen, truck helpers
GROUP 2 - Greasers, washers, tiremen, gas pump attendants, mechanics helpers
GROUP 3 - Flatboy material trucks, dump trucks, semi-trucks
GROUP 4 - Tank trucks (straight & semi)
GROUP 5 - Semi-trailers & tractor trailers
GROUP 6 - Euclids, dumpsters, turnarockers, ross carriers, athey wagons
GROUP 7 - Low-boy trailers, winch trucks, A-frame, fork trucks, distributos (front & back end), truck crane
GROUP 8 - Mechanics.

AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 1 - Boone, Clay, Fayette, Kanawha & Putnam Counties
ZONE 2 - Calhoun, Gilmer, Jackson, Pleasants, Ritchie, Roane Tyler, Wirt & Wood Counties
ZONE 3 - Cabell, Mason & Wayne Counties.
ZONE 4 - Barbour, Doddridge, Harrison, Lewis, Marion, Monongalia, Taylor & Upshur Counties
ZONE 5 - Marshall, Ohio & Wetzel Counties
ZONE 6 - Brooke & Hancock Counties

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a Paid Holiday: Christmas Day

b Paid Holidays: A through F

c Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit

d Employer contributes 2¢ per hour employer from June 1 to December 31

e Employer contribution of 3% per hour to the Sami Fund per employee that is based on the basic hourly rate plus pension plus health and welfare

f Employer contributes $41 16 per month per employee employed 30 days or more

DECISION NO WV75-3106

FOOTNOTES (CONT'D):

g Employer contributes $34 67 per month per employee

h Employer contributes $58 50 per month per employee employed 30 days or more.

i Employer contributes $26 00 per month per employee employed 30 days or more

j Employer contributes $34 67 per month per employee employed 30 days or more.

k Employer contributes $28 50 per month per employee employed 30 days or more

l Employer contributes $6 30 per week per employee

m Employer contributes $6 00 per week per employee

n One week's paid vacation

o Employer contributes $9 50 per week per employee

p Paid Holidays: A through F plus Christmas Eve

[FR Doc 75-33218 Filed 12-11-75;8:45 am]

INDEX TO GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF NOVEMBER 7, 1975

Republication

There is set forth below an index to general wage determination decisions and Modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists general wage determination decisions and modifications by State and County. An updated index is published on the first Friday of each month. However, as the index published in the FEDERAL REGISTER of December 5, 1975, was partially illegible, it is being republished on this date.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published general decisions do not coincide, the published general decisions shall control.

ABBREVIATIONS

(B)—Building Construction
(D)—Dredging Construction
(F)—Flood Control Construction
(H)—Heavy Construction
(Hw)—Highway Construction
(R)—Residential Construction
Mod.—Modification
(HE)—Heavy Engineering
(LE)—Light Engineering
(U)—Utility
(W&S)—Water and Sewer

Signed at Washington, D.C., this 8th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AL75 5131 (D)
40 FR 49947 - 10/24/75
Decision #AQ 4088 (Hw)(Excluding Airport Construction)
39 FR 10085 - 3/15/74
Mod. #1 - 40 FR 2373 - 1/10/75
AUTAUGA COUNTY
(D,Hw) - See Statewide
BALDWIN COUNTY
Decision #AL75-1043 (R)
40 FR 15286 - 4/4/75
(Hw) - See Statewide
BARBOUR COUNTY
(D,Hw) - See Statewide
BIBB COUNTY
(D,Hw) - See Statewide
BLOUNT COUNTY
Decision #AL75-1047 (R)
40 FR 17474 - 4/18/75
(D,Hw) - See Statewide
BULLOCK COUNTY
(D,Hw) - See Statewide
BUTLER COUNTY
(D,Hw) - See Statewide
CALHOUN COUNTY
(D,Hw) - See Statewide
CHAMBERS COUNTY
(D,Hw) - See Statewide
CHEROKEE COUNTY
(D,Hw) - See Statewide
CHILTON COUNTY
(D,Hw) - See Statewide
CHOCTAW COUNTY
(D,Hw) - See Statewide
CLARKE COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd.

CLAY COUNTY
(D,Hw) - See Statewide
CLEBURNE COUNTY
(D,Hw) - See Statewide
COFFEE COUNTY
(D,Hw) - See Statewide
COLBERT COUNTY
Decision #AL75-1046 (R)
40 FR 17451 - 4/18/75
Decision #AL75-1061 (B)
40 FR 24462 - 6/6/75
Mod. #1 - 40 FR 29439 - 7/11/75
(D,Hw) - See Statewide
CONECUH COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
COOSA COUNTY
(D,Hw) - See Statewide
COVINGTON COUNTY
(D,Hw) - See Statewide
CRENSHAW COUNTY
(D,Hw) - See Statewide
CULLMAN COUNTY
(D,Hw) - See Statewide
DALE COUNTY
(D,Hw) - See Statewide
DALLAS COUNTY
(D,Hw)- See Statewide
DE KALB COUNTY
(D,Hw) - See Statewide
ELMORE COUNTY
(D,Hw)- See Statewide
ESCAMBIA COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
ETOWAH COUNTY
(D,Hw)-See Statewide

ALABAMA (Cont'd.

FAYETTE COUNTY
(D,Hw) - See Statewide
FRANKLIN COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County
GENEVA COUNTY
(D,Hw) - See Statewide
GREENE COUNTY
(D,Hw) - See Statewide
HALE COUNTY
(D,Hw) - See Statewide
HENRY COUNTY
(D,Hw) - See Statewide
HOUSTON COUNTY
(D,Hw) - See Statewide
JACKSON COUNTY
(D,Hw) - See Statewide
JEFFERSON COUNTY
Decision #AL75-1086 (B)
40 FR 44447 - 9/26/75
Mod #1 - 40 FR 52241- 11/7/75
(D) - See Statewide
(R) - See Blount County
(Hw) - See Statewide
LAMAR COUNTY
(D,Hw) - See Statewide
LAUDERDALE COUNTY
(B,R) - See Colbert County
(D,Hw) - See Statewide
LAWRENCE COUNTY
Decision #AL75-1027 (B)
40 FR 8701 - 2/28/75
Mod #1 - 40 FR 27403 - 6/27/75
Mod #2 - 40 FR 29439 - 7/11/75
Mod. #3 - 40 FR 40003 - 8/29/75
(D,Hw) - See Statewide
(R) - See Colbert County
LEE COUNTY
(D,Hw) - See Statewide
LIMESTONE COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide

ALABAMA (cont'd)

LOWNDES COUNTY
(D,Hw) - See Statewide
MACON COUNTY
(D,Hw) - See Statewide
MADISON COUNTY
Decision #AL75-1063 (D)
40 FR 26188 - 6/20/75
Mod #1 - 40 FR 29440 - 7/11/75
Mod #2 - 40 FR 40003 - 8/29/75
Mod. #3 - 40 FR 52241 - 11/7/75
(D,Hw) - See Statewide
MARENGO COUNTY
(D,Hw) - See Statewide
MARION COUNTY
(R) - See Colbert County
(D,Hw) - See Statewide
MARSHALL COUNTY
(D,Hw) - See Statewide
MOBILE COUNTY
Decision #AL75-1069 (B)
40 FR 30389 - 7/18/75
Mod #1 - 40 FR 36893 - 8/22/75
Mod. #2 - 40 FR 49941 - 10/24/75
(D,Hw) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D,Hw) - See Statewide
MONTGOMERY COUNTY
Decision #AL75-1071 (R)
40 FR 30392 - 7/18/75
Decision #AL75-1073 (B)
40 FR 33580 - 8/8/75
Mod #1 - 40 FR 42483 - 9/12/75
Mod #2 - 40 FR 52241 - 11/7/75
MORGAN COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide
PERRY COUNTY
(D,Hw) - See Statewide
PICKENS COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd)

PIKE COUNTY
(D,Hw) - See Statewide
RANDOLPH COUNTY
(D,Hw) - See Statewide
RUSSELL COUNTY
(D,Hw) - See Statewide
SAINT CLAIR COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
SHELBY COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
SUMTER COUNTY
(D,Hw) - See Statewide
TALLADEGA COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
TALLAPOOSA COUNTY
(D,Hw) - See Statewide
TUSCALOOSA COUNTY
Decision #AL75-1048 (B)
40 FR 17475 - 4/18/75
Mod. #1 - 40 FR 27403 - 6/27/75
(D,Hw) - See Statewide
WALKER COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
WASHINGTON COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
WILCOX COUNTY
(D,Hw) - See Statewide
WINSTON COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County

ALASKA

STATEWIDE
Decision #AK75-5134 (B,H,Hw R)
40 FR 52248- 11/7/75

ARIZONA

STATEWIDE
Decision #AZ75-5076 (B H Hw)
40 FR 28313 - 7/3/75
Mod #1 - 40 FR 33571 - 8/8/75
Mod #2 - 40 FR 43417 - 9/19/75
Mod #3 - 40 FR 50865 - 10/31/75
APACHE COUNTY
Decision #AZ75-5003 (R)
(Navajo and Hopi Indian
Reservations in Apache, Coconino, Navajo Cos)
40 FR 3868 - 1/24/75
(B,H,Hw) - See Statewide
COCHISE COUNTY
(B,H,Hw) - See Statewide
COCONINO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
GILA COUNTY
(B,H,Hw) - See Statewide
GRAHAM COUNTY
(B,H,Hw) - See Statewide
GREENLEE COUNTY
(B,H,Hw) - See Statewide
MARICOPA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5077 (R)
40 FR 28322 - 7/3/75
Mod #1 - 40 FR 33572 - 8/8/75
Mod #2 - 40 FR 43417 - 9/19/75
MOHAVE COUNTY
(B,H,Hw) - See Statewide
NAVAJO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
PIMA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5078 (R)
40 FR 28328 - 7/3/75
Mod #1 - 40 FR 33572 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
PINAL COUNTY
(B,H,Hw) - See Statewide
SANTA CRUZ COUNTY
(B,H,Hw) - See Statewide
YAVAPAI COUNTY
(B,H,Hw) - See Statewide
YUMA COUNTY
(B,H,Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AR-71 (Construction, Alteration, and/or repair of streets, highways, runways, and water & sewer utilities)
39 FR 40409 - 11/15/74
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
ARKANSAS COUNTY
(D,H,Hw) - See Statewide
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
ASHLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BAXTER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BENTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BOONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BRADLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CALHOUN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CARROLL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CHICOT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

CLARK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLAY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEBURNE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEVELAND COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
COLUMBIA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CONWAY COUNTY
Decision #AR75 4084 (B)
40 FR 19321 - 5/2/75
Mod. #1 - 40 FR 25319 - 6/13/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAIGHEAD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAWFORD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
Decision #AR75-4082 (B)
40 FR 17452 - 4/18/75
Mod #1 - 40 FR 25319 - 6/13/75
Mod #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 49941 - 10/24/75
CRITTENDEN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CROSS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DALLAS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DESHA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FAULKNER COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FRANKLIN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FULTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GARLAND COUNTY
Decision #AR75 4083 (B)
40 FR 18271 - 4/25/75
Mod #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 45951 - 10/3/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GRANT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GREENE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HEMPSTEAD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HOT SPRING COUNTY
(B) - See Garland County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HOWARD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
INDEPENDENCE COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County
IZARD COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

JACKSON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
JEFFERSON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
JOHNSON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LAFAYETTE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LAWRENCE COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LEE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LINCOLN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LITTLE RIVER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LOGAN COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LONOKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MADISON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
MARION COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(D,H Hw) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(D,H Hw) - See Statewide
(F) - Arkansas County
OUACHITA COUNTY
(B) - See Union County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(D,H Hw) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POPE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

PRAIRIE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PULASKI COUNTY
(D,H,Hw)- See Statewide
(F) - See Arkansas County
Decision #AR75 4134 (B)
40 FR 31455 - 7/25/75
Mod #1 - 40 FR 43418 - 9/19/75
Mod. #2 - 40 FR 45951 - 10/3/75
Decision #AR75-4068 (R)
40 FR 14218 - 3/28/75
RANDOLPH COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
ST. FRANCIS COUNTY
(D,H Hw) - See Statewide
(F) - See Arkansas County
SALINE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SCOTT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEARCY COUNTY
(D,H Hw) - See Statewide
(F) - See Arkansas County
SEBASTIAN COUNTY
(F) - See Arkansas County
(D,H,Hw) - See Statewide
(B) - See Crawford County
SEVIER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SHARP COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

STONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
UNION COUNTY
Decision #AR75-4073 (B)
40 FR 15287 - 4/4/75
Mod #1 - 40 FR 19323 - 5/2/75
Mod #2 - 40 FR 25319 - 6/13/75
Mod #3 - 40 FR 45951 - 10/3/75
Mod #4 - 40 FR 49941 - 10/24/75
(F) - See Arkansas County
(D,H,Hw) - See Statewide
VAN BUREN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WASHINGTON COUNTY
(D,H Hw) - See Statewide
(F) - See Arkansas County
WHITE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WOODRUFF COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
YELL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #CA75 5085 (B,H,Hw,D)
40 FR 31457 - 7/25/75
Mod #1 - 40 FR 40003 - 8/29/75
Mod #2 - 40 FR 44439 - 9/26/75
Mod. #3 - 40 FR 50865 - 10/31/75
Decision #CA75 5086 (R)
40 FR 31474 - 7/25/75
Mod #1 - 40 FR 40005 - 8/29/75
Mod #2 - 40 FR 44440 - 9/26/75
Mod #3 - 40 FR 50866 - 10/31/75
ALPINE COUNTY
(B,D,H,Hw,R) - See Alameda County
AMADOR COUNTY
(B,D,H,Hw,R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - See Alameda County
CALAVERAS COUNTY
(B,H,Hw,D,R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,D,H,Hw,R) - See Alameda County
DELNORTE COUNTY
(B,D,H,Hw,R) - See Alameda County
ELDORADO COUNTY
(B,D,H,Hw,R) - See Alameda County
FRESNO COUNTY
(B,D,H,Hw,R) - See Alameda County

CALIFORNIA (Cont'd)

GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,D,H,Hw,R) - See Alameda County
IMPERIAL COUNTY
Decision #CA75 5087 (B,D,H,Hw)
40 FR 31487 - 7/25/75
Mod #1 - 40 FR 41349 - 9/5/75
Mod. #2 - 40 FR 45952 - 10/3/75
Decision #CA75-5088 (R)
40 FR 31496 - 7/25/75
Mod #1 - 40 FR 41350 - 9
Mod. #2 - 40 FR 45952 - 1
INYO COUNTY
(B,H,Hw,D) - See Imperial C
KERN COUNTY
(B,D,H,Hw,R) - See Imperial County

CALIFORNIA (Cont'd)

KING COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,D,H,Hw,R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARIN COUNTY
(B,H,Hw,D,R) - See Alameda County
MARIPOSA COUNTY
(B,D,H,Hw,R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw, D) - See Alameda County
MERCED COUNTY
(B,D,H,Hw,R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONO COUNTY
(B,H,Hw,D) - See Imperial County
MONTEREY COUNTY
(B,D,H,Hw,R) - See Alameda County
NAPA COUNTY
(B,D,H,Hw,R) - See Alameda County
NEVADA COUNTY
(B,D,H,Hw,R) - See Alameda County
ORANGE COUNTY
(B,D,H,Hw,R) - See Imperial County
PLACER COUNTY
(B,D,H,Hw,R)- See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,D,H,Hw,R) - See Imperial County
SACRAMENTO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D,R) - See Alameda County
SAN BERNARDINO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN DIEGO COUNTY
Decision #CA75-5071 (B,H,Hw,D)
40 FR 25337 - 6/13/75
Mod #1 - 40 FR 29442 - 7/11/75
Mod #2 - 40 FR 30383 - 7/18/75
Mod #3 - 40 FR 41349 - 9/5/75

CALIFORNIA (Cont'd.)

SAN DIEGO COUNTY (Cont'd)
Decision #CA75-5072 (R)
40 FR 25343 - 6/13/75
Mod #1 - 40 FR 29442 - 7/11/75
Mod #2 - 40 FR 30383 - 7/18/75
Mod. #3 - 40 FR 41349 - 9/5/75
SAN FRANCISCO COUNTY
(B,D,Hw,H,R) - See Alameda County
SAN JOAQUIN COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN MATEO COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA BARBARA COUNTY
(B,D,H,Hw,R) - See Imperial County
SANTA CLARA COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA CRUZ COUNTY
(B,D,H,Hw,R) - See Alameda County
SHASTA COUNTY
(B,D,H,Hw,R) - See Alameda County
SIERRA COUNTY
(B,D,H,Hw) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,D,H,Hw,R) - See Alameda County
SONOMA COUNTY
(B,D,H,Hw,R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,D,H,Hw,R) - See Alameda County
TEHAMA COUNTY
(B,D,H,Hw,R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County
TULARE COUNTY
(B,H,Hw,D) - See Alameda County
TUOLUMNE COUNTY
(B,D,H,Hw,R) - See Alameda County
VENTURA COUNTY
(B,D,H,Hw,R) - See Imperial County
YOLO COUNTY
(B,H,Hw,D,R) - See Alameda County
YUBA COUNTY
(B,H,Hw,D,R))- See Alameda County

COLORADO

STATEWIDE
Decision #CO75-5118 (Hw)
40 FR 43449 - 9/19/75
Mod. #1 - 40 FR 48843 - 10/17/75
ADAMS COUNTY
Decision #CO75-5129 (B,H)
40 FR 48848 - 10/17/75
(Hw) - See Statewide
Decision #CO75-5061 (R)
40 FR 22744 - 5/23/75
(Hw) - See Statewide
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPAHOE COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(B H) - See Adams County
(Hw) - See Statewide
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
Decision #CO75-5116 (B H)
40 FR 43435 - 9/19/75
Mod #1 - 40 FR 48843 - 10/17/75
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EAGLE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EL PASO COUNTY
Decision #CO75-5101 (B,H)
40 FR 33595 - 8/8/75
Mod #1 - 40 FR 43418 - 9/19/75
Mod #2 - 40 FR 48843 - 10/17/75
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
GILPIN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GRAND COUNTY
(B H) - See Adams County
(Hw) - See Statewide
GUNNISON COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
HINDSDALE COUNTY
(Hw) - See Statewide
HUERFANO COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide

COLORADO (Cont'd.)

JEFFERSON COUNTY
(Hw) - See Statewide
(B,H R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT CARSON COUNTY
(Hw) - See Statewide
LAKE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LA PLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(B H) - See AdamsCounty
(Hw) - See Statewide
LAS ANIMAS COUNTY
Decision #CO75-5117 (B,H)
40 FR 43442 - 9/19/75
Mod #1 - 40 FR 48843 - 10/17/75
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MORGAN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
OTERO COUNTY
(B,H) - See Las Animas County
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide
PARK COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
(B,H) - See Las Animas County

COLORADO (Cont'd)

RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #CT75-2113 (B,H,Hw,R)
40 FR 45962 - 10/3/75
Decision #NY75 3108 (D)
40 FR 49949 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2 - 40 FR 52241 - 11/7/75
HARTFORD COUNTY
Decision #CT75-2114 (B,H,Hw)
40 FR 45970 - 10/3/75
Decision #CT75-2067 (R)
40 FR 18304 - 4/25/75
LITCHFIELD COUNTY
(B,H,Hw,R) - See Fairfield County
MIDDLESEX COUNTY
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
NEW HAVEN COUNTY
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
NEW LONDON COUNTY
(B,H,Hw,D,R) - See Fairfield County
TOLLAND COUNTY
(B,H,Hw) - See Hartford County
WINDHAM COUNTY
(B,H,Hw,D,R) - See Fairfield County

DELAWARE

STATEWIDE
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2 - 40 FR 52241 - 11/7/75
Decision #DE75 3092 (B,H,Hw)
40 FR 36903 - 8/-2/75
Mod #1 - 40 FR 34539 - 8/15/75
Mod. #2 - 40 FR 42483 - 9/12/75
KENT COUNTY
(B,H,Hw,D) - See Statewide
NEW CASTLE COUNTY
(B,H,Hw,D) - See Statewide
SUSSEX COUNTY
(B,H,Hw,D) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #FL75-1089 (B)
40 FR 42489 - 9/12/75
(Hw) - See Bay County
BAKER COUNTY
Decision #FL75-1081 (Hw)
40 FR 41359 - 9/5/75
BAY COUNTY
Decision #FL75-1012 (B)
40 FR 4805 - 1/31/75
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #FL75-1080 (Hw)
40 FR 41358 - 9/5/75

FLORIDA (Cont'd.)

BRADFORD COUNTY
(Hw) - See Alachua County
BREVARD COUNTY (Cape Kennedy Kennedy Space Flight Center & Patrick AFB only)
Decision #FL75-1087 (B,H Hw)
40 FR 41364 - 9/5/75
Decision #AR-4068 (D)
39 FR 44915 - 12/27/74
(Remainder of County)
Decision #FL75-1082 (Hw)
40 FR 41360 - 9/5/75
BROWARD COUNTY
Decision #FL75-1084 (Hw)
40 FR 41362 - 9/5/75
Decision #FL75-1011 (B,H)
40 FR 3886 - 1/24/75
Mod #1 - 40 FR 8694 - 2/28/75
Mod #2 - 40 FR 12952 - 3/21/75
(D) - See Brevard County
CALHOUN COUNTY
(Hw) - See Bay County
CHARLOTTE COUNTY
(Hw) - See DeSoto County
(D) - See Brevard County
CITRUS COUNTY
Decision #FL75-1104 (R)
40 FR 49949 - 10/24/75
(Hw) - See Bay County
(D) - See Brevard County
CLAY COUNTY
(Hw) - See Baker County
COLLIER COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
COLUMBIA COUNTY
(B) - See Alachua County
DADE COUNTY
Decision #FL75-1090 (B)
40 FR 42491 - 9/12/75
Decision #AR-4050 (R)
39 FR 38077 - 10/25/74
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

DESOTO COUNTY
Decision #AR-4065 (R)
40 FR 43468 - 12/13/74
Decision #FL75-1083 (Hw)
40 FR 41361 - 9/5/75
DIXIE COUNTY
(D) - See Brevard County
(B) - See Alachua County
DUVAL COUNTY
Decision #FL75-1091 (B)
40 FR 42493 - 9/12/75
(D) - See Brevard County
(Hw) - See Baker County
ESCAMBIA COUNTY
Decision #FL75-1024 (B)
40 FR 7801 - 2/21/75
Mod #1 - 40 FR 12953 - 3/21/75
Mod #2 - 40 FR 18275 - 4/25/75
Mod. #3 - 40 FR 25324 - 6/13/75
Decision #AP-178 (R)
38 FR 11259 - 5/4/73
Mod. #1 - 39 FR 12002 - 3/14/75
Decision #FL75-1030 (Hw)
40 FR 10891 - 3/7/75
Mod #1 - 40 FR 14196 - 3/28/75
(D) - See Bay County
FLAGLER COUNTY
(D) - See Brevard County
(Hw) - See Baker County
FRANKLIN COUNTY
(D) - See Bay County
(Hw) - See Bay County
GADSDEN COUNTY
Decision #AP-179 (R)
38 FR 11260 - 5/4/73
Mod #1 - 39 FR 15604 - 5/3/74
Mod #2 - 40 FR 12003 - 3/14/75
(Hw) - See Bay County
GILCHRIST COUNTY
(B) - See Alachua County
GLADES COUNTY
(Hw) - See Charlotte County
GULF COUNTY
(D) - See Bay County
(Hw) - See Alachua County
HAMILTON COUNTY
(B) - See Alachua County
HARDEE COUNTY
(Hw, R) - See DeSoto County
HENDRY COUNTY
(Hw) - See Charlotte County
HERNANDO COUNTY
(D) - See Brevard County
(Hw, R) - See Citrus County

FLORIDA (cont'd)

HIGHLANDS COUNTY
(R) - See Citrus County
(Hw) - See De Soto County
HILLSBOROUGH COUNTY
Decision #FL75-1075 (B)
40 FR 34556 - 8/15/75
(Hw) - See Brevard County
(D) - See Brevard County
(R) - See Citrus County
HOLMES COUNTY
(Hw) - See Bay County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co (Remainder of Co)
JACKSON COUNTY
(Hw) - See Bay County
JEFFERSON COUNTY
(D,Hw) - See Bay County
(R) - See Gadsden County
LAFAYETTE COUNTY
(B,H) - See Alachua County
LAKE COUNTY
Decision #FL75-1066 (R)
40 FR 28332 - 7/3/75
(Hw) - See Brevard Co (Remainder of Co)
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #FL75-1036 (B)
40 FR 14221 - 3/28/75
Mod #1 - 40 FR 32551 - 8/1/75
(Hw) - See Bay County
(R) - See Gadsden County
LEVY COUNTY
(D) - See Brevard County
(Hw) - See Citrus County
LIBERTY COUNTY
(Hw) - See Bay County
MADISON COUNTY
(R) - See Gadsden County
(B) - See Alachua County
MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
MARION COUNTY
(Hw) - See Citrus County
MARTIN COUNTY
Decision #FL75-1033 (B)
40 FR 14219 - 3/28/75
Mod #1 - 40 FR 19327 - 5/2/75
Mod #2 - 40 FR 25342 - 6/13/75
Mod #3 - 40 FR 32551 - 8/1/75
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

MONROE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
NASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OKALOOSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
Decision #AP-180 (R)
38 FR 11260 - 5/4/73
Mod #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12002 - 3/14/75
OKEECHOBEE COUNTY
(Hw) - See DeSoto County
ORANGE COUNTY
Decision #FL75-1009 (B)
40 FR 3882 - 1/24/75
Mod #1 - 40 FR 12952 - 3/21/75
Mod #2 - 40 FR 25324 - 6/13/75
(Hw) - See Brevard Co (Remainder of C
(R) - See Lake County
OSCEOLA COUNTY
(Hw) - See Brevard Co (Remainder of C
(R) - See Lake County
PALM BEACH COUNTY
(D) - See Brevard County
(B) - See Martin County
(Hw) - See Broward County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
(R) - See Citrus County
PINELLAS COUNTY
Decision #FL75-1034 (B)
40 FR 12970 - 3/21/75
Mod #1 - 40 FR 16477 - 4/11/75
Mod #2 - 40 FR 25324 - 6/13/75
Mod #3 - 40 FR 32551 - 8/1/75
(R) - See Citrus County
(D) - See Brevard County
(Hw) - See Hillsborough County
POLK COUNTY
(Hw) - See DeSoto County
(R) - See DeSoto County
PUTNAM COUNTY
(Hw) - See Baker County
ST. JOHNS COUNTY
(D) - See Brevard County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
SANTA ROSA COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County

FLORIDA (Cont'd)

SANTA ROSA COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County
SARASOTA COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard Co (Remainder of Co)
(R) - See Lake County
SUMTER COUNTY
(Hw, R) - See Citrus County
SUWANNEE COUNTY
(B) - See Alachua County
TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
(B) - See Alachua County
UNION COUNTY
(B) - See Alachua County
VOLUSIA COUNTY (Except Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only and including Melabar Radar Site)
Decision #FL75-1040 (B)
40 FR 14223 - 3/28/75
Mod. #1 - 40 FR 25324 - 6/13/75
(B,H,Hw) - See Brevard Co. (Cape Kennedy,Etc)
(D) - See Brevard County
(Hw) - See Brevard County (Remainder of Co)
WAKULLA COUNTY
(D) - See Bay County
(Hw) - See Bay County
WALTON COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Bay County

GEORGIA

STATEWIDE
Decision #AR-4038 (Hw)
39 FR 34984 - 9/27/74
Mod #1 - 39 FR 36711 - 10/11/74
Mod. #2 - 40 FR 23629 - 5/30/75
APPLING COUNTY
(Hw) - See Statewide
ATKINSON COUNTY
(Hw) - See Statewide
BACON COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

BAKER COUNTY
Decision #AQ 4089 (R)
39 FR 10067 - 3/15/74
Mod #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide
BALDWIN COUNTY
(Hw) - See Statewide
BANKS COUNTY
(Hw) - See Statewide
BARROW COUNTY
Decision #AQ 4108 (R)
39 FR 14841 - 4/26/74
(Hw) - See Statewide
BARTOW COUNTY
(Hw) - See Statewide
BEN HILL COUNTY
(Hw) - See Statewide
BERRIEN COUNTY
(Hw) - See Statewide
BIBB COUNTY
(Hw) - See Statewide
BLECKLEY COUNTY
(Hw) - See Statewide
BRANTLEY COUNTY
(Hw) - See Statewide
BROOKS COUNTY
(Hw) - See Statewide
BRYAN COUNTY
(Hw) - See Statewide
Decision #AQ-4058 (R)
39 FR 3394 - 1/25/74
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
BULLOCH COUNTY
(R) - See Bryan County
(Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4085 (R)
39 FR 9333 - 3/8/74
(Hw) - See Statewide
BUTTS COUNTY
(Hw) - See Statewide
CALHOUN COUNTY
(Hw) - See Statewide
(R) - See Baker County
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
CANDLER COUNTY
(Hw) - See Statewide
CARROLL COUNTY
(Hw) - See Statewide
CATOOSA COUNTY
(Hw) - See Statewide
CHARLTON COUNTY
Decision #AR-4037 (R)
39 FR 33919 - 9/20/74
Mod #1 - 40 FR 3088 - 1/17/75
(Hw) - See Statewide

GEORGIA (Cont'd.)

CHATHAM COUNTY
Decision #AR-4064 (B)
39 FR 42817 - 12/6/74
Mod #1 - 40 FR 16478 - 4/11/75
Mod #2 - 40 FR 25325 - 6/13/75
Mod #3 - 40 FR 32552 - 8/1/75
Mod #4 - 40 FR 34539 - 8/15/75
(D,R) - See Bryan County
CHATTAHOOCHEE COUNTY
Decision #GA75-1039 (B)
40 FR 49942 - 10/24/75
Decision #AQ 4086 (R)
39 FR 9334 - 3/8/74
Mod #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide
CHATTOOGA COUNTY
(Hw) - See Statewide
CHEROKEE COUNTY
(Hw) - See Statewide
CLARKE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
CLAY COUNTY
(R) - See Baker County
(Hw) - See Statewide
CLAYTON COUNTY
Decision #GA75-1092 (B)
40 FR 42495 - 9/12/75
Decision #AQ- 4052 (R)
39 FR 2328 - 1/18/74
Mod. #1 - 40 FR 3861 - 1/24/75
Decision #AR-4051 (H)
39 FR 38797 - 11/1/74
(D) - See Fulton County
(Hw) - See Statewide
CLINCH COUNTY
(Hw) - See Statewide
COBB COUNTY
(B,H,R) - See Fulton County
(Hw) - See Statewide
COFFEE COUNTY
(Hw) - See Statewide
COLQUITT COUNTY
(Hw) - See Statewide
COLUMBIA COUNTY
(R) - See Burke County
(Hw) - See Statewide
COOK COUNTY
(Hw) - See Statewide
COWETA COUNTY
(Hw) - See Statewide
CRAWFORD COUNTY
(Hw) - See Statewide
CRISP COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

DEKALB COUNTY
(B,R) - See Clayton County
(Hw) - See Statewide
DODGE COUNTY
(Hw) - See Statewide
DOOLY COUNTY
(Hw) - See Statewide
DOUGHERTY COUNTY
(Hw) - See Statewide
(R) - See Baker County
DOUGLAS COUNTY
(Hw) - See Statewide
EARLY COUNTY
(Hw) - See Statewide
(R) - See Baker County
ECHOLS COUNTY
(Hw) - See Statewide
EFFINGHAM COUNTY
(R) - See Bryan County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(R) - See Barrow County
EMANUEL COUNTY
(Hw) - See Statewide
EVANS COUNTY
(R) - See Bryan County
(Hw) - See Statewide
FANNIN COUNTY
(Hw) - See Statewide
FAYETTE COUNTY
(Hw) - See Statewide
FLOYD COUNTY
(Hw) - See Statewide
FORSYTH COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
FULTON COUNTY
(Hw) - See Statewide
(B,R) - See Clayton County
GILMER COUNTY
(Hw) - See Statewide
GLASCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
GORDON COUNTY
(Hw) - See Statewide
GRADY COUNTY
(Hw) - See Statewide
(R) - See Baker County
GREENE COUNTY
(R) - See Barron County
(Hw) - See Statewide

GEORGIA (Cont'd.)

GWINNETT COUNTY
(R) - See Clayton County
(Hw) - See Statewide
HABERSHAM COUNTY
(Hw) - See Statewide
HALL COUNTY
Decision #GA75-1025 (B)
40 FR 8691 - 2/28/75
Mod #1 - 40 FR 12003 - 3/14/75
Mod #2 - 40 FR 49942 - 10/24/75
(Hw) - See Statewide
HANCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
HARALSON COUNTY
(Hw) - See Statewide
HARRIS COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
HART COUNTY
(Hw) - See Statewide
(R) - See Barrow County
HEARD COUNTY
(Hw) - See Statewide
HENRY COUNTY
(Hw) - See Statewide
HOUSTON COUNTY
(Hw) - See Statewide
IRWIN COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
JASPER COUNTY
(Hw) - See Statewide
JEFF DAVIS COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(R) - See Burke County
JENKINS COUNTY
(Hw) - See Statewide
(R) - See Burke County
JOHNSON COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
LAMAR COUNTY
(Hw) - See Statewide
LANIER COUNTY
(Hw) - See Statewide
LAURENS COUNTY
Decision #AQ-4124 (B)
39 FR 20912 - 6/14/74
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
(R) - See Baker County

GEORGIA (Cont'd.)

LIBERTY COUNTY
(D R) - See Bryan County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
(R) - See Burke County
LONG COUNTY
(Hw) - See Statewide
(R) - See Bryan County
LOWNDES COUNTY
(Hw) - See Statewide
LUMPKIN COUNTY
(Hw) - See Statewide
MCDUFFIE COUNTY
(Hw) - See Statewide
(R) - See Burke County
McINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Statewide
MACON COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MADISON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
MARION COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MERIWETHER COUNTY
(R) - See Chattahoochee County
(Hw) - See Statewide
MILLER COUNTY
(Hw) - See Statewide
(R) - See Baker County
MITCHELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
MONROE COUNTY
(Hw) - See Statewide
MONTGOMERY COUNTY
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
(R) - See Barrow County
MURRAY COUNTY
(Hw) - See Statewide
MUSCOGEE COUNTY
(B,R) - See Chattahoochee County
(Hw) - See Statewide
NEWTON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OCONEE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OGLETHORPE COUNTY
(Hw) - See Statewide
(R) - See Barrow County

GEORGIA (Cont'd.)

PAULDING COUNTY
(Hw) - See Statewide
PEACH COUNTY
(Hw) - See Statewide
PICKENS COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
(R) - See Charlton County
PIKE COUNTY
(Hw) - See Statewide
POLK COUNTY
(Hw) - See Statewide
PULASKI COUNTY
(Hw) - See Statewide
PUTNAM COUNTY
(Hw) - See Statewide
QUITMAN COUNTY
(Hw) - See Statewide
(R) - See Baker County
RABUN COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
(R) - See Baker County
RICHMOND COUNTY
Decision #GA75-1005 (B)
40 FR 3091 - 1/17/75
Mod #1 - 40 FR 6900 - 2/14/75
Mod #2 - 40 FR 19328 - 5/2/75
Mod #3 - 40 FR 28305 - 7/3/75
Mod #4 - 40 FR 48844 - 10/17/75
(Hw) - See Statewide
(R) - See Burke County
ROCKDALE COUNTY
(Hw) - See Statewide
SCHLEY COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SCREVEN COUNTY
(Hw) - See Statewide
SEMINOLE COUNTY
(Hw) - See Statewide
(R) - See Baker County
SPALDING COUNTY
(Hw) - See Statewide
STEPHENS COUNTY
(Hw) - See Statewide
STEWART COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SUMTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALBOT COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALIAFERRO COUNTY
(Hw) - See Statewide
(R) - See Burke County
TATTNALL COUNTY
(Hw) - See Statewide
TAYLOR COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TELFAIR COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

TERRELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
THOMAS COUNTY
(Hw) - See Statewide
TIFT COUNTY
(Hw) - See Statewide
TOOMBS COUNTY
(Hw) - See Statewide
TOWNS COUNTY
(Hw) - See Statewide
TREUTLEN COUNTY
(Hw) - See Statewide
TROUP COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TURNER COUNTY
(Hw) - See Statewide
TWIGGS COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
UPSON COUNTY
(Hw) - See Statewide
WALKER COUNTY
(Hw) - See Statewide
WALTON COUNTY
(Hw) - See Statewide
(R) - See Barron County
WARE COUNTY
Decision #GA75-1008 (B)
40 FR 3093 - 1/17/75
(R) - See Charlton County
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
(R) - See Burke County
WASHINGTON COUNTY
(Hw) - See Statewide
(R) - See Burke County
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
WHEELER COUNTY
(Hw) - See Statewide
WHITE COUNTY
(Hw) - See Statewide
WHITEFIELD COUNTY
(Hw) - See Statewide
WILCOX COUNTY
(Hw) - See Statewide
WILKES COUNTY
(R) - See Burke County
(Hw) - See Statewide
WILKINSON COUNTY
(Hw) - See Statewide
WORTH COUNTY
(Hw) - See Statewide

GUAM

GUAM
Decision #AR-1029 (B,H,Hw R)
39 FR 32448 - 9/6/74

HAWAII

STATEWIDE
Decision #HI75-5098 (B,H,Hw,D,R)
40 FR 32555 - 8/1/75
Mod #1 - 40 FR 44440 - 9/26/75

IDAHO

STATEWIDE
Decision #ID75-5120 (B,H,Hw)
40 FR 45978 - 10/3/75
Mod #1 - 40 FR 49942 - 10/24/75
ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 26543 - 9/21/73
(B,H,Hw) - See Statewide
ADAMS COUNTY
(B,H,Hw) - See Statewide
BANNOCK COUNTY
(B,H,Hw) - See Statewide
BEAR LAKE COUNTY
(B,H,Hw) - See Statewide
BENEWAH COUNTY
(B,H,Hw) - See Statewide
BINGHAM COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BOISE COUNTY
(B,H,Hw) - See Statewide
BONNER COUNTY
(B,H,Hw) - See Statewide
BONNEVILLE COUNTY
(B,H,Hw) - See Statewide
BOUNDARY COUNTY
(B,H,Hw) - See Statewide
BUTTE COUNTY
(B,H,Hw) - See Statewide
CAMAS COUNTY
(B,H,Hw) - See Statewide
CANYON COUNTY
(B,H,Hw) - See Statewide
CARIBOU COUNTY
(B,H,Hw) - See Statewide
CASSIA COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
(B,H,Hw) - See Statewide
CLEARWATER COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
ELMORE COUNTY
(B,H,Hw) - See Statewide
FRANKLIN COUNTY
(B,H,Hw) - See Statewide
FREMONT COUNTY
(B,H,Hw) - See Statewide
GEM COUNTY
(B,H,Hw) - See Statewide
GOODING COUNTY
(B,H,Hw) - See Statewide
IDAHO COUNTY
(B,H,Hw) - See Statewide
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JEROME COUNTY
(B,H,Hw) - See Statewide

IDAHO (Cont'd.)

KOOTENAI COUNTY
(B,H,Hw) - See Statewide
LATAH COUNTY
(B,H,Hw) - See Statewide
LEMHI COUNTY
(B,H,Hw) - See Statewide
LEWIS COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MINIDOKA COUNTY
(B,H,Hw) - See Statewide
NEZ PERCE COUNTY
(B,H,Hw) - See Statewide
ONEIDA COUNTY
(B,H,Hw) - See Statewide
OWYHEE COUNTY
(B,H,Hw) - See Statewide
PAYETTE COUNTY
(B,H,Hw) - See Statewide
POWER COUNTY
(B,H,Hw) - See Statewide
SHOSHONE COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TWIN FALLS COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

ILLINOIS

ADAMS COUNTY
Decision #IL75-2055 (B)
40 FR 15265 - 4/4/75
Mod. #1 - 40 FR 29444 - 7/11/75
Decision #IL75-2082 (H,Hw)
40 FR 26190 - 6/20/75
ALEXANDER COUNTY
Decision #IL75-2084 (H,Hw)
40 FR 27419 - 6/27/75
Mod. #1 - 40 FR 29445 - 7/11/75
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
BOND COUNTY
Decision #IL75-2100 (H,Hw)
40 FR 32562 - 8/1/75
Mod #1 - 40 FR 34539 - 8/15/75
Mod. #2 - 40 FR 36894 - 8/22/75
BOONE COUNTY
Decision #IL75-2044 (B)
40 FR 10893 - 3/7/75
Mod #1 - 40 FR 31436 - 7/25/75

ILLINOIS (Cont'd.)

BOONE COUNTY (Cont'd)
Decision #IL75-2078 (H,Hw)
40 FR 23637 - 5/30/75
Mod #1 - 40 FR 26182 - 6/20/75
Mod #2 - 40 FR 29444 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
BROWN COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
BUREAU COUNTY
Decision #IL75-2035 (B)
40 FR 5961 - 2/7/75
Mod #1 - 40 FR 8694 - 2/21/75
Mod #2 - 40 FR 12004 - 3/14/75
Mod #3 - 40 FR 19325 - 5/2/75
Mod #4 - 40 FR 29443 - 7/11/75
Mod #5 - 40 FR 30384 - 7/18/75
Mod. #6 - 40 FR 31435 - 7/25/75
Decision #IL75-2079 (H,Hw)
40 FR 25382 - 6/13/75
Mod #1 - 40 FR 27403 - 6/27/75
Mod #2 - 40 FR 29445 - 7/11/75
Mod #3 - 40 FR 31437 - 7/25/75
Mod. #4 - 40 FR 43419 - 9/19/75
CALHOUN COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(H,Hw) - See Bureau County
CASS COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #IL75 2105 (B)
40 FR 36907 - 8/22/75
Decision #IL75 2081 (H,Hw)
40 FR 25395 - 6/13/75
CHRISTIAN COUNTY
(H,Hw) - See Adams County
Decision #IL75-2041 (B)
40 FR 7769 - 2/21/75
Mod. #1 -40 FR 29444 - 7/11/75
CLARK COUNTY
(H,Hw) - See Champaign County
CLAY COUNTY
Decision #IL75-2083 (H,Hw)
40 FR 26194 - 6/20/75
CLINTON COUNTY
(H,Hw) - See Bond County
COLES COUNTY
(H,Hw) - See Champaign County
COOK COUNTY
Decision #IL75-2092 (B,H,Hw,R)
40 FR 28343 - 7/3/75
Mod. #1 - 40 FR 31438 - 7/25/75
Decision #IL75-5051 (D)
40 FR 16529 - 4/11/75
Decision #IL75 2015 (H,Hw)
40 FR 6927 - 2/14/75

ILLINOIS

CRAWFORD COUNTY
(H,Hw) - See Clay County
CUMBERLAND COUNTY
(H,Hw) - See Champaign County
DEKALB COUNTY
(H,Hw) - See Boone County
DEWITT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
DOUGLAS COUNTY
(H,Hw) - See Champaign County
DU PAGE COUNTY
Decision #IL75-2050 (B,R)
40 FR 12029 - 3/7/75
Mod #1 - 40 FR 18276 - 4/25/75
Mod #2 - 40 FR 19325 - 5/2/75
Mod #3 - 40 FR 29444 - 7/11/75
Mod. #4 - 40 FR 31436 - 7/25/75
(H,Hw) - See Boone County
EDGAR COUNTY
(H,Hw) - See Champaign County
EDWARDS COUNTY
(H,Hw) - See Clay County
EFFINGHAM COUNTY
(H,Hw) - See Clay County
FAYETTE COUNTY
(H,Hw) - See Clay County
FORD COUNTY
Decision #IL75-2052 (B)
40 FR 15261 - 4/4/75
Mod #1 - 40 FR 19325 - 5/2/75
Mod #2 - 40 FR 29443 - 7/11/75
Mod #3 - 40 FR 30385 - 7/18/75
Mod. #4 - 40 FR 31436 - 7/25/75
Decision #IL75-2086 (H,Hw)
40 FR 28333 - 7/3/75
Mod #1 - 40 FR 30385 - 7/18/75
Mod. #2 - 40 FR 31437 - 7/25/75
FRANKLIN COUNTY
(H,Hw) - See Alexander County
FULTON COUNTY
Decision #IL75-2080 (H,Hw)
40 FR 25389 - 6/13/75
Mod #1 - 40 FR 27404 - 6/27/75
Mod #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
GALLATIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
(H,Hw) - See Ford County
HAMILTON COUNTY
(H,Hw) - See Clay County
HANCOCK COUNTY
(H,Hw) - See Fulton County
HARDIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County

ILLINOIS (Cont'd)

HENDERSON COUNTY
(H,Hw) - See Fulton County
HENRY COUNTY
(H,Hw) - See Bureau County
IROQUOIS COUNTY
(B,H,Hw) - See Ford County
JACKSON COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
JASPER COUNTY
(H,Hw) - See Clay County
JEFFERSON COUNTY
(H,Hw) - See Clay County
JERSEY COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
JO DAVIESS COUNTY
(H,Hw) - See Bureau County
JOHNSON COUNTY
(H,Hw) - See Alexander County
KANE COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
KANKAKEE COUNTY
(B,H,Hw) - See Ford County
KENDALL COUNTY
(H,Hw) - See Boone County
KNOX COUNTY
(H,Hw) - See Fulton County
LAKE COUNTY
(B,R) - See Du Page County
(D) - See Cook County
(H,Hw) - See Boone County
LA SALLE COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LAWRENCE COUNTY
(H,Hw) - See Clay County
LEE COUNTY
(H,Hw) - See Bureau County
LIVINGSTON COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LOGAN COUNTY
(H,Hw) - See Adams County
MCDONOUGH COUNTY
(H,Hw) - See Fulton County
MCHENRY COUNTY
(H,Hw) - See Fulton County
Mc LEAN COUNTY
(H,Hw) - See Ford County
MACON COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
MACAUPIN COUNTY
(H,Hw) - See Bond County
MADISON COUNTY
Decision #IL75-2099 (B,R)
40 FR 32559 - 8/1/75
(H,Hw) - See Bond County

ILLINOIS (Cont'd)

MARION COUNTY
(H,Hw) - See Clay County
MARSHALL COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
MASON COUNTY
(H,Hw) - See Adams County
MASSAC COUNTY
(H,Hw) - See Alexander County
MENARD COUNTY
(H,Hw) - See Adams County
MERCER COUNTY
(H,Hw) - See Fulton County
MONROE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(H,Hw) - See Bond County
MORGAN COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
OGLE COUNTY
(H,Hw) - See Bureau County
PEORIA COUNTY
Decision #IL75-2106 (B,R,D)
40 FR 40010 - 8/29/75
(H,Hw) - See Fulton County
PERRY COUNTY
(H,Hw) - See Alexander County
PIATT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
PIKE COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
POPE COUNTY
(H,Hw,D) - See Alexander County
PULASKI COUNTY
(H,Hw,D) - See Alexander County
PUTNAM COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
RANDOLPH COUNTY
(H,Hw,D) - See Alexander County
RICHLAND COUNTY
(H,Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #IL75-2051 (B)
40 FR 12976 - 3/21/75
Mod #1 - 40 FR 29443 - 7/11/75
Mod. #2 - 40 FR 52242 - 11/7/75
(H,Hw) - See Bureau County
SAINT CLAIR COUNTY
(B,R) - See Madison County
(H,Hw) - See Bond County
(D) - See Alexander County

ILLINOIS (Cont'd)

SALINE COUNTY
(H,Hw) - See Alexander County
SANGAMON COUNTY
Decision #IL75-2107 (B R)
40 FR 40014 - 8/29/75
(H,Hw) - See Adams County
SCHUYLER COUNTY
(H,Hw) - See Adams County
SCOTT COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
STARK COUNTY
(H,Hw) - See Fulton County
STEPHENSON COUNTY
(H,Hw) - See Bureau County
TAZEWELL COUNTY
(B,R D) - See Peoria County
(H,Hw) - See Fulton County
UNION COUNTY
(H,Hw,D) - See Alexander County
VERMILLION COUNTY
(H,Hw) - See Champaign County
(B) - See Champaign County
WABASH COUNTY
(H,Hw) - See Clay County
WARREN COUNTY
(H,Hw) - See Fulton County
WASHINGTON COUNTY
(H,Hw) - See Bond County
WAYNE COUNTY
(H,Hw) - See Clay County
WHITE COUNTY
(H,Hw) - See Clay County
WHITEWIDE COUNTY
(H,Hw) - See Bureau County
WILL COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
WILLIAMSON COUNTY
Decision #IL75-2043 (B)
40 FR 8736 - 2/28/75
Mod. #1 - 40 FR 18276 - 4/25/75
(H,Hw) - See Alexander County
WINNEBAGO COUNTY
(B) - See Boone County
(H,Hw) - See Bureau County
WOODFORD COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County

INDIANA

STATEWIDE
Decision #IN75-2093 (H,Hw)
40 FR 29491 - 7/11/75
Mod #1 - 40 FR 33575 - 8/8/75
Mod #2 - 40 FR 45953 - 10/3/75
Mod. #3 - 40 FR 50868 - 10/31/75
ADAMS COUNTY
(H,Hw) - See Statewide
ALLEN COUNTY
Decision #IN75-2088 (B)
40 FR 27422 - 6/27/75
Mod #1 - 40 FR 33573 - 8/8/75
Mod #2 - 40 FR 44441 - 9/26/75
Mod. #3 - 40 FR 52243 - 11/7/75
Decision #AQ-3000 (R)
38 FR 22341 - 8/17/73
(H,Hw) - See Statewide
BARTHOLOMEW COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BENTON COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BLACKFORD COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
Decision #AP-668 (R)
38 FR 13247 - 5/18/73
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
CARROLL COUNTY
(H,Hw) - See Statewide
CASS COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
(D) - See Clark County
DAVIESS COUNTY
(H,Hw) - See Statewide
DEARBORN COUNTY
(B) - See Allen County
(H,Hw) - See Statewide

INDIANA (Cont'd.

DECATUR COUNTY
(H,Hw) - See Statewide
DEKALB COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
DUBOIS COUNTY
(H,Hw) - See Statewide
ELKHART COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
FOUNTAIN COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FULTON COUNTY
(H,Hw) - See Statewide
GIBSON COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
GREENE COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
HENDRICKS COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HENRY COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
(H,Hw) - See Statewide
HUNTINGTON COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JAY COUNTY
(H,Hw) - See Statewide

INDIANA (Cont'd.

JEFFERSON COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
JENNINGS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
KNOX COUNTY
(H,Hw) - See Statewide
KOSCIUSKO COUNTY
(H,Hw) - See Statewide
LAGRANGE COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
Decision #IN75 2089 (B,H,Hw)
40 FR 28346 - 7/3/75
Mod #1 - 40 FR 33574 - 8/8/75
Mod #2 - 40 FR 44442 - 9/26/75
Mod. #3 - 40 FR 52243 - 11/7/75
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Mod. #1 - 39 FR 44161 - 12/20/74
LAPORTE COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
LAWRENCE COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Allen County
(R) - See Boone County
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide
MIAMI COUNTY
(H,Hw) - See Statewide
MONROE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(H,Hw) - See Statewide
MORGAN COUNTY
(R) - See Boone County
(H,Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide

INDIANA (Cont'd.)

OHIO COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
ORANGE COUNTY
(H,Hw) - See Statewide
OWEN COUNTY
(H,Hw) - See Statewide
PARKE COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PORTER COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RIPLEY COUNTY
(H,Hw) - See Statewide
RUSH COUNTY
(H,Hw) - See Statewide
SAINT JOSEPH COUNTY
(B,H,Hw) - See Lake County
SCOTT COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(R) - See Boone County
(H,Hw) - See Statewide
SPENCER COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
STARKE COUNTY
(H,Hw) - See Statewide
STEUBEN COUNTY
(H,Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
SWITZERLAND COUNTY
(D) - See Clark County
(H,Hw) - See Statewide

INDIANA (Cont'd)

TIPPECANOE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
TIPTON COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VANDERBURGH COUNTY
(B) - See Allen County
(D) - See Clark County
(H,Hw) - See Statewide
VERMILLION COUNTY
(H,Hw) - See Statewide
VIGO COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
WABASH COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(H,Hw) - See Statewide
WARRICK COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WELLS COUNTY
(H,Hw) - See Statewide
WHITE COUNTY
(H,Hw) - See Statewide
WHITLEY COUNTY
(H,Hw) - See Statewide

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
Decision #AR-73 (Hw)
39 FR 38797 - 11/1/74
Mod. #1 - 40 FR 4786 1/31/75
AUDUBON COUNTY
None
BENTON COUNTY
Decision #IA75-4081 (Hw)
40 FR 17507 - 4/18/75
BLACK HAWK COUNTY
Decision #IA75-4170 (B,H,Hw)(City of Waterloo & abutting Municipalities
40 FR 50870 - 10/31/75
BOONE COUNTY
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6712 (H,Hw)
37 FR 7429 - 4/14/72
Mod #1 - 39 FR 40404 - 11/15/74
Mod. #2 - 40 FR 52243 - 11/7/75
CASS COUNTY
(H,Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #IA75-4171 (B,H,Hw)
40 FR 50873 - 10/31/75
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H,Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (City of Clinton and abbutting municipalities)
Decision #IA75-4172 (B,H,Hw)
40 FR 50876 - 10/31/75
CRAWFORD COUNTY
(H,Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
(Hw) - See Appanoose County
DECATUR COUNTY
None
DELAWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #IA75-4173.(B,H,Hw)
40 FR 50879 - 10/31/75
DICKINSON COUNTY
None
DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #IA75-4174 (B,H,Hw)
40 FR 50882 - 10/31/75
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
(Chann. Stab) - See Fremont Co
HENRY COUNTY
None
HOWARD COUNTY
None
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
(Hw) - See Benton County
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
(Hw) - See Appanoose County
JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA75-4175 (B,H,Hw)
40 FR 50885 - 10/31/75
(Hw) - See Benton County
JONES COUNTY
None
KEOKUK COUNTY
(Hw) - See Benton County
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY
Decision #IA75 4176 (B,H,Hw)
40 FR 50888 - 10/31/75

IOWA (Cont'd.)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
(Hw) - See Benton County
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
(Channel Stab.) - See Freemont Co
MITCHELL COUNTY
None
MONONA COUNTY

(Channel Stab) - See Freemont Co
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H,Hw) - See Carroll County
OSCEOLA COUNTY
(H,Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY
Decision #IA75-4177 (B,H,Hw)
40 FR 50891 - 10/31/75
POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City Limits)
Decision #IA75-4128 (B,H,Hw)
40 FR 34558 - 8/15/75
(Chann Stab) - See Freemont County

IOWA (Cont'd)

POWESHIEK COUNTY
(Hw) - See Benton County
RINGGOLD COUNTY
(H,Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #IA75-4178 (B,H,Hw)
40 FR 50894 - 10/31/75
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (City of Ames and abutting municipalities)
Decision #IA75 4179 (B,H,Hw)
40 FR 50897 - 10/31/75
TAMA COUNTY
(Hw) - See Benton County
TAYLOR COUNTY
(H,Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(Hw) - See Appanoose County
WAPELLO COUNTY
(Hw) - See Appanoose County
WARREN COUNTY
None
WASHINGTON COUNTY
(Hw) - See Benton County
WAYNE COUNTY
None
WEBSTER COUNTY (City of Fort Dodge)
Decision #IA75-4180 (B,H,Hw)
40 FR 50900 - 10/31/75
WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None

IOWA (Cont'd.)

WOODBURY COUNTY (City of Sioux City and abutting municipalities)
Decision #IA75-4181 (B)
40 FR 50903 - 10/31/75
(Chann. Stab) - See Freemont Co
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #KS75 4051 (Hw,W&S)
40 FR 6056 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
ANDERSON COUNTY
(Hw, W&S) - See Allen County
ATCHISON COUNTY
Decision #M075-4070 (D)
40 FR 14225 - 3/28/75
(Hw, W&S) - See Allen County
BARBER COUNTY
Decision #KS75-4053 (Hw, W&S)
40 FR 6058 - 2/7/75
Mod #1 - 40 FR 7775 - 2/21/75
BARTON COUNTY
(Hw, W&S) - See Barber County
BOURBON COUNTY
(Hw, W&S) - see Allen County
BROWN COUNTY
(Hw, W&S) - See Allen County
BUTLER COUNTY
(Hw, W&S) - See Allen County
CHASE COUNTY
(Hw, W&S) - See Allen County
CHAUTAUQUA COUNTY
(Hw, W&S) - See Allen County
CHEROKEE COUNTY
(Hw, W&S) - See Allen County
CHEYENNE COUNTY
(Hw, W&S) - See Barber County
CLARK COUNTY
(Hw W&S) - See Barber County

KANSAS (Cont'd.)

CLAY COUNTY
(Hw, W&S) - See Allen County
CLOUD COUNTY
(Hw, W&S) - See Allen County
COFFEY COUNTY
(Hw, W&S) - See Allen County
COMANCHE COUNTY
(Hw, W&S) - See Barber County
COWLEY COUNTY
(Hw, W&S) - See Allen County
CRAWFORD COUNTY
(Hw, W&S) - See Allen County
DECATUR COUNTY
(Hw, W&S) - See Barber County
DICKINSON COUNTY
(Hw, W&S) - See Allen County
DONIPHAN COUNTY
(D) - See Atchison County
(Hw, W&S) - See Allen County
DOUGLAS COUNTY
Decision #KS75 4063 (Hw)
40 FR 12041 - 3/14/75
Mod. #1 - 40 FR 19326 - 5/2/75
EDWARDS COUNTY
(Hw, W&S) - See Barber County
ELK COUNTY
(Hw, W&S) - See Allen County
ELLIS COUNTY
(Hw, W&S) - See Barber County
ELLSWORTH COUNTY
(Hw, W&S) - See Barber County
FINNEY COUNTY
(Hw, W&S) - See Barber County
FORD COUNTY
(Hw, W&S) - See Barber County
FRANKLIN COUNTY
(Hw, W&S) - See Allen County
GEARY COUNTY
Decision #AQ-88 (R)
38 FR 11791 - 3/29/74
(Hw, W&S) - See Allen County
GOVE COUNTY
(Hw, W&S) - See Barber County
GRAHAM COUNTY
(Hw, W&S) - See Barber County
GRANT COUNTY
(Hw, W&S) - See Barber County
GRAY COUNTY
(Hw, W&S) - See Barber County
GREELEY COUNTY
(Hw, W&S) - See Barber County
GREENWOOD COUNTY
(Hw, W&S) - See Allen County

KANSAS (Cont'd.)

HAMILTON COUNTY
(Hw, W&S) - See Barber County
HARPER COUNTY
(Hw, W&S) - See Allen County
HARVEY COUNTY
(Hw, W&S) - See Allen County
HASKELL COUNTY
(Hw, W&S) - See Barber County
HODGEMAN COUNTY
(Hw, W&S) - See Barber County
JACKSON COUNTY
(Hw, W&S) - See Allen County
JEFFERSON COUNTY
(Hw) - See Douglas County
JEWELLCOUNTY
(Hw, W&S) - See Barber County
JOHNSON COUNTY
Decision #M075 4144 (B H,Hw)
40 FR 32611 - 8/1/75
Decision #M075 4145 (R)
40 FR 32617 - 8/1/75
KEARNY COUNTY
(Hw, W&S) - See Barber County
KINGMAN COUNTY
(Hw, W&S) - See Allen County
KIOWA COUNTY
(Hw, W&S) - See Barber County
LABETTE COUNTY
(Hw, W&S) - See Allen County
LANE COUNTY
(Hw, W&S) - See Barber County
LEAVENWORTH COUNTY
Decision #KS75 4061 (B)
40 FR 12034 - 3/14/75
Mod #1 - 40 FR 15271 - 4/4/75
(Hw) - See Douglas County
(D) - See Atchison County
LINCOLN COUNTY
(Hw, W&S) - See Barber County
LINN COUNTY
(Hw, W&S) - See Allen County
LOGAN COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

LYON COUNTY
(Hw, W&S) - See Allen County
McPHERSON COUNTY
(Hw, W&S) - See Allen County
MARION COUNTY
(Hw, W&S) - See Allen County
MARSHALL COUNTY
(Hw, W&S) - See Allen County
MEADE COUNTY
(Hw, W&S) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITHCELL COUNTY
(Hw, W&S) - See Barber County
MONTGOMERY COUNTY
(Hw, W&S) - See Allen County
MORRIS COUNTY
(Hw, W&S) - See Allen County
MORTON COUNTY
(Hw, W&S) - See Barber County
NEMAHA COUNTY
(Hw, W&S) - See Allen County
NEOSHO COUNTY
(Hw, W&S) - See Allen County
NESS COUNTY
(Hw, W&S) - See Barber County
NORTON COUNTY
(Hw, W&S) - See Barber County
OSAGE COUNTY
(Hw, W&S) - See Allen County
OSBORNE COUNTY
(Hw, W&S) - See Barber County
OTTAWA COUNTY
(Hw, W&S) - See Allen County
PAWNEE COUNTY
(Hw, W&S) - See Barber County
PHILLIPS COUNTY
(Hw, W&S) - See Barber County
POTTAWATOMIE COUNTY
(Hw, W&S) - See Allen County
PRATT COUNTY
(Hw, W&S) - See Barber County
RAWLINS COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

RENO COUNTY
(Hw, W&S) - See Statewide
REPUBLIC COUNTY
(Hw, W&S) - See Allen County
RICE COUNTY
(Hw, W&S) - See Barber County
RILEY COUNTY
(Hw, W&S) - See Allen County
(R) - See Geary County
ROOKS COUNTY
(Hw, W&S) - See Barber County
RUSH COUNTY
(Hw, W&S) - See Barber County
RUSSELL COUNTY
(Hw, W&S) - See Barber County
SALINE COUNTY
(Hw, W&S) - See Allen County
SCOTT COUNTY
(Hw, W&S) - See Barber County
SEDGWICK COUNTY
Decision #AP-533 (R)
38 FR 16573 - 6/22/73
Decision #KS75-4149 (B)
40 FR 36919 - 8/22/75
Decision #KS75-4052 (Hw, W&S)
40 FR 6057 - 2/7/75
Mod #1 - 40 FR 7775 - 2/21/75
SEWARD COUNTY
(Hw, W&S) - See Barber County
SHAWNEE COUNTY
Decision #KS75 4150 (B)
40 FR 36922 - 8/22/75
Decision #KS75-4151 (R)
40 FR 36925 - 8/22/75
(Hw) - See Douglas County

KANSAS (Cont'd.

SHERIDAN COUNTY
(Hw, W&S) - See Barber County
SHERMAN COUNTY
(Hw, W&S) - See Barber County
SMITH COUNTY
(Hw, W&S) - See Barber County
STAFFARD COUNTY
(Hw, W&S) - See Barber County
STANTON COUNTY
(Hw, W&S) - See Barber County
STEVENS COUNTY
(Hw, W&S) - See Barber County
SUMNER COUNTY
(Hw, W&S) - See Allen County
THOMAS COUNTY
(Hw, W&S) - See Barber County
TREGO COUNTY
(Hw, W&S) - See Barber County
WABAUNSEE COUNTY
(Hw, W&S) - See Allen County
WALLACE COUNTY
(Hw, W&S) - See Barber County
WASHINGTON COUNTY
(Hw, W&S) - See Allen County
WICHITA COUNTY
(Hw, W&S) - See Barber County
WILSON COUNTY
(Hw, W&S) - See Allen County
WOODSON COUNTY
(Hw, W&S) - See Allen County
WYANDOTTE COUNTY
(B,H,Hw,R) - See Johnson County
(D) - See Atchison County

KENTUCKY

ADAIR COUNTY
Decision #KY75-1103 (H,Hw)
40 FR 48860 - 10/17/75
ALLEN COUNTY
Decision #KY75-1093 (H,Hw)
40 FR 43456 - 9/19/75
ANDERSON COUNTY
Decision #KY75-1095 (H,Hw)
40 FR 43459 - 9/19/75
BALLARD COUNTY
Decision #AL75 5131 (D)
40 FR 49947 - 10/24/75
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County
Decision #KY75-1105 (R)
40 FR 49950 - 10/24/75
BELL COUNTY
(H,Hw) - See Adair County
Decision #AQ 4126 (B)
39 FR 22359 - 6/21/75
BOONE COUNTY
Decision #KY75-1096 (H,Hw)
40 FR 44457 - 9/26/75
Mod. #1 - 40 FR 49943 - 10/24/75
Decision #AR-4034 (B)
39 FR 33158 - 9/13/74
Mod #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 25325 - 6/13/75
Decision #IL75-2036 (D)
40 FR 6923 - 2/7/75
BOURBON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #KY75-1100 (B)
40 FR 44454 - 9/26/75
(H,Hw) - See Anderson County
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd.)

BRECKINRIDGE COUNTY
Decision #AP-183 (R)
38 FR 11278 - 5/4/73
(H,Hw) - See Anderson County
(D) - See Boone County
BULLITT COUNTY
(D) - See Boone County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(B,H,D,Hw) - See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
Decision #AQ 4122 (B)
39 FR 20281 - 6/7/74
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County
ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

FAYETTE COUNTY
Decision #KY75-1101 (B)
40 FR 48857 - 10/17/75
(H,Hw) - See Anderson County
(R) - See Bath County
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
Decision #AR-4002 (B)
39 FR 24777 - 7/5/74
(H,Hw) - See Adair County
FRANKLIN COUNTY
Decision #AQ-4101 (B)
39 FR 14113 - 4/19/74
Mod #1 - 39 FR 30665 - 8/23/74
Mod #2 - 39 FR 38803 - 11/1/74
Mod #3 - 40 FR 10879 - 3/7/75
Mod. #4 - 40 FR 34541 - 8/15/75
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREENE COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County

KENTUCKY (Cont'd)

HARDIN COUNTY
(B) - See Jefferson County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
Decision #AR-4025 (B)
39 FR 31796 - 8/30/74
Mod #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 31439 - 7/25/75
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #KY75-1102 (B)
40 FR 48863 - 10/17/75
(D) - See Boone County
(R) - See Breckinridge County
(H,Hw) - See Anderson County
JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

KENTUCKY (Cont'd)

JOHNSON COUNTY
(H,Hw) - See Anderson County
KENTON COUNTY
(B,H,Hw,D) - See Boone County
KNOTT COUNTY
(H,Hw) - See Adair County
KNOX COUNTY
(H,Hw) - See Adair County
LARUE COUNTY
(H,Hw) - See Anderson County
LAUREL COUNTY
(H,Hw) - See Adair County
LAWRENCE COUNTY
(H,Hw) - See Anderson County
LEE COUNTY
(H,Hw) - See Adair cOunty
LESLIE COUNTY
(H,Hw) - See Adair County
LETCHER COUNTY
(H,Hw) - See Adair County
LEWIS COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
LINCOLN COUNTY
(H,Hw) - See Adair county
LIVINGSTON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
LOGAN COUNTY
(H,Hw) - See Allen County
LYON COUNTY
(H,Hw) - See Allen County
McCRACKEN COUNTY
Decision #KY75-1065 (B)
40 FR 26201 - 6/20/75
(D) - See Boone County
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

McCREARY COUNTY
(H,Hw) - See Adair County
McLEAN COUNTY
(H,Hw) - See Allen County
MADISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MAGOFFIN COUNTY
(H,Hw) - See Adair County
MARION COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
MARSHALL COUNTY
(H,Hw) - See Allen County
MARTIN COUNTY
(H,Hw) - See Adair County
MASON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
MEADE COUNTY
(H,Hw) - See Anderson County
(B) - See Jefferson County
(R) - See Breckinridge County
(D) - See Boone County
MENIFEE COUNTY
(H,Hw) - See Adair County
MERCER COUNTY
(H,Hw) - See Anderson County
METCALFE COUNTY
(H,Hw) - See Adair County
MONROE COUNTY
(H,Hw) - See Adair County
MONTGOMERY COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MORGAN COUNTY
(H,Hw) - See Anderson County
MUHLENBERG COUNTY
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

NELSON COUNTY
(H,Hw) - See Anderson County
(R) See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(B)(D) - See Boone County
(D) - See Boone County
PERRY COUNTY
(H,Hw) - See Adair County
PIKE COUNTY
(B) - See Floyd County
(H,Hw) - See Adair County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County
RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County

KENTUCKY (Cont'd.)

SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Allen County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AR 4023 (B)
39 FR 32449 - 9/6/74
Mod #1 - 40 FR 10876 - 3/7/75
Mod. #2 - 40 FR 31438 - 7/25/75
(H,Hw) - See Allen County
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #LA75-4141 (B,Hw,R)
40 FR 32585 - 8/1/75
Mod #1 - 40 FR 34541 - 8/15/75
Mod #2 - 40 FR 36895 - 8/22/75
Mod #3 - 40 FR 43419 - 9/19/75
ACADIA PARISH
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
(B,D,Hw) - See Statewide
ALLEN PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
ASCENSION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ASSUMPTION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
AVOYELLES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BEAUREGARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BIENVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BOSSIER PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide
CADDO PARISH
(B,D,Hw,R) - See Statewide
CALCASIEU PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide

LOUISIANA (Cont'd)

CALDWELL PARISH
(F) - See Acadia Parish
(B,D,Hw)- See Statewide
CAMERON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CATAHOULA PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
CLAIBORNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CONCORDIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
DE SOTO PARISH
(F) - See Acadia Parish
(B,D,Hw)-See Statewide
EAST BATON ROUGE PARISH
(B,D,Hw) - See Statewide
EAST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EAST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EVANGELINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
FRANKLIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
GRANT PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
IBERIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

IBERVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JACKSON COUNTY
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON PARISH
Decision #AR-3 (R)
39 FR 25777 - 7/12/74
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON DAVIS PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFAYETTE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFOURCHE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LA SALLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LINCOLN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LIVINGSTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MADISON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MOREHOUSE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
NATCHITOCHES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ORLEANS PARISH
(B,D Hw) - See Statewide
(R) - See Jefferson Parish
QUACHITA PARISH
Decision #AQ-116 (R)
39 FR 22397 - 6/21/74
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

PLAQUEMINES PARISH
(F) - See Acadia Parish
(B,D Hw) - See Statewide
(R) - See Jefferson Parish
POINTE COUPEE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RAPIDES PARISH
(B D,Hw) - See Statewide
RED RIVER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RICHLAND PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
SABINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. BERNARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
ST. CHARLES PARISH
(F) - See Acadia Parish
(B D,Hw) - See Statewide
ST. HELENA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JAMES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JOHN THE BAPTIST PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. LANDRY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARTIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARY PARISH
(F) - See Acadia Parish
(B,D) - See Statewide

LOUISIANA (Cont'd)

ST. TAMMANY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TANGIPAHOA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TENSAS PARISH
(F) - See Acadia Parish
(B,Hw,D) - See Statewide
TERREBONNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
UNION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
VERMILION PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
VERNON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WASHINGTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEBSTER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST BATON ROUGE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WINN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2.- 40 FR 52241 - 11/7/75
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
WALDO COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
Decision #AR-2091 (D)
39 FR 41651 - 11/29/74
Mod. #1 - 40 FR 928 - 1/3/75
Decision #AR-2084 (H,Hw)
39 FR 41125 - 11/22/74
ANNE ARUNDEL COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
Decision #AR-2086 (B,H)
39 FR 41127 - 11/22/74
Mod #1 - 40 FR 928 - 1/3/75
Mod #2 - 40 FR 14204 - 3/28/75
Mod. #3 - 40 FR 17460 - 4/18/75
Decision #MD75-3109 (Hw)
40 FR 50905 - 10/31/75
BALTIMORE CITY
Decision #MD75-3065 (Hw)
40 FR 30413 - 7/18/75
Decision #MD75-3064 (B,H)
40 FR 27431 - 6/27/75
Decision #AQ-2072 (R)
39 FR 8122 - 3/1/74
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2 - 40 FR 52241 - 11/7/75
BALTIMORE COUNTY
Decision #AR-2052 (Hw)
39 FR 34904 - 9/27/74
Mod. #1 - 40 FR 27405 - 6/27/75
(B,H,R) - See Baltimore City
CALVERT COUNTY
(D,Hw) - See Anne Arundel County
CAROLINE COUNTY
Decision #MD75-3052 (Hw)
40 FR 20555 - 5/9/75
(Hw) - See Anne Arundel County
CARROLL COUNTY
(Hw) - See Anne Arundel County
CECIL COUNTY
(Hw) - See Caroline County
(R) - See Baltimore County
CHARLES COUNTY
(D,Hw) - See Anne Arundel County
DORCHESTER COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
FREDERICK COUNTY
Decision #AQ 2076 (R)
39 FR 10069 - 3/15/74
Mod #1 - 40 FR 15272 - 4/4/75
(Hw) - See Anne Arundel County
GARRETT COUNTY
(B,H,Hw) - See Allegany County

MARYLAND (Cont'd.)

HARFORD COUNTY
(B,H,R) - See Baltimore City
(Hw) - See Anne Arundel County
HOWARD COUNTY
(B,H) - See Baltimore City
(R) - See Baltimore County
(Hw) - See Anne Arundel City
KENT COUNTY
(Hw) - See Caroline County
(D) - See Arundel County
MONTGOMERY COUNTY
Decision #MD75-3100 (B)
40 FR 44477 - 9/26/75
(Hw) - See Anne Arundel County
PRINCE GEORGES COUNTY
(B) - See Montgomery County
(D,Hw) - See Anne Arundel County
QUEEN ANNES COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D,Hw) - See Anne Arundel County
SOMERSET COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
TALBOT COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
WASHINGTON COUNTY
(Hw) - See Anne Arundel County
WICOMICO COUNTY
Decision #AQ-2075 (R)
39 FR 10068 - 3/15/74
Mod #1 - 39 FR 14849 - 4/26/74
(D) - See Anne Arundel County
(Hw) - See Caroline County
WORCESTER COUNTY
(D) - See Baltimore County
(Hw) - See Caroline County
Decision #AR-2012 (B)
39 FR 27991 - 8/2/74

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #MA75-2117 (B,H,Hw, & Marine)
40 FR 50906 - 10/31/75
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2 - 40 FR 52241 - 11/7/75
BERKSHIRE COUNTY
Decision #MA75-2118 (B,H,Hw)
40 FR 49951 - 10/24/75
BRISTOL COUNTY
Decision #MA75-2119 (B,H,Hw,R, & Marine)
40 FR 52254 - 11/7/75
(D) - See Barnstable County
DUKES COUNTY
(D) - See Barnstable County
ESSEX COUNTY
Decision #MA75-2121 (B,H,Hw, & Marine)
40 FR 52259 - 11/7/75
(D) - See Barnstable County
FRANKLIN COUNTY
Decision #MA75-2110 (B,H,Hw)
40 FR 42499 - 9/12/75
HAMPDEN COUNTY
Decision #MA75 2122 (B,H,Hw)
40 FR 52264 - 11/7/75
Decision #MA75-2054 (R)
40 FR 15297 - 4/4/75
HAMPSHIRE COUNTY
Decision #MA75-2123 (B,H,Hw)
40 FR 52268 - 11/7/75
MIDDLESEX COUNTY
Decision #MA75-2073 (B,H,Hw,R, & Marine)
40 FR 19340 - 5/2/75
Mod #1 - 40 FR 27412 - 6/27/75
Mod #2 - 40 FR 36896 - 8/22/75
(D) - See Barnstable County
NANTUCKET COUNTY
(D) - See Barnstable County

MASSACHUSETTS

NORFOLK COUNTY
Decision #MA75-2074 (B,H,Hw,R)
40 FR 20586 - 5/9/75
Mod #1 - 40 FR 27413 - 6/27/75
Mod #2 - 40 FR 36896 - 8/22/75
(D) - See Barnstable County
PLYMOUTH COUNTY
Decision #MA75 2075 (B,H,Hw,R)
40 FR 20590 - 5/9/75
Mod #1 - 40 FR 27413 - 6/27/75
Mod. #2 - 40 FR 36896 - 8/22/75
SUFFOLK COUNTY
Decision #MA75 2127 (B,H,Hw,D,R)
& Marine)
40 FR 50910 - 10/31/75
WORCESTER COUNTY
Decision #MA75-2077 (B,H,Hw,R)
40 FR 21660 - 5/16/75
Mod #1 - 40 FR 27415 - 6/27/75
Mod #2 - 40 FR 36897 - 8/22/75

MICHIGAN

STATEWIDE
Decision #MI75-2098 (Hw, W&S)
40 FR 30415 - 7/18/75
ALCONA COUNTY
Decision #MI75 2103 (B,H)
40 FR 36928 - 8/22/75
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
Mod #1 - 40 FR 32552 - 8/1/75
Mod #2 - 40 FR 40006 - 8/29/75
Mod #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(Hw, W&S) - See Statewide
ALGER COUNTY
Decision #MI75-2104 (B,H)
40 FR 36932 - 8/22/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
ALLEGAN COUNTY
Decision #MI75-2108 (B H)
40 FR 40016 - 8/29/75
Decision #AM-398 (R)
36 FR 15891 - 8/18/71
(Hw, W&S) - See Statewide
(D) - See Alcona County
ALPENA COUNTY
(B,H) - See Alcona County
(Hw, W&S) - See Statewide
ANTRIM COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
ARENAC COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARAGA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARRY COUNTY
(Hw, W&S) - See Statewide
BAY COUNTY
Decision #MI75-2061 (B H)
40 FR 17511 - 4/18/75
Mod #1 - 40 FR 19328 - 5/2/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
BENZIE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

BERRIEN COUNTY
(B,H)i-nSee Allegan County
Decision #AM-399 (R)
36 FR 15892 - 8/18/71
(D) - See Alcona County
(Hw, W&S) - See Statewide
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8/18/71
(Hw, W&S) - See Statewide
CALHOUN COUNTY
(B,H) - See Allegan County
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw, W&S) - See Statewide
CASS COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
CHARLEVOIX COUNTY
(B,H) - See Allegan County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHEBOYGAN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHIPPEWA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CLARE COUNTY
(Hw, W&S) - See Statewide
CLINTON COUNTY
(B H) - See Allegan County
(Hw, W&S) - See Statewide
CRAWFORD COUNTY
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

DELTA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
DICKINSON COUNTY
(Hw, W&S) - See Statewide
EATON COUNTY
Decision #AM-8041 (R)
36 FR 24027 - 12/17/71
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
EMMET COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GENESEE COUNTY
(B,H) - See Bay County
Decision #MI75-2062 (R)
40 FR 17515 - 4/18/75
Mod #1 - 40 FR 47999 - 10/10/75
(Hw, W&S) - See Statewide
GLADWIN COUNTY
(Hw) - See Statewide
GOGEBIC COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRAND TRAVERSE COUNTY
(B,H) - See Alcona County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRATIOT COUNTY
(Hw, W&S) - See Statewide
HILLSDALE COUNTY
(Hw, W&S) - See Statewide
HOUGHTON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
HURON COUNTY
(D) - See Alcona County
(Hw, W&S) - See Allegan County
(BH) - See Bay County
INGHAM COUNTY
(B,H) - See Allegan County
(R) - See Eaton County
(Hw W&S) - See Statewide

MICHIGAN (Cont'd.

IONIA COUNTY
(Hw, W&S) - See Statewide
IOSCO COUNTY
(Hw, W&S) - See Statewide
(D) - See Alcona County
IRON COUNTY
(Hw, W&S) - See Statewide
ISABELLA COUNTY
(Hw, W&S) - See Statewide
JACKSON COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
KALAMAZOO COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
(R) - See Branch County
KALKASKA COUNTY
(Hw, W&S) - See Statewide
KENT COUNTY
Decision #AR-3054 (B,H)
39 FR 25858 - 7/12/74
Mod #1 - 39 FR 33155 - 9/13/74
Mod #2 - 39 FR 34920 - 9/27/74
Mod. #3 - 40 FR 3862 - 1/24/75
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
(Hw, W&S) - See Statewide
KEWEENAW COUNTY
(B H) - See Alger County
(Hw, W&S) - See Statewide
LAKE COUNTY
(R) - See Genesee County
LAPEER COUNTY
(R) - See Genesee County
(B,H) - See Bay County
(Hw, W&S) - See Statewide
LEELANAU COUNTY
(B,H) - See Grand Traverse County
(Hw, W&S) - See Statewide
LENAWEE COUNTY
(Hw, W&S) - See Statewide
LIVINGSTON COUNTY
(Hw, W&S) - See Statewide
LUCE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MACKINAC COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
MACOMB COUNTY
Decision #MI75-2102 (B,H R)
40 FR 33639 - 8/8/75
(D) - See Alcona County
(Hw W&S) - See Statewide

MICHIGAN (Cont'd.)

MANISTEE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MARQUETTE COUNTY
Decision #AR-3178 (R)
39 FR 44166 - 12/20/74
Mod #1 - 40 FR 22734 - 5/23/75
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
MASON COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
MECOSTA COUNTY
(Hw, W&S) - See Statewide
MENOMINEE COUNTY
(D) - See Alcona COunty
(Hw, W&S) - See Statewide
MIDLAND COUNTY
(Hw, W&S) - See Statewide
MISSAUKEE COUNTY
(Hw, W&S) - See Statewide
MONROE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MONTCALM COUNTY
(Hw, W&S) - See Statewide
(R) - See Kent County
MONTMORENCY COUNTY
(B,H) - See Alcona County
(Hw, W&S) - See Statewide
MUSKEGON COUNTY
Decision #MI75-2120 (R)
40 FR 49955 - 10/24/75
(B,H) - See Alconrn County
(D) - See Alcona County
(Hw, W&S) - See Statewide
NEWAYGO COUNTY
(Hw, W&S) - See Statewide
OAKLAND COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OCEANA COUNTY
(B,H,R) - See Alcorn County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OGEMAW COUNTY
(Hw, W&S) - See Statewide
ONTONAGON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

OSCEOLA COUNTY
(Hw, W&S) - See Statewide
OSCODA COUNTY
(B,H) - See Alcorn County
(Hw, W&S) - See Statewide
OTSEGO COUNTY
(Hw, W&S) - See Statewide
OTTAWA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
(R) - See Allegan County
PRESQUE ISLE COUNTY
(B,H) - See Alcona County
(D) - See Alcona County
(Hw, W&S) - See Statewide
ROSOCOMMON COUNTY
(Hw, W&S) - See Statewide
SAGINAW COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
SAINT CLAIR COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
SAINT JOSEPH COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
SANILAC COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
SHIAWASSEE COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
TUSCOLA COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
VAN BUREN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
WASHTENAW COUNTY
(B,H,R) - See Macomb County
(Hw, W&S) - See Statewide
(D) - See Alcona County
WAYNE COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
WEXFORD COUNTY
(Hw, W&S) - See Statewide

MINNESOTA

AITKIN COUNTY
Decision #MN75-2068 (H,Hw)
40 FR 19349 - 5/2/75
Mod. #1 - 40 FR 34547 - 8/15/75
ANOKA COUNTY
Decision #AR-3166 (B,R)
39 FR 39705 - 11/8/74
Mod. #1 - 40 FR 12007 - 3/14/75
Mod #2 - 40 FR 17461 - 4/18/75
Mod #3 - 40 FR 22734 - 5/23/75
Mod. #4 - 40 FR 34543 - 8/15/75
(H,Hw) - See Aitkin County
BECKER COUNTY
Decision #AQ-3104 (H,Hw)
39 FR 9369 - 3/8/74
BELTRAMI COUNTY
Decision #AR-3147 (H,Hw)
39 FR 36704 - 10/11/74
BENTON COUNTY
(H,Hw) - See Aitkin County
BIG STONE COUNTY
Decision #AQ-3105 (H,Hw)
39 FR 9370 - 3/8/74
BLUE EARTH COUNTY
(H,Hw) - See Aitkin County
BROWN COUNTY
None
CARLTON COUNTY
(H,Hw) - See Aitkin County
CARVER COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
(H,Hw) - See Aitkin County
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
(H,Hw) - See Beltrami County
COOK COUNTY
Decision #IL75-5079 (D)
40 FR 29400 - 7/11/75
Mod #1 - 40 FR 32552 - 8/1/75
Mod #2 - 40 FR 40006 - 8/29/75
Mod #3 - 40 FR 50860 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(H,Hw) - See Aitkin County
COTTONWOOD COUNTY
Decision #AQ-3134 (H,Hw)
39 FR 93583 - 3/8/74
CROW WING COUNTY
(H,Hw) - See Aitkin County
DAKOTA COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.)

DODGE COUNTY
(H,Hw) - See Aitkin County
DOUGLAS COUNTY
(H,Hw) - See Big Stone County
FAIRBAULT COUNTY
(H,Hw) - See Aitkin County
FILLMORE COUNTY
(H,Hw) - See Aitkin County
FREEBORN COUNTY
(H,Hw) - See Aitkin County
GOODHUE COUNTY
(H,Hw) - See Aitkin County
GRANT COUNTY
(H,Hw) - See Big Stone County
HENNEPIN COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin Count
HOUSTON COUNTY
(H,Hw) - See Aitkin County
HUBBARD COUNTY
(H,Hw) - See Becker County
ISANTI COUNTY
(H,Hw) - See Aitkin County
ITASKA COUNTY
(H,Hw) - See Aitkin County
JACKSON COUNTY
(H,Hw) - See Aitkin County
KANABEC COUNTY
(H,Hw) - See Aitkin County
KANDIYOHI COUNTY
(H,Hw) - See Big Stone County
KITTSON COUNTY
(H,Hw) - See Beltrami County
KOOCHICHING COUNTY
(H,Hw) - See Aitkin County
LAC QUI PARLE COUNTY
(H,Hw) - See Big Stone County
LAKE COUNTY
(H,Hw) - See Aitkin County
(D) - See Cook County
LAKE OF THE WOODS COUNTY
(H,Hw) - See Beltramie County
LE SHUEUR COUNTY
(H,Hw) - See Aitkin County
LINCOLN COUNTY
(H,Hw) - See Cottonwood County
LYON COUNTY
(H,Hw) - See Cottonwood County
MCLEOD COUNTY
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.

MAHNOMEN COUNTY
(H,Hw) - See Beltrami County
MARSHALL COUNTY
(H,Hw) - See Beltrami County
MARTIN COUNTY
(H,Hw) - See Aitkin County
MEEKER COUNTY
(H,Hw) - See Aitkin County
MILLE LACS COUNTY
(H,Hw) - See Aitkin County
MORRISON COUNTY
(H,Hw) - See Aitkin County
MOWER COUNTY
(H,Hw) - See Aitkin County
MURRAY COUNTY
(H,Hw) - See Cottonwood County
NICOLLET COUNTY
(H,Hw) - See Aitkin County
NOBLES COUNTY
(H,Hw) - See Aitkin County
NORMAN COUNTY
(H,Hw) - See Beltrami County
OLMSTEAD COUNTY
Decision #MN75-2058 (B,R)
40 FR 17454 - 4/18/75
Mod. #1 - 40 FR 34546 - 8/15/75
(H,Hw) - See Aitkin Counth
OTTER TAIL COUNTY
(H,Hw) - See Becker County
PENNINGTON COUNTY
(H,Hw) - See Beltrami County
PINE COUNTY
(H,Hw) - See Aitkin County
PIPESTONE COUNTY
(H,Hw) - See Cottonwood County
POLK COUNTY
(H,Hw) - See Beltrami County
POPE COUNTY
(H,Hw) - See Big Stone County
RAMSEY COUNTY
(B R) - See Anoka County
(H,Hw) - See Aitkin County
RED LAKE COUNTY
(H,Hw) - See Beltrami County
REDWOOD COUNTY
(H,Hw) - See Cottonwood County
RENVILLE COUNTY
None
RICE COUNTY
(H,Hw) See Aitkin County
ROCK COUNTY
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.

ROSEAU COUNTY
(H,Hw) - See Beltrami County
SAINT LOUIS COUNTY
(D) - See Cook County
(H,Hw) - See Aitkin County
Decision #MN75-2042 (B R)
40 FR 7837 - 2/21/75
Mod #1 - 40 FR 12007 - 3/14/75
Mod #2 - 40 FR 18278 - 4/25/75
Mod. #3 - 40 FR 34544 - 8/15/75
SCOTT COUNTY
(H Hw) - See Aitkin County
(B,R) - See Anoka County
SHERBURNE COUNTY
(H,Hw) - See Aitkin County
SIBLEY COUNTY
(H,Hw) - See Aitkin County
STEARNS COUNTY
Decision #MN75-2059 (B,R)
40 FR 16472 - 4/11/75
Mod #1 - 40 FR 18279 - 4/25/75
Mod. #2 - 40 FR 34551 - 8/15/75
(H,Hw) - See Aitkin County
STEELE COUNTY
(H,Hw) - See Aitkin County
STEVENS COUNTY
(H,Hw) - See Big Stone County
SWIFT COUNTY
(H,Hw) - See Big Stone County
TODD COUNTY
(Hw) - See Bekcer County
TRAVERSE COUNTY
(H,Hw) - See Big Stone County
WABASHA COUNTY
(H,Hw) - See Aitkin County
WADENA COUNTY
(H,Hw) - See Becker County
WASECA COUNTY
(H,Hw) - See County
WASHINGTON COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
WATONWAN COUNTY
None
WILKIN COUNTY
(H,Hw) - See Becker County
WINONA COUNTY
(H,Hw) - See Aitkin County
WRIGHT COUNTY
(H,Hw) - See Aitkin County
YELLOW MEDICINE COUNTY
(H,Hw) - See Cottonwood County

MISSISSIPPI

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #MS75-1067 (Hw W&S)
40 FR 28354 - 7/3/75
Mod #1 - 40 FR 31439 - 7/25/75
Mod. #2 - 40 FR 33577 - 8/8/75
ADAMS COUNTY
(D,F,Hw, W&S) - See Statewide
ALCORN COUNTY
(D,F,Hw, W&S) - See Statewide
AMITE COUNTY
(D,F,Hw, W&S) - See Statewide
ATTALA COUNTY
(D,F,Hw, W&S) - See Statewide
BENTON COUNTY
(D,F,Hw, W&S) - See Statewide
BOLIVAR COUNTY
(D,F,Hw, W&S) - See Statewide
CALHOUN COUNTY
(D,F,Hw, W&S) - See Statewide
CARROLL COUNTY
(D,F,Hw, W&S) - See Statewide
CHICKASAW COUNTY
(D,F,Hw, W&S) - See Statewide
CHOCTAW COUNTY
(D,F,Hw, W&S) - See Statewide
CLAIBORNE COUNTY
(D,Hw,F, W&S) - See Statewide
CLARK COUNTY
(D,F,Hw, W&S) - See Statewide
CLAY COUNTY
(Hw, W&S) - See Statewide
COAHOMA COUNTY
Decision #AR-4024 (R)
39 FR 31771 - 8/30/74
Mod. #1 - 40 FR 3086 - 1/17/75
(D,F,Hw, W&S) - See Statewide
COPIAH COUNTY
Decision #AQ-4120 (R)
39 FR 20302 - 6/7/74
(D,F,Hw, W&S) - See Statewide
COVINGTON COUNTY
(D Hw F W&S) - See Statewide

MISSISSIPPI (Cont'd.

DE SOTO COUNTY
(D,F,Hw, W&S) - See Statewide
FORREST COUNTY
Decision #MS75-1076 (R)
40 FR 36935 - 8/22/75
Decision #MS75-1020 (B)
40 FR 5966 - 2/7/75
Mod. #1 - 40 FR 7798 - 2/21/75
(D,F,Hw, W&S) - See Statewide
FRANKLIN COUNTY
(D,F,Hw, W&S) - See Statewide
GEORGE COUNTY
Decision #MS75-1077 (R)
40 FR 36935 - 8/22/75
(D,F,Hw, W&S) - See Statewide
GREENE COUNTY
(D,F,Hw, W&S) - See Statewide
GRENADA COUNTY
(D,F,Hw, W&S) - See Statewide
HANCOCK COUNTY
Decision #MS75-1107 (B,H,Hw, W&S)
40 FR 50916 - 10/24/75
(D,F) - See Statewide
(R) - See George County
HARRISON COUNTY
(B,H,Hw, W&S) - See Hancock County
(R) - See George County
(D,F) - See Statewide
HINDS COUNTY
Decision #MS75-1106 (B)
40 FR 50914 - 10/31/75
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
HOLMES COUNTY
(D,F,Hw, W&S) - See Statewide
HUMPHREYS COUNTY
(D,F,Hw, W&S) - See Statewide
ISSAQUENA COUNTY
(D,F,Hw, W&S) - See Statewide
ITAWAMBA COUNTY
(D,F,Hw, W&S) - See Statewide
JACKSON COUNTY
(D,F) - See Statewide
(B,H Hw, W&S) - See Hancock County
(R) - See George County

MISSISSIPPI (Cont'd.)

JASPER COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON DAVIS COUNTY
(D,F,Hw, W&S) - See Statewide
JONES COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Forest County
KEMPER COUNTY
(D,F,Hw, W&S) - See Statewide
LAFAYETTE COUNTY
(D,F,Hw, W&S) - See Statewide
LAMAR COUNTY
(D,F,Hw, W&S) - See Statewide
LAUDERDALE COUNTY
(D,F,Hw, W&S) - See Statewide
LAWRENCE COUNTY
(D,F,Hw, W&S) - See Statewide
LEAKE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
LEE COUNTY
(D,F,Hw, W&S) - See Statewide
LEFLORE COUNTY
(D,F,Hw, W&S) - See Statewide
LINCOLN COUNTY
(D,F,Hw, W&S) - See Statewide
LOWNDES COUNTY
(D,F,Hw, W&S) - See Statewide
MADISON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
MARION COUNTY
(D,F,Hw, W&S) - See Statewide
MARSHALL COUNTY
(D,F,Hw, W&S) - See Statewide
MONROE COUNTY
(D,F,Hw, W&S) - See Statewide
MONTGOMERY COUNTY
(D,F,Hw, W&S) - See Statewide
NESHOBA COUNTY
(D,F,Hw, W&S) - See Statewide
NEWTON COUNTY
(D,F,Hw, W&S) - See Statewide
NOXUBEE COUNTY
(D,F,Hw, W&S) - See Statewide
OKTIBBEHA COUNTY
(D,F,Hw, W&S) - See Statewide
PANOLA COUNTY
(D,F,Hw, W&S) - See Statewide
PEARL RIVER COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County

MISSISSIPPI (Cont'd.)

PERRY COUNTY
(D,F,Hw, W&S) - See Statewide
PIKE COUNTY
(D,F,Hw, W&S) - See Statewide
PONTOTOC COUNTY
(D,F,Hw, W&S) - See Statewide
PRENTISS COUNTY
(D,F,Hw, W&S) - See Statewide
QUITMAN COUNTY
(D,F,Hw, W&S) - See Statewide
RANKIN COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SCOTT COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SHARKEY COUNTY
(D,F,Hw, W&S) - See Statewide
SIMPSON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SMITH COUNTY
(D,F,Hw, W&S) - See Statewid
(R) - See Copiah County
STONE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See George County
SUNFLOWER COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
TALLAHATCHIE COUNTY
(D,F,Hw, W&S) - See Statewide
TATE COUNTY
(D,F,Hw, W&S) - See Statewide
TIPPAH COUNTY
(D,F,Hw, W&S) - See Statewide
TISHOMINGO COUNTY
(D,F,Hw, W&S) - See Statewide
TUNICA COUNTY
(D,F,Hw, W&S) - See Statewide
UNION COUNTY
(D,F,Hw, W&S) - See Statewide
WALTHALL COUNTY
(D,F,Hw, W&S) - See Statewide
WARREN COUNTY
Decision #MS75-1044 (B)
40 FR 16530 - 4/11/75
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
WASHINGTON COUNTY
Decision #AQ 4072 (B)
39 FR 5933 - 2/15/74
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County

MISSISSIPPI (Cont'd.)

WAYNE COUNTY
(D,F,Hw, W&S) - See Statewide
WEBSTER COUNTY
(D,F,Hw, W&S) - See Statewide
WILKINSON COUNTY
(D,F,Hw, W&S) - See Statewide
WINSTON COUNTY
(D,F,Hw, W&S) - See Statewide
YALOBUSHA COUNTY
(D,F,Hw, W&S) - See Statewide
YAZOO COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County

MISSOURI

STATEWIDE
Decision #M075 4146 (H,Hw)
40 FR 32662 - 8/1/75
ADAIR COUNTY
(H,Hw) - See Statewide
ANDREW COUNTY
Decision #M075 4070 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Statewide
ATCHISON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
AUDRAIN COUNTY
(H,Hw) - See Statewide
BARRY COUNTY
(Hw) - See Statewide
BARTON COUNTY
(H,Hw) - See Statewide
BATES COUNTY
(H,Hw) - See Statewide
BENTON COUNTY
(H,Hw) - See Statewide
BOLLINGER COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
BUCHANAN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
BUTLER COUNTY
(Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
CALLAWAY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CAMDEN COUNTY
(H,Hw) - See Statewide
CAPE GIRARDEAU COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CARROLL COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CARTER COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

CASS COUNTY
Decision #MO75-4144 (B,H Hw)
40 FR 32611 - 8/1/75
Mod. #1 - 40 FR 44442 - 9/26/75
Decision #MO75-4145 (R)
40 FR 32617 - 8/1/75
Mod. #1 - 40 FR 44442 - 9/26/75
(H,Hw) - See Statewide
CEDAR COUNTY
(H,Hw) - See Statewide
CHARITON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CHRISTIAN COUNTY
(Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
COOPER COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
DADE COUNTY
(H,Hw) - See Statewide
DALLAS COUNTY
(H,Hw) - See Statewide
DAVIESS COUNTY
(H,Hw) - See Statewide
DE KALB COUNTY
(H,Hw) - See Statewide
DENT COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
DUNKLIN COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
Decision #MO75-4143 (B)
40 FR 32608 - 8/1/75
Decision #MO75-4142 (R)
40 FR 32605 - 8/1/75
(D) - See Andrew County
(H,Hw) - See Statewide
GASCONADE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
GENTRY COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

GRUNDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HICKORY COUNTY
(H,Hw) - See Statewide
HOLT COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWARD COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWELL COUNTY
(Hw) - See Statewide
IRON COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
JASPER COUNTY
None
JEFFERSON COUNTY
(D) - See Cape Girdeau County
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H Hw) - See Statewide
LACLEDE COUNTY
(H,Hw) - See Statewide
LAFAYETTE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
LAWRENCE COUNTY
(H,Hw) - See Statewide
LEWIS COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(B,R) - See Franklin County
(H,Hw) - See Statewide
LINN COUNTY
(H,Hw) - See Statewide
LIVINGSTON COUNTY
(H,Hw) - See Statewide
MC DONALD COUNTY
(H,Hw) - See Statewide
MACON COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARIES COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

MARION COUNTY
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MILLER COUNTY
(H,Hw) - See Statewide
MISSISSIPPI COUNTY
(D) - See Cape Girardeau County
(Hw) - See Statewide
MONITEAU COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MONROE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NEW MADRID COUNTY
(Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NODAWAY COUNTY
(H,Hw) - See Statewide
OREGON COUNTY
(Hw) - See Statewide
OSAGE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
OZARK COUNTY
(Hw) - See Statewide
PEMISCOT COUNTY
(Hw) - See Statewide
PERRY COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
PETTIS COUNTY
(H,Hw) - See Statewide
PHELPS COUNTY
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PLATTE COUNTY
(B,R,H,Hw) - See Cass County
(D) - See Andrew County
POLK COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RALLS COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RAY COUNTY
(B,R) - See Cass County
(H,Hw) - See Statewide
(D) - See Andrew County
REYNOLDS COUNTY
(Hw) - See Statewide
RIPLEY COUNTY
(Hw) - See Statewide
ST. CHARLES COUNTY
(B,R) - See Franklin County
(D) - See Andrew County
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
ST. CLAIR COUNTY
(H,Hw) - See Statewide
ST. FRANCOIS COUNTY
(H,Hw) - See Statewide
ST. LOUIS COUNTY
(B,R) - See Franklin County
(D) - See Cape Girardeau County
(D) - See Andrew County
(H,Hw) - See Statewide
STE. GENEVIEVE COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SALINE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
SCHUYLER COUNTY
(H,Hw) - See Statewide
SCOTLAND COUNTY
(H,Hw) - See Statewide
SCOTT COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SHANNON COUNTY
(Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STODDARD COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

STONE COUNTY
(Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
TANEY COUNTY
(Hw) - See Statewide
TEXAS COUNTY
(Hw) - See Statewide
VERNON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
WORTH COUNTY
(H,Hw) - See Statewide
WRIGHT COUNTY
(Hw) - See Statewide

MONTANA

STATEWIDE
Decision #MT75-5125 (B)
40 FR 48002 - 10/10/75
Decision #MT75 5128 (H,Hw)
40 FR 48046 - 10/10/75
BEAVERHEAD COUNTY
(B,H,Hw) - See Statewide
BIG HORN COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BROADWATER COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
CARTER COUNTY
(B,H,Hw) - See Statewide
CASCADE COUNTY
Decision #MT75-5126 (R)
40 FR 48027 - 10/10/75
(B,H,Hw) - See Statewide
CHOUTEAU COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
DANIELS COUNTY
(B,H,Hw) - See Statewide
DAWSON COUNTY
(B,H,Hw) - See Statewide
DEER LODGE COUNTY
(B,H,Hw) - See Statewide
Decision #MT75-5127 (R)
40 FR 48038 - 10/10/75
FALLON COUNTY
(B,H,Hw) - See Statewide
FERGUS COUNTY
(B,H,Hw) - See Statewide
FLATHEAD COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County

MONTANA (Cont'd.

GALLATIN COUNTY
(B,H,Hw) - See Statewide
(R) - See Deer Lodge County
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GLACIER COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
GOLDEN VALLEY COUNTY
(B,H,Hw) - See Statewide
GRANITE COUNTY
(B,H,Hw) - See Statewide
HILL COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JUDITH BASIN COUNTY
(B,H,Hw) - See Statewide
LAKE COUNTY
(B,H,Hw) - See Statewide
LEWIS & CLARK COUNTY
(B,H,Hw) - See Statewide
LIBERTY COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MC CONE COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MEAGHER COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
MISSOULA COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
MUSSELSHELL COUNTY
(B,H,Hw) - See Statewide
PARK COUNTY
(B,H,Hw) - See Statewide
PETROLEUM COUNTY
(B,H,Hw) - See Statewide
PHILLIPS COUNTY
(B,H,Hw) - See Statewide
PONDERA COUNTY
(B,H,Hw) - See Statewide
POWDER RIVER COUNTY
(B,H,Hw) - See Statewide
POWELL COUNTY
(B,H,Hw) - See Statewide
PRAIRIE COUNTY
(B,H,Hw) - See Statewide
RAVALLI COUNTY
(B,H,Hw) - See Statewide

MONTANA (Cont'd

RICHLAND COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
ROSEBUD COUNTY
(B,H,Hw) - See Statewide
SANDERS COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
SHERIDAN COUNTY
(B,H,Hw) - See Statewide
SILVER BOW COUNTY
(R) - See Deerlodge County
(B,H,Hw) - See Statewide
STILLWATER COUNTY
(B,H,Hw) - See Statewide
SWEET GRASS COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TOOLE COUNTY
(B,H,Hw) - See Statewide
TREASURE COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
WHEATLAND COUNTY
(B,H,Hw) - See Statewide
WIBAUX COUNTY
(B,H,Hw) - See Statewide
YELLOWSTONE COUNTY
(B,H,Hw) - See Statewide

NEBRASKA

ADAMS COUNTY
Decision #AR-92 (H,Hw)
39 FR 44917 - 12/27/74
ANTELOPE COUNTY
(H,Hw) - See Adams County
ARTHUR COUNTY
(H,Hw) - See Adams County
BANNER COUNTY
Decision #NE75-4113 (B)
40 FR 26218 - 6/20/75
(H,Hw) - See Adams County
BLAINE COUNTY
(H,Hw) - See Adams County
BOONE COUNTY
(H,Hw) - See Adams County
BOX BUTTE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
BOYD COUNTY
(H,Hw) - See Adams County
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
BROWN COUNTY
(H,Hw) - See Adams County
BUFFALO COUNTY
(H,Hw) - See Adams County
BURT COUNTY
(H,Hw) - See Adams County
(Chann. Stab) - See Boyd County
BUTLER COUNTY
(H,Hw) - See Adams County
CASS COUNTY
(Chann Stab.) - See Boyd County
Decision #NE75-4112 (H,Hw)
40 FR 25400 - 6/13/75
Mod #1 - 40 FR 27416 - 6/27/75
Mod. #2 - 40 FR 32553 - 8/1/75
CEDAR COUNTY
Decision #AQ-93 (B)
39 FR 15653 - 5/3/74
(H,Hw) - See Adams County
(Chann. Stab) - See Boyd County
CHASE COUNTY
(H,Hw) - See Adams County
CHERRY COUNTY
(H,Hw) - See Adams County
CHEYENNE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
CLAY COUNTY
(H,Hw) - See Adams County
COLFAX COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd.)

CUMING COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
CUSTER COUNTY
(H,Hw) - See Adams County
DAKOTA COUNTY
(Chann Stab) - See Boyd County
(H,Hw) - See Adams County
DAWES COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DAWSON COUNTY
(H,Hw) - See Adams County
DEUEL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DIXON COUNTY
(Chann Stab) - See Boyd County
(H,Hw) - See Adams County
DODGE COUNTY
(H,Hw) - See Adams County
DOUGLAS COUNTY
Decision #NE75-4111 (B,R)
40 FR 25399 - 6/13/75
(H,Hw) - See Cass County
(Chann. Stab) - See Boyd County
DUNDY COUNTY
(H,Hw) - See Adams County
FILLMORE COUNTY
(H,Hw) - See Adams County
FRANKLIN COUNTY
(H,Hw) - See Adams County
FRONTIER COUNTY
(H,Hw) - See Adams County
FURNAS COUNTY
(H,Hw) - See Adams County
GAGE COUNTY
(H,Hw) - See Adams County
GARDEN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
GARFIELD COUNTY
(H,Hw) - See Adams County
GOSPER COUNTY
(H,Hw) - See Adams County
GRANT COUNTY
(H,Hw) - See Adams County
GREELEY COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd)

HALL COUNTY
Decision #NE75-4155 (B)
40 FR 41366 - 9/5/75
(H,Hw) - See Adams County
HAMILTON COUNTY
(H,Hw) - See Adams County
HARLAN COUNTY
(H,Hw) - See Adams County
HAYES COUNTY
(H,Hw) - See Adams County
HITCHCOCK COUNTY
(H,Hw) - See Adams County
HOLT COUNTY
(H,Hw) - See Adams County
HOOKER COUNTY
(H,Hw) - See Adams County
HOWARD COUNTY
(H,Hw) - See Adams County
JEFFERSON COUNTY
(H,Hw) - See Adams County
JOHNSON COUNTY
(H,Hw) - See Adams County
KEARNEY COUNTY
(H,Hw) - See Adams County
KEITH COUNTY
(H,Hw) - See Adams County
KEYAPAHA COUNTY
(H,Hw) - See Adams County
KIMBALL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
KNOX COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
LANCASTER COUNTY
Decision #NE75-4085 (B)
40 FR 20599 - 5/9/75
Decision #NE75-4157 (R)
40 FR 42502 - 9/12/75
(H,Hw) - See Adams County
LINCOLN COUNTY
(H,Hw) - See Adams County
LOGAN COUNTY
(H,Hw) - See Adams County
LOUP COUNTY
(H,Hw) - See Adams County
MC PHERSON COUNTY
(H,Hw) - See Adams County
MADISON COUNTY
(H,Hw) - See Adams County
MERRICK COUNTY
(H Hw) - See Adams County

NEBRASKA (Cont'd.)

MORRILL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
NANCE COUNTY
(H,Hw) - See Adams County
NEMAHA COUNTY
Decision #1075-40/0 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
NUCKOLLS COUNTY
(H,Hw) - See Adams County
OTOE COUNTY
(Chann Stab) - See Boyd County
(H,Hw) - See Adams County
PAWNEE COUNTY
(H,Hw) - See Adams County
PERKINS COUNTY
(H,Hw) - See Adams County
PHELPS COUNTY
(H,Hw) - See Adams County
PIERCE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
PLATTE COUNTY
(H,Hw) - See Adams County
POLK COUNTY
(H,Hw) - See Adams County
RED WILLOW COUNTY
(H,Hw) - See Adams County
RICHARDSON COUNTY
(Chann. Stab) - See Boyd County
(D) - See Nemaha County
(H,Hw) - See Adams County
ROCK COUNTY
(H,Hw) - See Adams County
SALINE COUNTY
(H,Hw) - See Adams County
SARPY COUNTY
(Chann Stab.) - See Boyd County
(B,R) - See Douglas County
(H,Hw) - See Cass County
SAUNDERS COUNTY
(H,Hw) - See Adams County
(H,Hw) - See Cass County
SCOTTS BLUFF COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SEWARD COUNTY
(H,Hw) - See Adams County
SHERIDAN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SHERMAN COUNTY
(H,Hw) - See Adams County
SIOUX COUNTY
(B) - See Banner County
(H,Hw) - See Adams County

NEBRASKA (Cont'd)

STANTON COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
THAYER COUNTY
(H,Hw) - See Adams County
THOMAS COUNTY
(H,Hw) - See Adams County
THURSTON COUNTY
(Chann Stab) - See Boyd County
(H,Hw) - See Adams County
VALLEY COUNTY
(H,Hw) - See Adams County
WASHINGTON COUNTY
(H,Hw) - See Cass County
(Chann. Stab) - See Boyd County
WAYNE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
WEBSTER COUNTY
(H,Hw) - See Adams County
WHEELER COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(H,Hw) - See Adams County

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #NV75-5095 (B,H,Hw)
40 FR 32635 - 8/1/75
Mod #1 - 40 FR 43419 - 9/19/75
Mod #2 - 40 FR 47999 - 10/10/75
Mod. #3 - 40 FR 52243 - 11/7/75
CHURCHILL COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
Decision #NV75-5096 (R)(Excluding the Nevada Test Site)
40 FR 32646 - 8/1/75
Mod #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 52243 - 11/7/75
(B,H,Hw) - See Statewide
Decision #NV75 5057 (B,H,Hw) (Nevada Test Site including the Tonopah Test Range
40 FR 20602 - 5/9/75
Mod. #1 - 40 FR 25326 - 6/13/75
Mod. #2 - 40 FR 43419 - 9/19/75
DOUGLAS COUNTY
(B,H,Hw) - See Statewide
ELKO COUNTY
(B,H,Hw) - See Statewide
ESMERALDA COUNTY
(B,H,Hw) - See Statewide
EUREKA COUNTY
(B,H,Hw) - See Statewide
HUMBOLDT COUNTY
(B,H,Hw) - See Statewide
LANDER COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LYON COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
NYE COUNTY
(B,H,Hw) - See Clark Co (Nevada Test Site)
(B,H,Hw) - See Statewide
ORMSBY COUNTY
(B,H,Hw) - See Statewide
PERSHING COUNTY
(B,H,Hw) - See Statewide
STOREY COUNTY
(B,H,Hw) - See Statewide
WASHOE COUNTY
Decision #NV75-5097 (R)
40 FR 32650 - 8/1/75
Mod #1 - 40 FR 43420 - 9/19/75
Mod #2 - 40 FR 52244 - 11/7/75
(B,H,Hw) - See Statewide
WHITE PINE COUNTY
(B,H,Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None
GRAFTON COUNTY
None
HILLSBORO COUNTY
Decision #NH75 2096 (B,H,Hw,R)
40 FR 30419 - 7/18/75
Mod. #1 - 40 FR 36897 - 8/22/75
MERRIMACK COUNTY
Decision #NH75-2097 (B,H,Hw, & Marine)
40 FR 30422 - 7/18/75
Mod. #1 - 40 FR 36898 - 8/22/75
ROCKINGHAM COUNTY
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2 - 40 FR 52241 - 11/7/75
Decision #NH75-2098 (B,H,Hw,R, & Marine)
40 FR 30426 - 7/18/75
Mod. #1 - 40 FR 36898 - 8/22/75
STRAFFORD COUNTY
Decision #NH75-2099 (B,H,Hw, & Marine)
40 FR 30430 - 7/18/75
Mod. #1 - 40 FR 36899 - 8/22/75
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #NJ75-3049 (B,H,Hw)
40 FR 26219 - 6/20/75
Mod #1 - 40 FR 36899 - 8/22/75
Mod #2 - 40 FR 44443 - 9/26/75
Mod. #3 - 40 FR 48000 - 10/10/75
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod #2 - 40 FR 52241 - 11/7/75
BERGEN COUNTY
Decision #NJ75-3098 (R)
40 FR 44433 - 9/26/75
Mod. #1 - 40 FR 48844 - 10/17/75
Decision #NJ75-3050 (B,H,Hw)
40 FR 29501 - 7/11/75
Mod #1 - 40 FR 40007 - 8/29/75
Mod #2 - 40 FR 44444 - 9/26/75
Mod #3 - 40 FR 48001 - 10/10/75
Mod #4 - 40 FR 50869 - 10/31/75
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

BURLINGTON COUNTY
Decision #NJ75-3096 (R)
40 FR 43413 - 9/19/75
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAMDEN COUNTY
(B,H Hw) - See Atlantic County
(D) - See Atlantic County
CAPE MAY COUNTY
Decision #NJ75-3068 (R)
40 FR 29437 - 7/11/75
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
ESSEX COUNTY
(B,H Hw,R) - See Bergen County
(D) - See Atlantic County
GLOUCESTER COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
HUDSON COUNTY
(B,H Hw,R) - See Bergen County
(D) - See Atlantic County
HUNTERDON COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MERCER COUNTY
(B,H,Hw) - See Atlantic County
MIDDLESEX COUNTY
(B,H Hw) - See Bergen County
(D) - See Atlantic County
MONMOUTH COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

MORRIS COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
OCEAN COUNTY
(B,H Hw) - See Atlantic County
(D) - See Atlantic County
PASSAIC COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
SALEM COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
SOMERSET COUNTY
(B,H Hw) - See Bergen County
(D) - See Atlantic County
SUSSEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
UNION COUNTY
Decision #NJ75-3097 (R)
40 FR 43414 - 9/19/75
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
WARREN COUNTY
(B H,Hw) - See Bergen County

NEW MEXICO

STATEWIDE
Decision #NM75-4137 (Streets, Highways, Utilities and Light Engineering Construction)
40 FR 32656 - 8/1/75
Decision #NM75-4136 (Building, including residential in McKinley, Santa Fe, San Juan & Bernalillo Cos , but not on the Indian Reservation, and Heavy engineering construction
40 FR 32658 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 45954 - 10/3/75
BERNALILLO COUNTY
(B,H,Hw,R) - See Statewide
CATRON COUNTY
(B,H,Hw) - See Statewide
CHAVES COUNTY
(B,H,Hw) - See Statewide
COLFAX COUNTY
(B,H,Hw) - See Statewide
CURRY COUNTY
(B,H,Hw) - See Statewide
DE BACA COUNTY
(B,H,Hw) - See Statewide
DONA ANA COUNTY
(B,H,Hw) - See Statewide
Decision #NM75-4014 (R)
40 FR 3148 - 1/17/75
EDDY COUNTY
(B,H,Hw) - See Statewide
GRANT COUNTY
(B,H,Hw) - See Statewide
GUADALUPE COUNTY
(B,H,Hw) - See Statewide
HARDING COUNTY
(B,H,Hw) - See Statewide
HIDALGO COUNTY
(B H,Hw) - See Statewide
LEA COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H Hw) - See Statewide
LOS ALAMOS COUNTY
(B,H,Hw) - See Statewide
LUNA COUNTY
(B,H,Hw) - See Statewide
McKINLEY COUNTY
(R) - See San Juan County
(B,H Hw R) - See Statewide

NEW MEXICO (Cont'd.)

MORA COUNTY
(B,H,Hw) - See Statewide
OTERO COUNTY
(R) - See Dona Ana County
(B,H,Hw) - See Statewide
QUAY COUNTY
(B H,Hw) - See Statewide
RIO ARRIBA COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
SANDOVAL COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
Decision #NM75-5004 (R)(Navajo Indian Reservation)
40 FR 3921 - 1/24/75
(B,H,Hw,R) - See Statewide
SAN MIGUEL COUNTY
(B,H,Hw) - See Statewide
SANTE FE COUNTY
(B,H,Hw,R) - See Statewide
SIERRA COUNTY
(B,H,Hw) - See Statewide
SOCORRO COUNTY
(B,H,Hw) - See Statewide
TAOS COUNTY
(B,H,Hw) - See Statewide
TORRANCE COUNTY
(B,H,Hw) - See Statewide
UNION COUNTY
(B,H,Hw) - See Statewide
VALENCIA COUNTY
(B,H,Hw) - See Statewide

NEW YORK

ALBANY COUNTY
Decision #NY75 3031, (B,H,Hw)
40 FR 16545 - 4/11/75
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AR-2101 (B,H,Hw)
39 FR 44925 - 12/27/74
Mod #1 - 40 FR 5984 - 2/7/75
Mod #2 - 40 FR 7799 - 2/21/75
Mod. #3 - 40 FR 33578 - 8/8/75
Decision #NY75 3016 (R)
40 FR 7852 2/21/75
Decision #NY75 3108 (D)
40 FR 49948 - 10/24/75
Mod. #1 - 40 FR 50867 - 10/31/75
Mod #2 - 40 FR 52241 - 11/7/75
BROOME COUNTY
Decision #NY75-3032 (B,H,Hw)
40 FR 16549 - 4/11/75
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #NY75-3033 (D)
40 FR 16554 - 4/11/75
CHAUTAUGUA COUNTY
Decision #AR 2014 (B,H,Hw)
39 FR 28735 - 8/9/74
Mod #1 - 40 FR 3863 - 1/24/75
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None
CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None

NEW YORK (Cont'd)

DUTCHESS COUNTY
Decision #NY75-3034 (B,H,Hw)
40 FR 16559 4/11/75
(D) - See Bronx County
ERIE COUNTY
Decision #NY75-3035 (B,H,Hw)
40 FR 16565 - 4/11/75
(D) - See Cayuga County
ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESEE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #NY75-3036 (B,H,Hw)
40 FR 16571 - 4/11/75
Mod #1-40 FR 24455 - 6/6/75
(D) - See Cayuga County
KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None

NEW YORK (Cont'd)

MONROE COUNTY
Decision #NY75-3063 (B, H,Hw)
40 FR 26233 - 6/20/75
Mod #1 - 40 FR 27416 - 6/27/75
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #NY75-3038 (B,H,Hw)
40 FR 16581 - 4/11/75
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #NY75-3039 (B,H,Hw)
40 FR 16586 - 4/11/75
(D) - See Cayuga County
ONEIDA COUNTY
Decision #NY75-3040 (B,H,Hw)
40 FR 16589 - 4/11/75
Mod. #1 - 40 FR 24456 - 6/6/75
ONONDAGA COUNTY
Decision #NY75-3041 (B,H,Hw)
40 FR 16595 - 4/11/75
Mod #1 - 40 FR 24457 - 6/6/75
Mod. #2 - 40 FR 45955 - 10/3/75
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #NY75-3042 (B,H,Hw)
40 FR 16599 - 4/11/75
Mod #1 - 40 FR 25327 - 6/13/75
Mod #2 - 40 FR 45955 - 10/3/75
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R) - See Bronx County

NEW YORK (Cont'd)

RENSSELAER COUNTY
Decision #NY75-3043 (B,H,Hw)
40 FR 16606 - 4/11/75
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Bronx County
ST LAWRENCE COUNTY
(D) - See Cayuga County
SARATOGA COUNTY
Decision #AR 2097 (B,H,Hw)
39 FR 44919 - 12/27/74
SCHENECTADY COUNTY
Decision #NY75-3044 (B,H,Hw)
40 FR 16610 - 4/11/75
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
Decision #NY75-3046 (B,H,Hw)
40 FR 16619 - 4/11/75
SUFFOLK COUNTY
Decision #NY75-3045 (B,H,Hw)
40 FR 16614 - 4/11/75
(D) - See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None

NEW YORK (cont'd)

TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
Decision #NY75-3047 (B H Hw)
40 FR 16624 - 4/11/75
Mod #1 - 40 FR 45955 - 10/3/75
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #NY75 3048 (B H,Hw)
40 FR 16631 - 4/11/75
(D) - See Bronx County
WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #NC75-1015 (H,Hw)
40 FR 4857 - 1/31/75
Mod. #1 - 40 FR 41351 - 9/5/75
Decision #NC75-1078 (Sewer & Water)
40 FR 41367 - 9/5/75
ALAMANCE COUNTY
Decision #AQ-4078 (R)
39 FR 7010 - 2/22/74
(Sewer & Water, H,Hw) - See Statewide
ALEXANDER COUNTY
(Sewer & Water, H,Hw) - See Statewide
ALLEGHANY COUNTY
(Sewer & Water, H,Hw) - See Statewide
ANSON COUNTY
(Sewer & Water, H Hw) - See Statewide
ASHE COUNTY
(Sewer & Water, H,Hw) - See Statewide
AVERY COUNTY
Decision #AR-4017 (B)
39 FR 28739 - 8/9/74
Mod #1 - 39 FR 43466 - 12/13/74
(Sewer & Water H Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

BEAUFORT COUNTY
Decision #ID75-3008 (D)
40 FR 3094 - 1/17/75
Mod #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
BERTIE COUNTY
Decision #AQ 4079 (R)
39 FR 7010 - 2/22/74
Mod #1 - 40 FR 3087 - 1/17/75
(D) - See Beaufort County
(Sewer & Water, H Hw) - See Statewide
BLADEN COUNTY
(Sewer & Water, H Hw) - See Statewide
BRUNSWICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
Decision #AR-4031 (R)
39 FR 32441 - 9/6/74
BUNCOMBE COUNTY
Decision #AR-4005 (B)
39 FR 24778 - 7/5/74
Mod. #1 - 39 FR 43465 - 12/13/74
Decision #NC75-1014 (R)
40 FR 6111 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
BURKE COUNTY
Decision #AQ 4105 (B)
39 FR 14842 - 4/26/74
Decision #AQ-4117 (R)
39 FR 18397 - 5/24/74
(Sewer & Water, H,Hw) - See Statewide
CABARRUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CALDWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CAMDEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
CARTERET COUNTY
Decision #AQ 4083 (R)
39 FR 8101 - 3/1/74
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CASWELL COUNTY
(Sewer & Water H,Hw) - See Statewide
CATAWBA COUNTY
(R) - See Burke County
(Sewer & Water H,Hw) - See Statewide
CHATHAM COUNTY
Decision #NC75-1049 (B)
40 FR 18273 - 4/25/75
Decision #AR-4044 (R)
39 FR 36882 - 10/11/74
Mod #1 - 40 FR 3087 - 1/17/75
(Sewer & Water H Hw) - See Statewide
CHEROKEE COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHOWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
CLAY COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLEVELAND COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
COLUMBUS COUNTY
(Sewer & Water H Hw) - See Statewide
CRAVEN COUNTY
(R) - See Carteret County
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
CUMBERLAND COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
CURRITUCK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DARE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DAVIDSON COUNTY
(Sewer & Water, H Hw) - See Statewide
DAVIE COUNTY
(Sewer & Water, H Hw) - See Statewide
DUPLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
DURHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
EDGECOMBE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
FORSYTH COUNTY
Decision #AR-4019 (R)
39 FR 29702 - 8/16/74
(Sewer & Water H,Hw) - See Statewide
FRANKLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
GASTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
GATES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
GRAHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
GRANVILLE COUNTY
(Sewer & Water, H Hw) - See Statewide
GREENE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
GUILFORD COUNTY
(Sewer & Water H,Hw) - See Statewide
(R) - See Alamance County

NORTH CAROLINA (Cont'd.)

HALIFAX COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
HARNETT COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HAYWOOD COUNTY
(R) - See Buncombe County
(R) - See Cumberland County
(Sewer & Water, H,Hw) - See Statewide
HENDERSON COUNTY
R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
HERTFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
HOKE COUNTY
(R) - See Chatham County
(Sewer & Water, H Hw) - See Statewide
HYDE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
IREDELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
JACKSON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
JOHNSTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
JONES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LEE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
LENOIR COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LINCOLN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Burke County
MCDOWELL COUNTY
(R) - See Buncombe County
(Sewer & Water H Hw) - See Statewide
MACON COUNTY
(Sewer & Water, H,Hw) - See Statewide
MADISON COUNTY
(R) - See Buncombe County
(Sewer & Water, H Hw) - See Statewide
MARTIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
MECKLENBURG COUNTY
Decision #AP-161 (B)
38 FR 5753 - 3/2/73
Mod #1 - 38 FR 7166 - 3/16/73
Mod #2 - 38 FR 31770 - 11/16/73
(Sewer & Water, H Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

MITCHELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
(B) - See Avery County
MONTGOMERY COUNTY
(Sewer & Water, H,Hw) - See Statewide
MOORE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
NASH COUNTY
(Sewer & Water, H,Hw) - See Statewide
NEW HANOVER COUNTY
Decision #NC75-1054 (B)
40 FR 22723 - 5/23/75
Mod #1 - 40 FR 43420 9/19/75
(R) - See Brunswick County
(D) - See BeaufortCounty
(Sewer & Water, H,Hw) - See Statewide
NORTHAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
ONSLOW COUNTY
Decision #AR-4048 (B)
39 FR 38078 - 10/25/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Brunswick County-
ORANGE COUNTY
(Sewer & Water, H,Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
PASQUOTANK COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PENDER COUNTY
(R) - See Brunswick County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERSONS COUNTY
(Sewer & Water, H,Hw) - See Statewide
PITT COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
POLK COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
RANDOLPH COUNTY
(R) - See Alamance County
(Sewer & Water, H,Hw) - See Statewide
RICHMOND COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROBESON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROCKINGHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County
ROWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

RUTHERFORD COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
SAMPSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Chatham County
SCOTLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
STANLY COUNTY
(Sewer & Water, H,Hw) - See Statewide
STOKES COUNTY
(Sewer & Water, H,Hw) - See Statewide
SURRY COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Forsyth County
SWAIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
TRANSYLVANIA COUNTY
Decision #NC75-1097 (B)
40 FR 43462 - 9/19/75
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
TYRRELL County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
UNION COUNTY
(Sewer & Water, H,Hw) - See Statewide
VANCE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WAKE COUNTY
Decision #AQ-4032 (B)
38 FR 31093 - 11/9/73
Mod #1 - 39 FR 5066 - 2/8/74
(Sewer & Water, H,Hw) - See Statewide
WARREN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WASHINGTON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
WATAUGA COUNTY
(B) - See Avery County
(Sewer & Water, H,Hw) - See Statewide
WAYNE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
WILKES COUNTY
Decision #AR 4063 (B)
39 FR 42803 - 12/6/74
Mod #1 - 40 FR 3087 - 1/17/75
Mod #2 - 40 FR 5984 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
WILSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
YADKIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
YANCEY COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #ND75-5109 (Hw)
40 FR 40022 - 8/29/75
ADAMS COUNTY
(Hw) - See Statewide
BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
BURLEIGH COUNTY
(Hw) - See Statewide
Decision #ND75-5130 (B)
40 FR 48866 - 10/17/75
Mod. #1 - 40 FR 52244 - 11/7/75
CASS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
GRANT COUNTY
(Hw) - See Statewide
GRIGGS COUNTY
(Hw) - See Statewide
HETTINGER COUNTY
(Hw) - See Statewide
KIDDER COUNTY
(Hw) - See Statewide
LA MOURE COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
McHENRY COUNTY
(Hw) - See Statewide
McINTOSH COUNTY
(Hw) - See Statewide
McKENZIE COUNTY
(Hw) - See Statewide
McLEAN COUNTY
(Hw) - See Statewide
MERCER COUNTY
(Hw) - See Statewide
MORTON COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
MOUNTRAIL COUNTY
(Hw) - See Statewide
NELSON COUNTY
(Hw) - See Statewide
OLIVER COUNTY
(Hw) - See Statewide
PEMBINA COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
RAMSEY COUNTY
(Hw) - See Statewide
RANSOM COUNTY
(Hw) - See Statewide
RENVILLE COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
(B) - See Burleigh County

NORTH DAKOTA (Cont'd)

ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
STUTSMAN COUNTY
(Hw) - See Statewide
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WARD COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WELLS COUNTY
(Hw) - See Statewide
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

STATEWIDE
Decision #OH75-2056 (H Hw)
40 FR 1530 - 4/4/75
Mod #1 - 40 FR 18282 - 4/25/75
Mod #2 - 40 FR 25328 - 6/13/75
Mod. #3 - 40 FR 49943 - 10/24/75
ADAMS COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
ALLEN COUNTY
Decision #OH75-2034 (B)
40 FR 5967 - 2/7/75
(H Hw) - See Statewide
ASHLAND COUNTY
(H,Hw) - See Statewide
ASHTABULA COUNTY
Decision #AR-3169 (B,R)
39 FR 40401 - 11/15/74
Mod. #1 - 40 FR 14214 - 3/28/75
Decision #IL75-5075 (D)
40 FR 27418 - 6/27/75
(H,Hw) - See Statewide
ATHENS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
AUGLAIZE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BELMONT COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
BUTLER COUNTY
Decision #AR-3033 (B)
39 FR 30774 - 8/23/74
Mod. #1 - 40 FR 16492 - 4/11/75
Decision #AP-683 (R)
38 FR 14049 - 5/25/73
(H,Hw) - See Statewide
CARROLL COUNTY
(H,Hw) - See Statewide
CHAMPAIGN COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
Decision #AR-3034 (B)
39 FR 30776 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
Decision #AP-684 (R)
38 FR 14049 - 5/25/73
(H,Hw) - See Statewide
CLERMONT COUNTY
Decision #AM-685 (R)
38 FR 14050 - 5/25/73
(B) - See Hamilton County
(D) - See Adams County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLUMBIANA COUNTY
(H,Hw) - See Statewide
COSHOCTON COUNTY
(H,Hw) - See Statewide

OHIO (Cont'd)

CRAWFORD COUNTY
(H,Hw) - See Statewide
CUYAHOGA COUNTY
Decision #AR-3035 (B,R)
39 FR 30778 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
(H,Hw) - See Statewide
DARKE COUNTY
(H,Hw) - See Statewide
DEFIANCE COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
Decision #AM 420 (R)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/16/73
(H,Hw) - See Statewide
ERIE COUNTY
Decision #AR-3172 (B)
39 FR 41102 - 11/22/74
Mod #1-40 FR 15276 - 4/4/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
FAIRFIELD COUNTY
(R) - See Delaware County
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
Decision #AR-3036 (B)
39 FR 30780 - 8/23/74
Mod #1 - 40 FR 37330 - 10/18/74
Mod #2 - 40 FR 15274 - 4/4/75
Mod #3 - 40 FR 33578 - 8/8/75
Mod #4 - 40 FR 50869 - 10/31/75
(R) - See Delaware County
(H,Hw) - See Statewide
FULTON COUNTY
(B) - See Lucas County
(H,Hw) - See Statewide
GALLIA COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
GEAUGA COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
Decision #AR-3037 (B)
39 FR 30782 - 8/23/74
Mod. #1 -40 FR 15275 - 4/4/75
Decision #OH75-2109 (R)
40 FR 42498 - 9/12/75
(H,Hw) - See Statewide
GUERNSEY COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
Decision #AR-3038 (B)
39 FR 30784 - 8/23/74
Mod. #1 - 40 FR 15275 - 4/4/75
(D) - See Adams County
(R) - See Clermont County
(H,Hw) - See Statewide

OHIO (Cont'd)

HANCOCK COUNTY
Decision #AR-3173 (B)
39 FR 41105 - 11/22/74
Mod. #1 - 40 FR 15276 - 4/4/75
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HIGHLAND COUNTY
(H,Hw) - See Statewide
HOCKING COUNTY
(H,Hw) - See Statewide
HOLMES COUNTY
(H,Hw) - See Statewide
HURON COUNTY
(B) - See Erie County
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(B,R) - See Cuyahoga County
(D) - See Ashtabula County
(H,Hw) - See Statewide
LAWRENCE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
LICKING COUNTY
Decision #AR-3039 (B)
39 FR 30786 - 8/23/74
Mod #1-40 FR 16492 - 4/11/75
Mod. #2-40 FR 27416 - 6/27/75
(H,Hw) - See Statewide
(R) - See Delaware County
LOGAN COUNTY
(H,Hw) - See Statewide
LORAIN COUNTY
Decision #AR-3040 (B,R)
39 FR 30663 - 8/23/74
Mod #1 - 40 FR 16493 - 4/11/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
LUCAS COUNTY
Decision #OH75-2060 (B)
40 FR 17529 - 4/18/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
MADISON COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide

OHIO (Cont'd.)

MAHONING COUNTY
Decision #AR-3042 (B,R)
39 FR 30790 - 8/23/74
Mod #1 - 40 FR 7798 - 2/21/75
Mod #2 - 40 FR 16493 - 4/11/75
Mod #3 - 40 FR 27416 - 6/27/75
Mod #4 - 40 FR 29448 - 7/11/75
Mod. #5 - 40 FR 52244 - 11/7/75
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MEIGS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MERCER COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MIAMI COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
MONROE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(B) - See Greene County
(R) - See Greene County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
MORROW COUNTY
(H,Hw) - See Statewide
MUSKINGUM COUNTY
Decision #AR-3043 (B)
39 FR 30792 - 8/23/74
Mod. #1 - 40 FR 17462 - 4/18/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
OTTAWA COUNTY
(R) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
PAULDING COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(H,Hw) - See Statewide
PICKAWAY COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide
PIKE COUNTY
Decision #AR-3176 (B)
39 FR 43451 - 12/13/74
Mod #1 - 40 FR 3087 - 1/17/75
Mod #2 - 40 FR 5985 - 2/7/75
Mod. #3 - 40 FR 17464 - 4/18/75
(H,Hw) - See Statewide
PORTAGE COUNTY
Decision #AR-3044 (B,R)
39 FR 30794 - 8/23/74
(H,Hw) - See Statewide

OHIO (Cont'd.)

PREBLE COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RICHLAND COUNTY
(H,Hw) - See Statewide
ROSS COUNTY
(B) - See Pike County
(H,Hw) - See Statewide
SANDUSKY COUNTY
(B) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
SCIOTO COUNTY
(B) - See Pike County
(D) - See Adams County
(H,Hw) - See Statewide
SENECA COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STARK COUNTY
Decision #AR-3045 (B,R)
39 FR 30796 - 8/23/74
Mod #1 - 40 FR 17463 - 4/18/75
Mod. #2 - 40 FR 33578 - 8/8/75
(H,Hw) - See Statewide
SUMMITT COUNTY
Decision #AR-3046 (B,R)
39 FR 30798 - 8/23/74
Mod #1 - 39 FR 34927 - 9/27/74
Mod. #2 - 40 FR 17463 - 4/18/75
(H,Hw) - See Statewide
TRUMBULL COUNTY
Decision #AR-3047 (B,R)
39 FR 30800 - 8/23/74
Mod #1 - 40 FR 17463 - 4/18/75
Mod. #2 - 40 FR 44445 - 9/26/75
(H,Hw) - See Statewide
TUSCARAWAS COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VAN WERT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
VINTON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(R) - See Butler County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WILLIAMS COUNTY
(H,Hw) - See Statewide
WOOD COUNTY
(H,Hw) - See Statewide
WYANDOT COUNTY
(H,Hw) - See Statewide

OKLAHOMA

STATEWIDE (Except the City of Muskogee)
Decision #AO-124 (Constr., alteration, and/or repair of streets, highways, runways, erosion control structures, well drilling, and water and sewer utilities)
39 FR 24194 - 6/28/74
ADAIR COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
ALFALFA COUNTY
(H,Hw) - See Statewide
ATOKA COUNTY
(H,Hw) - See Statewide
BEAVER COUNTY
(H,Hw) - See Statewide
BECKHAM COUNTY
(H,Hw) - See Statewide
BLAINE COUNTY
(H,Hw) - See Statewide
BRYAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4016 (R)
40 FR 3151 - 1/17/75
CADDO COUNTY
(B) - See CAnadian County
(H,Hw) - See Statewide
CANADIAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4008 (B)
40 FR 17531 - 4/18/75
Mod #1 - 40 FR 22736 - 5/23/75
Mod #2 - 40 FR 26185 - 6/20/75
Mod #3 - 40 FR 30387 - 7/18/75
Mod #4 - 40 FR 31440 - 7/25/75
Mod #5 - 40 FR 41352 - 9/5/75
Mod. #6 - 40 FR 45956 - 10/3/75
Decision #AP-304 (R)
37 FR 15789 - 8/4/72
Mod #1 - 37 FR 28799 - 12/28/72
Mod #2 - 38 FR 4078 - 2/9/73
CARTER COUNTY
(H,Hw) - See Statewide
CHEROKEE COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
CHOCTAW COUNTY
(H,Hw) - See Statewide
CIMARRON COUNTY
(H,Hw) - See Statewide
CLEVELAND COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
COAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
Decision #OK75 4017 (R)
40 FR 3152 - 1/17/75
Decision #OK75-4116 (B)
40 FR 27434 - 6/27/75
Mod #1 - 40 FR 34554 - 8/15/75
Mod #2 - 40 FR 42484 - 9/12/75
Mod #3 - 40 FR 45956 - 10/3/75
COTTON COUNTY
(H,Hw) - See Statewide

OKLAHOMA (cont'd)

CRAIG COUNTY
(H,Hw) - See Statewide
CREEK COUNTY
(B) - See Tulsa County
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(H,Hw) - See Statewide
GARFIELD COUNTY
Decision #OK75-4133 (B)
40 FR 31558 - 7/25/75
Mod #1 - 40 FR 41353 - 9/5/75
Mod. #2 - 40 FR 45956 - 10/3/75
(H,Hw) - See Statewide
GARVIN COUNTY
(H,Hw) - See Statewide
GRADY COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREER COUNTY
(H,Hw) - See Statewide
HARMON COUNTY
(H,Hw) - See Statewide
HARPER COUNTY
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
JOHNSTON COUNTY
(H,Hw) - See Statewide
KAY COUNTY
(H,Hw) - See Statewide
KINGFISHER COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
KIOWA COUNTY
(H,Hw) - See Statewide
LATIMER COUNTY
(H,Hw) - See Statewide
LEFLORE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
LOGAN COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
LOVE COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

McCLAIN COUNTY
(H,Hw) - See Statewide
(B) - See Canadian County
McCURTAIN COUNTY
(H,Hw) - See Statewide
MCINTOSH COUNTY
Decision #OK75-4148 (B)
40 FR 34567 - 8/15/75
Mod #1 - 40 FR 42486 - 9/12//5
Mod. #2 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
MAJOR COUNTY
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MAYES COUNTY
(H,Hw) - See Statewide
MURRAY COUNTY
(H,Hw) - See Statewide
MUSKOGEE COUNTY
Decision #OK75 4156 (B,H,Hw)
40 FR 41369 - 9/5/75
Mod. #1 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
NOWATA COUNTY
(H,Hw) - See Statewide
OKFUSKEE COUNTY
(H,Hw) - See Statewide
OKLAHOMA COUNTY
(B,R) - See Canadian County
(H,Hw) - See Statewide
OKMULGEE COUNTY
(H,Hw) - See Statewide
OSAGE COUNTY
(H,Hw) - See Statewide
(R) - See Tulsa County
OTTAWA COUNTY
(H,Hw) - See Statewide
PAWNEE COUNTY
(H,Hw) - See Statewide
PAYNE COUNTY
(H,Hw) - See Statewide
PITTSBURG COUNTY
Decision #OK75-4138 (B)
40 FR 32668 - 8/1/75
Mod #1 - 40 FR 34555 - 8/15/75
Mod #2 - 40 FR 42485 - 9/12/75
Mod. #3 - 40 FR 45956 - 10/3/75
(H,Hw) - See Statewide
PONTOTOC COUNTY
(H,Hw) - See Statewide
POTTAWATOMIE COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
PUSHMATAHA COUNTY
(H,Hw) - See Statewide
ROGERS COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd)

ROGERS MILLS COUNTY
(H,Hw) - See Statewide
SEMINOLE COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
SEQUOYAH COUNTY
(H,Hw) - See Statewide
STEPHENS COUNTY
(H,Hw) - See Statewide
TEXAS COUNTY
(H,Hw) - See Statewide
TILLMAN COUNTY
(H,Hw) - See Statewide
TULSA COUNTY
Decision #OK75-4140 (B)
40 FR 32672 - 8/1/75
Mod #1 - 40 FR 41354 - 9/5/75
Mod. #2 - 40 FR 45956 - 10/3/75
(H,Hw) - See Statewide
Decision #OK75 4015 (R)
40 FR 3150 - 1/17/75
WAGONER COUNTY
Decision #OK75-4158 (B)
40 FR 42503 - 9/12/75
Mod. #1 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WASHITA COUNTY
(H,Hw) - See Statewide
WOODS COUNTY
(H,Hw) - See Statewide
WOODWARD COUNTY
(H,Hw) - See Statewide

OREGON

STATEWIDE
Decision #OR75-5123 (B,H Hw D)
40 FR 48057 - 10/10/75
BAKER COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
Decision #OR75-5042 (R)
40 FR 15312 - 4/4/75
Mod #1 - 40 FR 48001 - 10/10/75
Mod. #2 - 40 FR 52244 - 11/7/75
(B,H,Hw,D) - See Statewide
CLATSOP COUNTY
(B,H,Hw D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,D) - See Statewide
DESCHUTES COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
GILLIAM COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(H,Hw,B,D) - See Statewide
HARNEY COUNTY
(B,H,Hw,D) - See Statewide
HOOD RIVER COUNTY
(H,Hw,B,D) - See Statewide
JACKSON COUNTY
(H,Hw,B,D) - See Statewide
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
JOSEPHINE COUNTY
(B,H,Hw,D) - See Statewide
KLAMATH COUNTY
(B,H,Hw,D) - See Statewide
LAKE COUNTY
(B,H,Hw,D) - See Statewide
LANE COUNTY
Decision #OR75-5122 (R)
40 FR 45989 - 10/3/75
Mod. #1 - 40 FR 52244 - 11/7/75
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
LINN COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Lane County

OREGON (Cont'd.)

MALHEUR COUNTY
(B,H,Hw,D) - See Statewide
MARION COUNTY
(R) - See Lane County
(B,H,Hw,D) - See Statewide
MORROW COUNTY
(B,H,Hw,D) - See Statewide
MULTNOMAH COUNTY
(R) - See Clackamas County
(B,H,Hw,D) - See Statewide
POLK COUNTY
(B,H,Hw,D) - See Statewide
SHERMAN COUNTY
(B,H,Hw,D) - See Statewide
TILLAMOOK COUNTY
(B,H,Hw,D) - See Statewide
UMATILLA COUNTY
(B,H,Hw,D) - See Statewide
UNION COUNTY
(B,H,Hw,D) - See Statewide
WALLOWA COUNTY
(B,H,Hw,D) - See Statewide
WASCO COUNTY
(B,H,Hw,D) - See Statewide
WASHINGTON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clackamas County
WHEELER COUNTY
(B,H,Hw,D) - See Statewide
YAMHILL COUNTY
(B,H,Hw,D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #PA75-3067 (H,Hw)
40 FR 29519 - 7/11/75
Decision #AR-2099 (B)
39 FR 44931 - 12/27/74
Mod #1 - 40 FR 4790 - 1/31/75
Mod #2 - 40 FR 5986 - 2/7/75
Mod #3 - 40 FR 15282 - 4/4/75
Mod #4 - 40 FR 22740 - 5/23/75
Mod #5 - 40 FR 25332 - 6/13/75
Mod #6 - 40 FR 29449 - 7/11/75
Mod #7 - 40 FR 45957 - 10/3/75
Mod. #8 - 40 FR 48845 - 10/17/75
ALLEGHENY COUNTY
Decision #PA75-3071 (B)
40 FR 36936 - 8/22/75
Decision #PA75-3070 (R)
40 FR 30433 - 7/18/75
Mod. #1 - 40 FR 34555 - 8/15/75
ARMSTRONG COUNTY
Decision #PA75-3029 (H,Hw)
40 FR 15318 - 4/4/75
Mod #1 - 40 FR 17471 - 4/18/75
Mod #2 - 40 FR 19332 - 5/2/75
Mod #3 - 40 FR 31447 - 7/25/75
Mod. #4 - 40 FR 45960 - 10/3/75
Decision #PA75-3073 (B)
40 FR 36943 - 8/22/75
BEAVER COUNTY
Decision #PA75-3026 (H,Hw)
40 FR 14266 - 3/28/75
Mod #1 - 40 FR 17467 - 4/18/75
Mod #2 - 40 FR 31444 - 7/25/75
Mod #3 - 40 FR 36900 - 8/22/75
Mod. #4 - 40 FR 45960 - 10/3/75
Decision #PA75-3074 (B)
40 FR 36946 - 8/22/75
Mod #1 - 40 FR 43421 - 9/19/75
Mod. #2 - 40 FR 45961 - 10/3/75
BEDFORD COUNTY
Decision #PA75-3028 (H,Hw)
40 FR 15313 - 4/4/75
Mod #1 - 40 FR 17468 - 4/18/75
Mod #2 - 40 FR 31445 - 7/25/75
Mod. #3 - 40 FR 45960 - 10/3/75
Decision #PA75-3072 (B)
40 FR 36940 - 8/22/75
Mod. #1 - 40 FR 45959 - 10/3/75
BERKS COUNTY
Decision #PA75 3055 (B)
40 FR 27436 - 6/27/75
Mod #1 - 40 FR 29452 - 7/11/75
Mod #2 - 40 FR 48846 - 10/17/75
Mod. #3 - 40 FR 50869 - 10/31/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.)

BLAIR COUNTY
Decision #PA75-3057 (B)
40 FR 23686 - 5/30/75
Mod #1 - 40 FR 31450 - 7/25/75
Mod #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 45958 - 10/3/75
(H,Hw) - See Armstrong County
BRADFORD COUNTY
(H,Hw) - See Adams County
BUCKS COUNTY
Decision #PA75-3082 (B)
40 FR 36976 - 8/22/75
Mod. #1 - 40 FR 48846 - 10/17/75
Decision #PA75-3087 (R)
40 FR 40031 - 8/29/75
Mod. #1 - 40 FR 48847 - 10/17/75
Decision #PA75-3088 (H,Hw)
40 FR 36992 - 8/22/75
BUTLER COUNTY
Decision #PA75-3080 (B)
40 FR 36968 - 8/22/75
Mod. #1 - 40 FR 42487 - 9/12/75
Decision #PA75-3051 (H,Hw)
40 FR 17583 - 4/18/75
Mod #1 - 40 FR 31449 - 7/25/75
Mod. #2 - 40 FR 45951 - 10/3/75
CAMBRIA COUNTY
Decision #PA75-5059 (B)
40 FR 28361 - 7/3/75
Mod #1 - 40 FR 31451 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
(H,Hw) - See Butler County
CAMERON COUNTY
Decision #PA75-3121 (B)
40 FR 12947 - 3/21/75
Mod #1 - 40 FR 15282 - 4/4/75
Mod #2 - 40 FR 16495 - 4/11/75
Mod. #3 - 40 FR 22741 - 5/23/75
(H,Hw) - See Bedford County
CARBON COUNTY
(H,Hw) - See Adams County
CENTRE COUNTY
Decision #AQ-2061 (H,Hw)
39 FR 6000 - 2/15/74
Mod #1 - 39 FR 9357 - 3/8/74
Mod #2 - 39 FR 14121 - 4/19/74
Mod #3 - 39 FR 22373 - 6/21/74
Mod. #4 - 39 FR 33918 - 9/20/74
CHESTER COUNTY
(H,Hw,R) - See Bucks County

PENNSYLVANIA (Cont'd.)

CHESTER COUNTY (Cont'd.)
Decision #PA75-3083 (B)
40 FR 36980 - 8/22/75
Mod. #1 - 40 FR 48846 - 10/17/75
CLARION COUNTY
(B) - See Cameron County
(H,Hw) - See Bedford County
CLEARFIELD COUNTY
Decision #PA75-3093 (B)
40 FR 44462 - 9/26/75
COLUMBIA COUNTY
(H,Hw) - See Adams County
CRAWFORD COUNTY
Decision #AR-2098 (B)
39 FR 44928 - 12/27/74
Mod #1 - 40 FR 15282 - 4/4/75
Mod #2 - 40 FR 22740 - 5/23/75
Mod #3 - 40 FR 31443 - 7/25/75
Mod. #4 - 40 FR 43421 - 9/19/75
(H,Hw) - See Armstrong County
CUMBERLAND COUNTY
Decision #PA75-3027 (B)
40 FR 14268 - 3/28/75
Mod #1 - 40 FR 22741 - 5/23/75
Mod #2 - 40 FR 29451 - 7/11/75
Mod #3 - 40 FR 45959 - 10/3/75
Mod. #4 - 40 FR 49946 - 10/24/75
(H,Hw) - See Adams County
DELAWARE COUNTY
Decision #PA75-3084 (B)
40 FR 36983 - 8/22/75
Mod #1 - 40 FR 48847 - 10/17/75
Mod #2 - 40 FR 50869 - 10/31/75

(H,Hw,R) - See Bucks County
ELK COUNTY
Decision #PA75-3058 (B)
40 FR 28358 - 7/3/75
Mod #1 - 40 FR 31449 - 7/25/75
Mod #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 45959 - 10/3/75
(H,Hw) - See BedfordCounty
ERIE COUNTY
Decision #PA75-3054 (B)
40 FR 28355 - 7/3/75
Mod #1 - 40 FR 31450 - 7/25/75
Mod. #2 - 40 FR 45960 - 10/3/75
(H,Hw) - See Butler County
FAYETTE COUNTY
(B) - See Butler County
(H,Hw) - See Butler County
FOREST COUNTY
Decision #PA75-3078 (B)
40 FR 36961 - 8/22/75
Mod #1 - 40 FR 42487 - 9/12/75
Mod #2 - 40 FR 43421 - 9/19/75
Mod #3 - 40 FR 45961 - 10/3/75

PENNSYLVANIA (Cont'd.)

FRANKLIN COUNTY
Decision #AR-2001 (B)
39 FR 24803 - 7/5/74
Mod #1 - 39 FR 26562 - 7/19/74
Mod #2 - 39 FR 28010 - 8/2/74
Mod #3 - 39 FR 40406 - 11/15/74
Mod. #4 - 39 FR 44157 - 12/20/74
(H,Hw) - See Bedford County
FULTON COUNTY
(H,Hw) - See BedfordCounty
GREENE COUNTY
(H,Hw) - See Centre County
HUNTINGDON COUNTY
(H,Hw) - See Bedford County
INDIANA COUNTY
Decision #PA75-3075 (B)
40 FR 36949 - 8/22/75
Mod. #1 - 40 FR 45961 - 10/3/75
(H,Hw) - See Armstrong County
JEFFERSON COUNTY
(B) - See Cameron County
(H,Hw) - See Centre County
JUNIATA COUNTY
(B) - See Cumberland County
(H,Hw) - See Adams County
LACKAWANNA COUNTY
Decision #PA75-3102 (B)
40 FR 45993 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
LANCASTER COUNTY
Decision #AR-2030 (B)
39 FR 31857 - 8/30/74
Mod #1 - 39 FR 40406 - 11/15/74
Mod #2 - 39 FR 44912 - 12/27/74
Mod #3 - 40 FR 4789 - 1/31/75
Mod #4 - 40 FR 5986 - 2/7/75
Mod #5 - 40 FR 14215 - 3/28/75
Mod #6 - 40 FR 22739 - 5/23/75
Mod #7 - 40 FR 29448 - 7/11/75
Mod #8 - 40 FR 45957 - 10/3/75
Mod. #9 - 40 FR 48845 - 10/17/75
(H,Hw) - See Adams County
LAWRENCE COUNTY
Decision #AR-2045 (B)
39 FR 37345 - 10/18/74
Mod #1 - 39 FR 44913 - 12/27/74
Mod #2 - 40 FR 15280 - 4/4/75
Mod #3 - 40 FR 28310 - 7/3/75
Mod #4 - 40 FR 31441 - 7/25/75
Mod. #5 - 40 FR 45959 - 10/3/75
(H,Hw) - See Butler County

PENNSYLVANIA (Cont'd.)

LEBANON COUNTY
Decision #PA75-3053 (B)
40 FR 22782 - 5/23/75
Mod #1 - 40 FR 29451 - 7/11/75
Mod #2 - 40 FR 45959 - 10/3/75
Mod #3 - 40 FR 48846 - 10/17/75
LEHIGH COUNTY
Decision #PA75-3104 ((B)
40 FR 45998 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
(H,Hw) - See Adams County
LUZERNE COUNTY
Decision #PA75 3025 (B)
40 FR 12982 - 3/21/75
Mod #1 - 40 FR 25333 - 6 /13/75
Mod #2 - 40 FR 29450 - 7/11/75
Mod #3 - 40 FR 45960 - 10/3/75
Mod. #4 - 40 FR 48846 - 10/17/75
(H,Hw) - See Adams County
LYCOMING COUNTY
Decision #PA75-3065 (B)
40 FR 29517 - 7/11/75
(H,Hw) - See Adams County
MC KEAN COUNTY
(H,Hw) - See Adams County
(B) - See Forest County
MERCER COUNTY
Decision #AR-2046 (B)
39 FR 37349 - 10/18/74
Mod #1 - 39 FR 44913 - 12/27/74
Mod #2 - 40 FR 15281 - 4/4/75
Mod #3 - 40 FR 28310 - 7/3/75
Mod #4 - 40 FR 31442 - 7/25/75
Mod. #5 - 40 FR 45959 - 10/3/75
(H,Hw) - See Butler County
MIFFLIN COUNTY
(H,Hw) - See BedforddCounty
MONROE COUNTY
(H,Hw) - See Adams County
MONTGOMERY COUNTY
Decision #AR-2004 (B)
40 FR 36986 - 8/22/75
Mod #1 - 40 FR 45958 - 10/3/75
Mod #2 - 40 FR 48847 - 10/17/75
(H,Hw,R) - See Bucks County
MONTOUR COUNTY
(H,Hw) - See Adams County
NORTHAMPTON COUNTY
Decision #PA75-3101 (B)
40 FR 45990 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.)

NORTHUMBERLAND COUNTY
Decision #AR-2095 (B)
39 FR 43494 - 12/13/74
Mod #1 - 40 FR 12016 - 3/14/75
Mod #2 - 40 FR 22739 - 5/23/75
Mod #3 - 40 FR 29449 - 7/11/75
Mod #4 - 40 FR 45958 - 10/3/75
Mod. #5 - 40 FR 48845 - 10/17/75
(H,Hw) - See Adams County
PERRY COUNTY
(H Hw) - See Adams County
PHILADELPHIA COUNTY°
Decision #PA75-3086 (B)
40 FR 36989 - 8/22/75
Mod #1 - 40 FR 41355 - 9/5/75
Mod. #2 - 40 FR 48847 - 10/17/75
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod #2 - 40 FR 52241 - 11/7/75
(H,Hw, R) - See Bucks County
PIKE COUNTY
(H,Hw) - See Adams County
POTTER COUNTY
(H,Hw) - See Bedford County
SCHUYKILL COUNTY
Decision #PA75 3103 (B)
40 FR 45996 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
(H,Hw) - See Adams County
SNYDER COUNTY
(H,Hw) - See Adams County
SOMERSET COUNTY
(H,Hw) - See Butler County
SULLIVAN COUNTY
Decision #AQ-2070 (B)
39 FR 10070 - 3/15/74
Mod #1 - 39 FR 26562 - 7/19/74
Mod #2 - 39 FR 44911 - 12/27/74
Mod #3 - 40 FR 4789 - 1/31/75
Mod #4 - 40 FR 15278 - 4/4/75
Mod #5 - 40 FR 24459 - 6/6/75
Mod #6 - 40 FR 29448 - 7/11/75
Mod. #7 - 40 FR 45957 - 10/3/75
(H,Hw) - See Adams County
SUSQUEHANNA COUNTY
(B) - See Lackawanna County
(H,Hw) - See Adams County
TIOGA COUNTY
(H,Hw) - See Adams County
UNION COUNTY
(H,Hw) - See Adams County
VENANGO COUNTY
Decision #PA75-3079 (B)
40 FR 36965 - 8/22/75
(H,Hw) - See Armstrong County

PENNSYLVANIA (Cont'd.)

WARREN COUNTY
Decision #PA75-3077 (B)
40 FR 36957 - 8/22/75
Mod #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 45960 - 10/3/75
(H,Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #PA75 3081 (B)
40 FR 36972 - 8/22/75
Mod. #1 - 40 FR 41355 - 9/5/75
(H,Hw) - See Butler County
WAYNE COUNTY
(H,Hw) - See Adams County
WESTMORELAND COUNTY
Decision #PA75-3076 (B)
40 FR 36953 - 8/22/75
(H,Hw) - See Butler County
WYCOMING COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(B,H,Hw) - See Adams Co (Excluding New Cumberland Depot)
(B) - See Cumberland County (New Cumberland Depot)
(H,Hw) - See Adams County (New Cumberland Depot)
(B) - See Lackawanna County

PUERTO RICO

PUERTO RICO
Decision #PR75-3091 (R)
40 FR 33644 - 8/8/75
Decision #AQ-2052 (B)
39 FR 5161 - 2/8/74
Decision #PR75-3089 (H Hw)
40 FR 33643 - 8/8/75

RHODE ISLAND

STATEWIDE
Decision #NY75-3108 (D)
40 FR 49948 - 10/24/75
Mod #1 - 40 FR 50867 - 10/31/75
Mod. #2 - 40 FR 52241 - 11/7/75
BRISTOL COUNTY
Decision #RI75-2116 (B,H,Hw,R, & Marine)
40 FR 48066 - 10/10/75
(D) - See Statewide
KENT COUNTY
(B,H,Hw, & Marine)-See Bristol County
(D) - See Statewide
NEWPORT COUNTY
Decision #RI75 2111 (B H,Hw,R, & Marine
40 FR 44467 - 9/26/75
Mod #1 - 40 FR 48001 - 10/10/75
(D) - See Statewide
PROVIDENCE COUNTY
(D) - See Statewide
(B,H,Hw, R, & Marine) - See Bristol Co
WASHINGTON COUNTY
Decision #RI75-2112 (B,H,Hw,R, & Marine)
40 FR 44471 - 9/26/75
Mod #1 - 40 FR 48001 - 10/10/75
(D) - See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #SC75-1031 (H,Hw)
40 FR 12058 - 3/14/75
Mod. #1 - 40 FR 41355 - 9/5/75
Decision #SC75-1079 (Sewer & Water, H)
40 FR 41380 - 9/5/75
Decision #AP-157 (Sewer & Water)
38 FR 4619 - 2/16/73
ABBEVILLE COUNTY
Decision #AR-4003 (B)
39 FR 26554 - 7/19/74
(Sewer & Water, H,Hw) - See Statewide
AIKEN COUNTY
Decision #SC75-1029 (R)
40 FR 10900 - 3/7/75
(Sewer & Water, H,Hw) - See Statewide
ALLENDALE COUNTY
Decision #SC75-1045 (R)
40 FR 16636 - 4/11/75
(Sewer & Water, H,Hw) - See Statewide
ANDERSON COUNTY
Decision #SC75-1004 (R)
40 FR 3154 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
BAMBERG COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
BARNWELL COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
BEAUFORT COUNTY
Decision #SC75-1026 (B)
40 FR 8692 - 2/28/75
Decision #R75-3008 (D)
40 FR 3094 - 1/17/75
Mod #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewid
BERKELEY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #SC75-1021 (R)
40 FR 7859 - 2/21/75
Decision #SC75-1055 (B)
40 FR 22705 - 5/23/75
Mod. #1 - 40 FR 25336 - 6/13/75
CALHOUN COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
CHARLESTON COUNTY
(B,R) - See Berkeley County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
Decision #SC75-1017 (R)
40 FR 4785 - 1/31/75
Mod #1 - 40 FR 12017 - 3/14/75
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

CHESTER COUNTY
Decision #AR-4009 (B)
39 FR 25778 - 7/12/74
(Sewer & Water, H,Hw) - See Statewide
CHESTERFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLARENDON COUNTY
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
(Sewer & Water, H Hw) - See Statewide
COLLETON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #AR-4052 (R)
39 FR 39671 11/8/74
DARLINGTON COUNTY
Decision #SC75-1041 (B)
40 FR 14194 - 3/28/75
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DILLON COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DORCHESTER COUNTY
(R) - See Berkeley County
EDGEFIELD COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
FAIRFIELD COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
FLORENCE COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
GEORGETOWN COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
GREENVILLE COUNTY
Decision #SC75-1038 (B)
40 FR 12951 - 3/21/75
Mod #1 - 40 FR 16496 - 4/11/75
Mod #2 - 40 FR 43422 - 9/19/75
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
GREENWOOD COUNTY
(Sewer & Water, H,Hw) - See Statewide
HAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
KERSHAW COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

LANCASTER COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
LAURENS COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
LEE COUNTY
((R) SSee Clarendon County
(Sewer & Water, H,Hw) - See Statewide
LEXINGTON COUNTY
Decision #AR 4004 (R)
39 FR 24779 - 7/7/74
Decision #SC75 1042 (R)
40 FR 14271 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
McCORMICK COUNTY
(Sewer & Water H,Hw) - See Statewide
MARION COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
MARLBORO COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
NEWBERRY COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
OCONEE COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
ORANGEBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Allendale County
PICKENS COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
RICHLAND COUNTY
(B,R) - See Lexington County
(Sewer & Water, H,Hw) - See Statewide
SALUDA COUNTY
(Sewer & Water, H,Hw) - See Statewide
SPARTANBURG COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
SUMTER COUNTY
Decision #AQ 4097 (B)
39 FR 12581 - 4/5/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Clarendon County
UNION COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
(B) - See Abbeville County
WILLIAMSBURG COUNTY
(R)- See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
YORK COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #SD75-5013 (H,Hw)
40 FR 4858 - 1/31/75
AURORA COUNTY
(H,Hw) - See Statewide
BEADLE COUNTY
(H,Hw) - See Statewide
BENNET COUNTY
(H,Hw) - See Statewide
BON HOMME COUNTY
(H,Hw) - See Statewide
BROOKINGS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BRULE COUNTY
(H,Hw) - See Statewide
BUFFALO COUNTY
(H,Hw) - See Statewide
BUTTE COUNTY
(H,Hw) - See Statewide
CAMPBELL COUNTY
(H,Hw) - See Statewide
CHARLES MIX COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
CODINGTON COUNTY
(H,Hw) - See Statewide
CORSON COUNTY
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DAVISON COUNTY
(H,Hw) - See Statewide
DAY COUNTY
(H,Hw) - See Statewide
DEUEL COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
DOUGLAS COUNTY
(H,Hw) - See Statewide
EDMUNDS COUNTY
(H,Hw) - See Statewide
FALL RIVER COUNTY
(H,Hw) - See Statewide
FAULK COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

GREGORY COUNTY
(H,Hw) - See Statewide
HAAKON COUNTY
(H,Hw) - See Statewide
HAMLIN COUNTY
(H,Hw) - See Statewide
HAND COUNTY
(H,Hw) - See Statewide
HANSON COUNTY
(H,Hw) - See Statewide
HARDING COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(H,Hw) - See Statewide
HYDE COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JERAULD COUNTY
(H,Hw) - See Statewide
JONES COUNTY
(H,Hw) - See Statewide
KINGSBURY COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(H,Hw) - See Statewide
LAWRENCE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LYMAN COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

MARSHALL COUNTY
(H,Hw) - See Statewide
Mc COOK COUNTY
(H,Hw) - See Statewide
Mc PHERSON COUNTY
(H,Hw) - See Statewide
MEADE COUNTY
Decision #SD75-5119 (B)
40 FR 44475 - 9/26/75
(H,Hw) - See Statewide
MELLETTE COUNTY
(H,Hw) - See Statewide
MINER COUNTY
(H,Hw) - See Statewide
MINNEHAHA COUNTY
Decision #SD75-5121 (B)
40 FR 46000 - 10/3/75
(H,Hw) - See Statewide
Decision #AQ-1091 (R)
39 FR 8146 - 3/1/74
Mod. #1 - 39 FR 14856 - 4/26/74
(H,Hw) - See Statewide
MOODY COUNTY
(H,Hw) - See Statewide
PENNINGTON COUNTY
(B) - See Meade County
(H,Hw) - See Statewide
PERKINS COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
SANBORN COUNTY
(H,Hw) - See Statewide
SHANNON COUNTY
(H,Hw) - See Statewide
SPINK COUNTY
(H,Hw) - See Statewide
STANLEY COUNTY
(H,Hw) - See Statewide
SULLY COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

TODD COUNTY
(H,Hw) - See Statewide
TRIPP COUNTY
(H,Hw) - See Statewide
TURNER COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
WALWORTH COUNTY
(H,Hw) - See Statewide
WASHABAUGH COUNTY
(H,Hw) - See Statewide
YANKTON COUNTY
(H,Hw) - See Statewide
ZIEBACH COUNTY
(H,Hw) - See Statewide

TENNESSEE

STATEWIDE
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #AR-4046 (Hw)
40 FR 940 1/3/75
ANDERSON COUNTY
Decision #TN75-1053 (B)(Oak Ridge, Energy Research Development Administration Only)
40 FR 24464 - 6/6/75
Mod #1 - 40 FR 31452 - 7/25/75
(Hw) - See Statewide
(F) - See Statewide
BEDFORD COUNTY
(F,Hw) - See Statewide
BENTON COUNTY
(F,Hw) - See Statewide
BLEDSOE COUNTY
(F,Hw) - See Statewide
BLOUNT COUNTY
(F,Hw) - See Statewide
BRADLEY COUNTY
(F,Hw) - See Statewide
CAMPBELL COUNTY
(F,Hw) - See Statewide
CANNON COUNTY
(F,Hw) - See Statewide
CARROLL COUNTY
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
(F,Hw) - See Statewide
CARTER COUNTY
Decision #TN75-1058 (B)
40 FR 30434 - 7/18/75
Decision #TN75-1098 (R)
40 FR 44476 - 9/26/75
(F,Hw) - See Statewide
CHEATHAM COUNTY
Decision #AQ-4061 (R)
39 FR 3426 - 1/25/74
Mod. #1 - 40 FR 7800 - 2/21/75
(F,Hw) - See Statewide
CHESTER COUNTY
(F,Hw) - See Statewide
CLAIBORNE COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D)

CLAY COUNTY
(F,Hw) - See Statewide
COCKE COUNTY
(F,Hw) - See Statewide
COFFEE COUNTY
(F,Hw) - See Statewide
CROCKETT COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
CUMBERLAND COUNTY
(F,Hw) - See Statewide
DAVIDSON COUNTY
Decision #TN75 1088 (B)
40 FR 42505 - 9/12/75
(R) - See Cheatham County
(F,Hw) - See Statewide
DECATUR COUNTY
(F,Hw) - See Statewide
DEKALB COUNTY
(F,Hw) - See Statewide
DICKSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
DYER COUNTY
Decision #TN75-1074 (R)
40 FR 33645 - 8/8/75
Decision #AQ-4073 (B)
39 FR 5947 - 2/15/75
Mod. #1 - 40 FR 9357 - 3/8/75
(F,Hw) - See Statewide
(D) - See Carroll County
FAYETTE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
FENTRESS COUNTY
(F,Hw) - See Statewide
FRANKLIN COUNTY
(F,Hw) - See Statewide
GIBSON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(B,R) - See Dyer County

TENNESSEE (Cont'd)

GILES COUNTY
(F,Hw) - See Statewide
GRAINGER COUNTY
(F,Hw) - See Statewide
GREENE COUNTY
(F,Hw) - See Statewide
GRUNDY COUNTY
(F,Hw) - See Statewide
HAMBLEN COUNTY
(F,Hw) - See Statewide
HAMILTON COUNTY
Decision #TN75-1072 (B,H)
40 FR 31567 - 7/25/75
Mod #1 - 40 FR 36900 - 8/22/75
Mod #2 - 40 FR 42488 - 9/12/75
Mod. #3 - 40 FR 52244 - 11/7/75
(F,Hw) - See Statewide
HANCOCK COUNTY
(F,Hw) - See Statewide
HARDEMAN COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HARDIN COUNTY
(F,Hw) - See Statewide
HAWKINS COUNTY
(F,Hw) - See Statewide
HAYWOOD COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HENDERSON COUNTY
(F,Hw) - See Statewide
HENRY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HICKMAN COUNTY
(F,Hw) - See Statewide
HOUSTON COUNTY
(F,Hw) - See Statewide
HUMPHREYS COUNTY
(F,Hw) - See Statewide
JACKSON COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D)

JEFFERSON COUNTY
(F,Hw) - See Statewide
JOHNSON COUNTY
(F,Hw)- See Statewide
KNOX COUNTY
Decision #TN/5 1052 (B)
40 FR 23688 - 5/30/75
Mod. #1 - 40 FR 31452 - 7/25/75
Decision #AQ-4051 (R)
39 FR 2321 - 1/18/74
(F,Hw) - See Statewide
LAKE COUNTY
(R) - See Dyer County
(F,Hw) - See Statewide
LAUDERDALE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
LAWRENCE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
LEWIS COUNTY
(F,Hw) - See Statewide
LINCOLN COUNTY
(F,Hw) - See Statewide
LOUDON COUNTY
(F,Hw) - See Statewide
MC MINN COUNTY
(F,Hw) - See Statewide
MC NAIRY COUNTY
(F,Hw) - See Statewide
MACON COUNTY
(F,Hw) - See Statewide
MADISON COUNTY
Decision #TN75-1051 (B)
40 FR 21666 - 5/16/75
(D) - See Carroll County
(F,Hw) - See Statewide
MARION COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide

TENNESSEE (Cont'd)

MARSHALL COUNTY
(F,Hw) - See Statewide
(R) See Cheatham County
MAURY COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MEIGS COUNTY
(F,Hw) - See Statewide
MONROE COUNTY
(F,Hw) - See Statewide
MONTGOMERY COUNTY
(F,Hw) - See Statewide
MOORE COUNTY
(F,Hw) - See Statewide
MORGAN COUNTY
(F,Hw) - See Statewide
OBION COUNTY
(R) - See Dyer County
(D) - See Carroll County
(F,Hw) - See Statewide
OVERTON COUNTY
(F,Hw) - See Statewide
PERRY COUNTY
(F,Hw) - See Statewide
PICKETT COUNTY
(F,Hw) - See Statewide
POLK COUNTY
(F,Hw) - See Statewide
PUTNAM COUNTY
(F,Hw) - See Statewide
RHEA COUNTY
(F,Hw) - See Statewide
ROANE COUNTY
(B) - See Anderson Co (Oak Ridge Energy Research Development Administration Only)
(F,Hw) - See Statewide
ROBERTSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (Cont'd)

RUTHERFORD COUNTY
Decision #AQ 4114 (B)
39 FR 16980 - 5/10/74
Mod #1 - 39 FR 28013 - 8/2/74
Mod #2 - 39 FR 29726 - 8/16/74
Mod #3 - 39 FR 31782 - 8/30/74
Mod. #4 - 40 FR 3088 - 1/17/75
(F,Hw) - See Statewide
(R) - See Cheatham County
SCOTT COUNTY
(F,Hw) - See Statewide
SEQUATCHIE COUNTY
(F,Hw) - See Statewide
SEVIER COUNTY
(F,Hw) - See Statewide
SHELBY COUNTY
Decision #TN75-1070 (B,H,W&S, & Utility)
40 FR 30435 - 7/18/75
Mod. #1 - 40 FR 44446 - 9/26/75
Decision #AP-152 (R)
38 FR 4176 - 2/9/73
(D) - See Carroll County
(F,Hw) - See Statewide
SMITH COUNTY
(F,Hw) - See Statewide
STEWART COUNTY
(F,Hw) - See Statewide
SULLIVAN COUNTY
(B) - See Carter County
(F,Hw) - See Statewide
(R) - See Carter County
SUMNER COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
TIPTON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
TROUSDALE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (cont'd)

UNICOI COUNTY
(F,Hw) - See Statewide
UNION COUNTY
(F,Hw) - See Statewide
VAN BUREN COUNTY
(F,Hw) - See Statewide
WARREN COUNTY
(F,Hw) - See Statewide
WASHINGTON COUNTY
(B) - See Carter County
(R) - See Carter County
(F,Hw) - See Statewide
WAYNE COUNTY
(F,Hw) - See Statewide
WEAKLEY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(R) - See Dyer County
WHITE COUNTY
(F,Hw) - See Statewide
WILLIAMSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
WILSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TEXAS

STATEWIDE (Excluding Dallas-Fort Worth Regional Airport)
Decision #TX75 4159 (H (Excluding tunnels and dams), Hw
Incidental shore work, and paving and utilities incidental to general building construction)
40 FR 48872 - 10/17/75
Mod. #1 - 40 FR 50869 - 10/31/75
ANDERSON COUNTY
(H,Hw) - See Statewide
ANDREWS COUNTY
(H,Hw) - See Statewide
ANGELINA COUNTY
(H,Hw) - See Statewide
ARANSAS COUNTY
(H,Hw) - See Statewide
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
ARCHER COUNTY
(H,Hw) - See Statewide
ARMSTRONG COUNTY
Decision #TX75 4183 (B)
40 FR 52271 - 11/7/75
Decision #TX75-4161 (R)
40 FR 48880 - 10/17/75
(H,Hw) - See Statewide
ATASCOSA COUNTY
(H,Hw) - See Statewide
AUSTIN COUNTY
(H,Hw) - See Statewide
BAILEY COUNTY
(H,Hw) - See Statewide
Decision #TX75-4003 (R)
40 FR 3158 - 1/17/75
BANDERA COUNTY
(H,Hw) - See Statewide
BASTROP COUNTY
Decision #AR-1 (R)
39 FR 24809 - 7/5/74
(H,Hw) - See Statewide
BAYLOR COUNTY
(H,Hw) - See Statewide
BEE COUNTY
Decision #TX75-4004 (R)
40 FR 3160 - 1/17/75
(H,Hw) - See Statewide
BELL COUNTY
(H,Hw) - See Statewide
Decision #TX75 4162 (B)
40 FR 49971 - 10/24/75

TEXAS (Cont'd)

BEXAR COUNTY
Decision #TX75-4164 (R)
40 FR 49969 - 10/24/75
(H,Hw) - See Statewide
Decision #TX75 4163 (B)
40 FR 49956 - 10/24/75
Mod #1 - 40 FR 52246 11/7/75
BLANCO COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
BORDEN COUNTY
(H,Hw) - See Statewide
BOSQUE COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
BOWIE COUNTY
Decision #TX75 4165 (B)
40 FR 49965 - 10/24/75
(H,Hw) - See Statewide
BRAZORIA COUNTY
(H,Hw) - See Statewide
Decision #AR-11 (R)
39 FR 29910 - 8/16/74
(D) - See Aransas County
BRAZOS COUNTY
Decision #TX75-4166 (B)
40 FR 49967 - 10/24/75
Mod. #1 - 40 FR 52246 - 11/7/75
(H,Hw) - See Statewide
BREWSTER COUNTY
(H,Hw) - See Statewide
BRISCOE COUNTY
(H,Hw) - See Statewide
BROOKS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BURLESON COUNTY
(H,Hw) - See Statewide
BURNETT COUNTY
(H,Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
CALHOUN COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CALLAHAN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

CAMERON COUNTY
Decision #TX75 4167 (B)
40 FR 49958 - 10/24/75
(H,Hw) - See Statewide
Decision #TX75 4168 (R)
40 FR 49959 - 10/24/75
CAMP COUNTY
(H,Hw) - See Statewide
CARSON COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CASS COUNTY
(H,Hw) - See Statewide
CASTRO COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CHAMBERS COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CHEROKEE COUNTY
(H,Hw) - See Statewide
CHILDRESS COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
COCHRAN COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
COKE COUNTY
(H,Hw) - See Statewide
COLEMAN COUNTY
(H,Hw) - See Statewide
COLLIN COUNTY
Decision #AQ-87 (R)
39 FR 10106 - 3/15/74
Decision #TX75 4169 (B excluding Dallas-Fort Worth Regional Airport)
40 FR 19961 - 10/24/75
(H,Hw) - See Statewide
COLLINGSWORTH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
COLORADO COUNTY
(H,Hw) - See Statewide
COMAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
CONCHO COUNTY
(H,Hw) - See Statewide
COOKE COUNTY
(H,Hw) - See Statewide
CORYELL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
COTTLE COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

CRANE COUNTY
(H,Hw) - See Statewide
Decision #TX75 4006 (R)
40 FR 3163 - 1/17/75
CROCKETT COUNTY
(H,Hw) - See Statewide
CROSBY COUNTY
(R) See Bailey County
(H,Hw) - See Statewide
CULBERSON COUNTY
(H,Hw) - See Statewide
DALLAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
DALLAS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DAWSON COUNTY
(H,Hw) See Statewide
DEAF SMITH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DELTA COUNTY
(H,Hw) - See Statewide
DENTON COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DE WITT COUNTY
(H,Hw) - See Statewide
DICKENS COUNTY
(H,Hw) - See Statewide
DIMMIT COUNTY
Decision #TX75-4010 (B,R)
40 FR 3172 - 1/17/75
(H,Hw) - See Statewide
DONLEY COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DUVAL COUNTY
(H,Hw) - See Statewide
EASTLAND COUNTY
(H,Hw) - See Statewide
ECTOR COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
EDWARDS COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
EL PASO COUNTY
Decision #TX75-4182 (B)
40 FR 50919 - 10/31/75
(H,Hw) - See Statewide
ERATH COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

FALLS COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
FANNIN COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
FISHER COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
FOARD COUNTY
(H,Hw) - See Statewide
FORT BEND COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FREESTONE COUNTY
(H,Hw) - See Statewide
FRIO COUNTY
(H,Hw) - See Statewide
GAINES COUNTY
(H,Hw) - See Statewide
GALVESTON COUNTY
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
Decision #TX75-4154 (B)
40 FR 36996 - 8/22/75
Mod #1 - 40 FR 43424 - 9/19/75
Mod. #2 - 40 FR 52245 - 11/7/75
GARZA COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
GILLESPIE COUNTY
(H,Hw) - See Statewide
GLASSCOCK COUNTY
(H,Hw) - See Statewide
GOLIAD COUNTY
(H,Hw) - See Statewide
GONZALES COUNTY
(H,Hw) - See Statewide
GRAY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
GRAYSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
GREGG COUNTY
Decision #TX75-4092 (B)
40 FR 21682 - 5/16/75
(H,Hw) See Statewide

TEXAS (Cont'd)

GRIMES COUNTY
(H,Hw) - See Statewide
GUADALUPE COUNTY
(H,Hw) - See Statewide
HALE COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HALL COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
HANSFORD COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HARDEMAN COUNTY
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRIS COUNTY
(B) - See Galveston County
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
HARRISON COUNTY
Decision #TX75-4103 (B)
40 FR 22795 - 5/23/75
Mod #1 - 40 FR 30388 - 7/18/75
Mod #2 - 40 FR 31452 - 7/25/75
Mod. #3 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
HARTLEY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HAYS COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
HEMPHILL COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HENDERSON COUNTY
(H,Hw) - See Statewide
HIDALGO COUNTY
(R B) - See Cameron County
(H,Hw) - See Statewide
HILL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
HOCKLEY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HOOD COUNTY
(B) - See Collin County
Decision #TX75-4011 (R)
40 FR 3173 - 1/17/75
(H,Hw) - See Statewide

TEXAS (Cont'd.)

HOPKINS COUNTY
(H,Hw) - See Statewide
HOUSTON COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
Decision #TX75-4184 (B,R)
40 FR 52273 - 11/7/75
(H,Hw) - See Statewide
HUDSPETH COUNTY
(H,Hw) - See Statewide
HUNT COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
IRION COUNTY
(H,Hw) - See Statewide
JACK COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JEFF DAVIS COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
Decision #TX75-4117 (B,R)
40 FR 29527 - 7/11/75
Mod #1 - 40 FR 31453 - 7/25/75
Mod #2 - 40 FR 43423 - 9/19/75
Mod #3 - 40 FR 52245 - 11/7/75
(D) - See Aransas County
(Hw) - See Statewide
JIM HOGG COUNTY
(H,Hw) - See Statewide
(B,R) - See Dimmit County
JIM WELLS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
JONES COUNTY
(H,Hw) - See Statewide
KARNES COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

KAUFMAN COUNTY
(B R) - See Collin County
(H,Hw) - See Statewide
KENDALL COUNTY
(H,Hw) - See Statewide
KENEDY COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
KENT COUNTY
(H,Hw) - See Statewide
KERR COUNTY
(H,Hw) - See Statewide
KIMBLE COUNTY
(H,Hw) - See Statewide
KING COUNTY
(H,Hw) - See Statewide
KINNEY COUNTY
(H,Hw) - See Statewide
KLEBERG COUNTY
Decision #TX75 4185 (B)
40 FR 52275 - 11/7/75
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
KNOX COUNTY
(H,Hw) - See Statewide
LAMAR COUNTY
(H,Hw) - See Statewide
LAMB COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
LAMPASAS COUNTY
(H,Hw) - See Statewide
LA SALLE COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
LAVACA COUNTY
(H,Hw) - See Statewide
LEE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County

TEXAS (Cont'd)

LEON COUNTY
(H,Hw) - See Statewide
LIBERTY COUNTY
(H,Hw) - See Statewide
LIMESTONE COUNTY
(H,Hw) - See Statewide
LIPSCOMB COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
LIVE OAK COUNTY
(H,Hw) - See Statewide
LLANO COUNTY
(H,Hw) - See Statewide
LOVING COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
LUBBOCK COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
Decision #TX75 4186 (B)
40 FR 52277 - 11/7/75
LYNN COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
McCULLOCH COUNTY
(H,Hw) - See Statewide
McLENNAN COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
McMULLEN COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

MASON COUNTY
(H,Hw) - See Statewide
MATAGORDA COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
(D) - See Aransas County
MAVERICK COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MENARD COUNTY
(H,Hw) - See Statewide
MIDLAND COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
MILAM COUNTY
(H,Hw) - See Statewide
MILLS COUNTY
(H,Hw) - See Statewide
MITCHELL COUNTY
(H,Hw) - See Statewide
MONTAGUE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
MOORE COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
MORRIS COUNTY
(H,Hw) - See Statewide
MOTLEY COUNTY
(H,Hw) - See Statewide
NACOGDOCHES COUNTY
(H,Hw) - See Statewide
NAVARRO COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

NEWTON COUNTY
(H,Hw) - See Statewide
NOLAN COUNTY
(H,Hw) - See Statewide
NUECES COUNTY
(B) - See Kleberg County
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
OCHILTREE COUNTY
(R) (B) - See Armstrong County
(H,Hw) - See Statewide
OLDHAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
ORANGE COUNTY
(R)(B) - See Jefferson County
(Hw) - See Statewide
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
PANOLA COUNTY
(H,Hw) - See Statewide
PARKER COUNTY
(H,Hw) - See Statewide
(R) - See Hood County
PARMER COUNTY
(H,Hw) - See Statewide
PECOS COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
POLK COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
PRESIDIO COUNTY
(H,Hw) - See Statewide
RAINS COUNTY
(H,Hw) - See Statewide
RANDALL COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
REAGAN COUNTY
(H,Hw) - See Statewide
REAL COUNTY
(H,Hw) - See Statewide
RED RIVER COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

REEVES COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
REFUGIO COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
ROBERTSON COUNTY
(H,Hw) - See Statewide
ROCKWALL COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
RUNNELS COUNTY
(H,Hw) - See Statewide
RUSK COUNTY
(H,Hw) - See Statewide
SABINE COUNTY
(H,Hw) - See Statewide
SAN AUGUSTINE COUNTY
(H,Hw) - See Statewide
SAN JACINTO COUNTY
(H,Hw) - See Statewide
SAN PATRICIO COUNTY
(R) - See Bee County
(D) - See Aransas County
(H,Hw) - See Statewide
SAN SABA COUNTY
(H,Hw) - See STatewide
SCHLEICHER COUNTY
(H,Hw) - See Statewide
SCURRY COUNTY
(H,Hw) - See Statewide
SHACKELFORD COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
SHERMAN COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
SMITH COUNTY
(H,Hw) - See Statewide
SOMERVELL COUNTY
(H,Hw) - See Statewide
STARR COUNTY
(H,Hw) - See Statewide
(B)(R) - See Cameron County
STEPHENS COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

STERLING COUNTY
(H,Hw) - See Statewide
STONEWALL COUNTY
(H,Hw) - See Statewide
SUTTON COUNTY
(H,Hw) - See Statewide
SWISHER COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
TARRANT COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
Decision #AQ-117 (R)
39 FR 22400 - 6/21/74
TAYLOR COUNTY
Decision #TX75 4098 (B)
40 FR 22786 - 5/23/75
Mod #1 - 40 FR 36901 - 8/22/75
Mod. #2 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
TERRELL COUNTY
(H,Hw) - See Statewide
TERRY COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
THROCKMORTON COUNTY
(H,Hw) - See Statewide
TITUS COUNTY
(H,Hw) - See Statewide
TOM GREEN COUNTY
Decision #TX75 4088 (B)
40 FR 21677 - 5/16/75
Mod #1 - 40 FR 33578 - 8/8/75
Mod. #2 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
TRAVIS COUNTY
Decision #TX75-4187 - (B)
40 FR 52279 - 11/7/75
(R) - See Bastrop County
(H,Hw) - See Statewide
TRINITY COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(H,Hw) - See Statewide
UPSHUR COUNTY
(H,Hw) - See Statewide
UPTON COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
UVALDE COUNTY
(H Hw) - See STatewide
VAL VERDE COUNTY
(H,Hw) - See Statewide
VAN ZANDT COUNTY
(H,Hw) - See Statewide
VICTORIA COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County

TEXAS (Cont'd.)

WALKER COUNTY
(H,Hw) - See Statewide
(R) - See Brazoria County
WALLER COUNTY
(H,Hw) - See Statewide
WARD COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WASHINGTON COUNTY
(H,Hw) - See Statewide
WEBB COUNTY
(B,R) - See Dimmit County
(H,Hw) - See STatewide
WHARTON COUNTY
(H,Hw) - See Statewide
WHEELER COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
WICHITA COUNTY
Decision #TX75-4189 (R)
40 FR 52283 -11/7/75
Decision #TX75-4188 (B)
40 FR 52281 - 11/7/75
(H,Hw) - See Statewide
WILBARGER COUNTY
(H,Hw) - See Statewide
WILLACY COUNTY
(R)(B) - See Cameron County
(H,Hw) - See Statewide
(D) - See Aransas County
WILLIAMSON COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
WILSON COUNTY
(H,Hw) - See Statewide
WINKLER COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
WOOD COUNTY
(H,Hw) - See Statewide
YOAKUM COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
YOUNG COUNTY
(H,Hw) - See Statewide
ZAPATA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
ZAVALA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide

UTAH

STATEWIDE
Decision #UT75-5107 (B,H,Hw)
40 FR 36998 - 8/22/75
BEAVER COUNTY
(B H,Hw) - See Statewide
BOX ELDER COUNTY
(B,H,Hw) - See Statewide
CACHE COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
DAGGETT COUNTY
(B,H Hw) - See Statewide
DAVIS COUNTY
(B,H,Hw) See Statewide
DUCHESNE COUNTY
(B,H Hw) - See Statewide
EMERY COUNTY
(B,H,Hw) - See Statewide
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GRAND COUNTY
(B,H,Hw) - See Statewide
IRON COUNTY
(B,H,Hw) - See Statewide
JUAB COUNTY
(B,H,Hw) - See Statewide
KANE COUNTY
(B,H,Hw) - See Statewide
MILLARD COUNTY
(B,H,Hw) - See Statewide
MORGAN COUNTY
(B,H,Hw) - See Statewide
PIUTE COUNTY
(B,H,Hw) - See Statewide
RICH COUNTY
(B,H,Hw) - See Statewide
SALT LAKE COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
(B,H,Hw) - See Statewide
SANPETE COUNTY
(B,H,Hw) - See Statewide
SEVIER COUNTY
(B,H,Hw) - See Statewide
SUMMIT COUNTY
(B,H,Hw) - See Statewide
TOOELE COUNTY
(B,H,Hw) - See Statewide
UINTAH COUNTY
(B,H,Hw) - See Statewide
UTAH COUNTY
(B,H,Hw) - See Statewide
WASATCH COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

UTAH (Cont'd)

WAYNE COUNTY
(B,H Hw) - See Statewide
WEBER COUNTY
(B H Hw) - See Statewide

VERMONT

Statewide (Except Rutland County)
Decision #AQ-3184 (Hw)
39 FR 24203 - 6/28/74
Mod #1 - 39 FR 27397 - 7/26/74
Mod #2 - 40 FR 16497 - 4/11/75
Mod. #3 - 40 FR 21657 - 5/16/75
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
None
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AP 805 (Hw)
38 FR 11279 - 5/4/73
Mod #1 - 38 FR 13127 - 5/18/73
Mod #2 - 40 FR 15284 - 4/4/75
Mod. #3 - 40 FR 23631 - 5/30/75
Decision #HD/5 3008 (D)
40 FR 3094 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
ALBERMARLE COUNTY
DDecision##VA75-3094 (B)
40 FR 43415 - 9/19/75
Mod. #1 - 40 FR 48847 - 10/17/75
Decision #AH-1874 (Hw)
36 FR 16342 - 8/20/71
Mod. #1 - 40 FR 15284 - 4/4/75
ALEXANDRIA CITY
Decision #HD75-3100 (B)
40 FR 44477 - 9/26/75
Mod #1 - 40 FR 52247 - 11/7/75
Mod. #4 - 40 FR 40009 - 8/29/75
ALLEGHANY COUNTY
Decision #AH-1875 (Hw)
36 FR 16343 - 8/20/71
Mod #1 - 37 FR 5169 - 3/10/72
Mod #2 - 40 FR 15284 - 4/4/75
AMELIA COUNTY
Decision #AR 2032 (Hw)
39 FR 31871 - 8/30/74
AMHERST COUNTY
Decision #AQ-2032 (Hw)
38 FR 33259 - 11/30/73
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(D) - See Accomack County
AUGUSTA COUNTY
Decision #AH 9320 (R)
37 FR 10267 - 5/19/72
Mod #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
BATH COUNTY
(Hw) - See Alleghany County
BEDFORD CITY
(Hw) - See Bedford County
BEDFORD COUNTY
Decision #AQ 2021 (Hw)
38 FR 27744 - 10/5/73
BLAND COUNTY
Decision #AQ-2020 (Hw)
38 FR 27744 - 10/5/73
Mod. #1 - 40 FR 15285 - 4/4/75
BOTETOURT COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

BRISTOL CITY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA CITY
(Hw) - See Alleghany County
CAMPBELL COUNTY
Decision #VA75-3095 (B)
40 FR 43416 - 9/19/75
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AQ-2031 (Hw)
38 FR 33258 - 11/30/73
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTSVILLE CITY
(Hw) - See Albermarle County
CHESAPEAKE CITY
Decision #VA75-3005 (B)
40 FR 944 - 1/3/75
Mod #1 - 40 FR 14217 - 3/28/75
Mod #2 - 40 FR 17473 - 4/18/75
Mod #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29455 - 7/11/75
Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73
Mod #1 - 40 FR 44446 - 9/26/75
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
Mod #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
CLIFTON FORGE CITY
(Hw) - See Alleghany County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Alleghany County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albermarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKENSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
EMPORIA CITY
(Hw) - See Accomack County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(B) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Chesapeake City
(B,H,W&S) - See York County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County
FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County

VIRGINIA (Cont'd)

FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bedford County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GRAYSON COUNTY
(Hw) - See Bland County
GREENE COUNTY
(Hw) - See Albermarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
Decision #AQ-2103 (R)
39 FR 14119 - 4/19/74
Mod. #1 - 15612 - 5/3/74
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Alleghany County
HENRICO COUNTY
Decision #VA75-3006 (B)
40 FR 946 - 1/3/75
Mod #1 - 40 FR 14217 - 3/28/75
Mod #2 - 40 FR 17473 - 4/18/75
Mod #3 - 40 FR 22743 - 5/23/75
(Hw) - See Amelia County

VIRGINIA (Cont'd.)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Alleghany County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(D,Hw) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(D,Hw) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albermarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County
MADISON COUNTY
(Hw) - See Alemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(D,Hw) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
(R) - See Hampton City
NORFOLK CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(D,Hw) - See Accomack County
NORTON CITY
(Hw) - See Bland County
NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albemarle County

VIRGINIA (Cont'd)

PAGE COUNTY
(Hw) - See Alleghany County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG CITY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(Hw B) - See Chesapeake City
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albermarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
Decision #VA75-3069 (B)
40 FR 29438 - 7/11/75
Mod #1 - 40 FR 36902 - 8/22/75
Mod #2 - 40 FR 48847 - 10/17/75
(Hw) - See Bedford County
RAPPAHANNOCK COUNTY
(Hw) - See Albermarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKBRIDGE COUNTY
(Hw) - See Alleghany County
ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
RUSSELL COUNTY
(Hw) - See Bland County
SALEM CITY
(Hw) - See Bedford County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Alleghany County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County

VIRGINIA (Cont'd.)

SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Alleghany County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM 9321 (R)
37 FR 10266 - 5/19/72
(Hw,B) - See Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Allegheny County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Alleghany County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
Decision #VA75-3004 (B,H,S&W)
40 FR 941 - 1/3/75
Mod #1 - 40 FR 14217 - 3/28/75
Mod #2 - 40 FR 21657 - 5/16/75
Mod #3 - 40 FR 22742 - 5/23/75
Mod #4 - 40 FR 29454 - 7/11/75
(R) - See James City
(D,Hw) - See Accomack County

WASHINGTON

STATEWIDE
Decision #WA75 5132 (B,H,Hw,D)
40 FR 5092) - 10/31/75
ADAMS COUNTY
(B,H,Hw,D) - See Statewide
ASOTIN COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CHELAN COUNTY
(B,H,Hw,D) - See Statewide
CLALLAM COUNTY
Decision #WA75-5064 (R)
40 FR 23695 - 5/30/75
Mod #1 - 40 FR 25335 - 6/13/75
Mod. 2 - 40 FR 29455 - 7/11/75
(B,H,Hw,D) - See Statewide
CLARK COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COWLITZ COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
FERRY COUNTY
(B,H,Hw, D) - See Statewide
FRANKLIN COUNTY
(B,H,Hw,D) - See Statewide
GARFIELD COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(B,H,Hw,D) - See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
ISLAND COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KING COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
KITSAP COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KITTITAS COUNTY
(B,H,Hw,D) - See Statewide
KLICKITAT COUNTY
(B,H,Hw,D) - See Statewide

WASHINGTON (Cont'd)

LEWIS COUNTY
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
MASON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
OKANOGAN COUNTY
(B,H,Hw,D) - See Statewide
PACIFIC COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
PEND OREILLE COUNTY
(B,H,Hw,D) - See Statewide
PIERCE COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
SAN JUAN COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
SKAGIT COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
SKAMANIA COUNTY
(B,H,Hw,D) - See Statewide
SNOHOMISH COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
SPOKANE COUNTY
(B,H,Hw,D) - See Statewide
STEVENS COUNTY
(B,H,Hw,D) - See Statewide
THURSTON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
WAHKIAKUM COUNTY
(B,H,Hw,D) - See Statewide
WALLA WALLA COUNTY
(B,H,Hw,D) - See Statewide
WHATCOM COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
WHITMAN COUNTY
(B,H,Hw,D) - See Statewide
YAKIMA COUNTY
Decision #AQ-1109 (R)
39 FR 18416 - 5/24/74
(B,H,Hw,D) - See Statewide

WASHINGTON, D. C.

WASHINGTON, D. C.
Decision #DC75-3099 (B,Hw, W&S)
40 FR 44449 - 9/26/75
Mod. #1 - 40 FR 52247 - 11/7/75
Decision #MD75 3008 (D)
40 FR 3094 - 1/17/75
Mod #1 - 40 FR 14204 - 3/28/75

WEST VIRGINIA

STATEWIDE
Decision #WV75-3105 (H,Hw)
40 FR 48884 - 10/17/75
BARBOUR COUNTY
Decision #WV75-3007 (B)
40 FR 6136 - 2/7/75
Mod #1 - 40 FR 8700 - 2/28/75
Mod #2 - 40 FR 10883 - 3/7/75
Mod #3 - 40 FR 14217 - 3/28/75
Mod #4 - 40 FR 16497 - 4/11/75
Mod. #5 - 40 FR 21659 - 5/16/75
(H,Hw) - See Statewide
BERKELEY COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
BRAXTON COUNTY
(H,Hw) - See Statewide
BROOKE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CABELL COUNTY
(B) - See Barbour County
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CALHOUN COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CLAY COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
DODDRIDGE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
FAYETTE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GILMER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREENBRIER COUNTY
(H,Hw) - See Statewide
HAMPSHIRE COUNTY
(H,Hw) - See Statewide
HANCOCK COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
HARDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd)

JACKSON COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County
JEFFERSON COUNTY
(H,Hw) - See Statewide
KANAWHA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
Decision #AR-2058 (R)
39 FR 35948 - 10/4/74
Mod. #1 - 39 FR 44913 - 12/27/74
(H,Hw) - See Statewide
LEWIS COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LOGAN COUNTY
(H,Hw) - See Statewide
MC DOWELL COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MARSHALL COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MASON COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MINERAL COUNTY
(H,Hw) - See Statewide
MINGO COUNTY
(H,Hw) - See Statewide
MONOGALIA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MONROE COUNTY
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NICHOLAS COUNTY
(H,Hw) - See Statewide
OHIO COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
PENDLETON COUNTY
(H,Hw) - See Statewide
PLEASANT COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County

WEST VIRGINIA (Cont'd.)

PRESTON COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
RALEIGH COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RITCHIE COUNTY
(H,Hw) - See Statewide
(B) - See Barbour County
ROANE COUNTY
(H,Hw) - See Statewide
SUMMERS COUNTY
(H,Hw) - See Statewide
TAYLOR COUNTY
(H,Hw) - See Statewide
TUCKER COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
UPSHUR COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WAYNE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WEBSTER COUNTY
(H,Hw) - See Statewide
WETZEL COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WIRT COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WOOD COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WYOMING COUNTY
(H,Hw) - See Statewide

WISCONSIN

STATEWIDE
Decision #WI75-2115 (Hw)
40 FR 48089 - 10/10/75
Decision #WI75-2048 (H, Sewer, Tunnel, & Water)
40 FR 12059 - 3/14/75
ADAMS COUNTY
(H,Hw,W&S) - See Statewide
ASHLAND COUNTY
Decision #1L75-5079 (D)
40 FR 29490 - 7/11/75
Mod #1 - 40 FR 32552 - 8/1/75
Mod #2 - 40 FR 40006 - 8/29/75
Mod #3 - 40 FR 50868 - 10/31/75
Mod #4 - 40 FR 52242 - 11/7/75
(H,Hw,W&S) - See Statewide
Decision #AR-3161 (B,R)
39 FR 36706 - 10/11/74
Mod #1 - 40 FR 21657 - 5/16/75
BARRON COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
BAYFIELD COUNTY
(B,R,D) - See Ashland County
(H,Hw,W&S) - See Statewide
BROWN COUNTY
Decision #AR-3153 (B)
39 FR 36825 - 10/11/74
Mod #1 - 40 FR 21658 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
BUFFALO COUNTY
(H,Hw,W&S) - See Statewide
BURNETT COUNTY
(H,Hw,W&S) - See Statewide
CALUMET COUNTY
(H,Hw,W&S) - See Statewide
CHIPPEWA COUNTY
(H,Hw,W&S) - See Statewide
(B,R) - See Eau Claire County
CLARK COUNTY
(H,Hw,W&S) - See Statewide
COLUMBIA COUNTY
(H,Hw,W&S) - See Statewide
CRAWFORD COUNTY
(H,Hw,W&S) - See Statewide
DANE COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3155 (B,R)
39 FR 36829 - 10/11/74
Mod. #1 - 40 FR 18284- 4/25/75
DODGE COUNTY
(H,Hw,W&S) - See Statewide
DOOR COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
DOUGLAS COUNTY
(B,R) - See Ashland County
DUNN COUNTY
(B) - See Polk County
(H,Hw, W&S) - See Statewide

WISCONSIN (Cont'd.)

EAU CLAIR COUNTY
Decision #AR-3154 (B,R)
39 FR 36827 - 10/11/74
Mod #1 - 40 FR 18284 - 4/25/75
(H,Hw, W&S) See Statewide
FLORENCE COUNTY
(H,Hw,W&S) - See Statewide
FOND DU LAC COUNTY
(H,Hw,W&S) - See Statewide
FOREST COUNTY
(H,Hw,W&S) - See Statewide
GRANT COUNTY
(H,Hw,W&S) - See Statewide
GREEN COUNTY
(B) - See Rock County
(H,Hw,W&S) - See Statewide
GREEN LAKE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
IOWA COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
IRON COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
JACKSON COUNTY
(H,Hw,W&S) - See Statewide
JEFFERSON COUNTY
(H,Hw,W&S) - See Statewide
JUNEAU COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR 3158 (B)
39 FR 36835 - 10/11/74
Mod. #1 - 40 FR 18285 - 4/25/75
KENOSHA COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3159 (B,R)
39 FR 36837 - 10/11/74
Mod. #1 - 39 FR 41662 - -1/29/74
KEWAUNEE COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
LA CROSSE COUNTY
Decision #AR-3160 (B,R)
39 FR 36839 - 10/11/74
Mod #1 - 40 FR 18286 - 4/25/75
(H,Hw,W&S) - See Statewide
LA FAYETTE COUNTY
(H,Hw,W&S) - See Statewide
LANGLADE COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide
LINCOLN COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

MANITOWOC COUNTY
(H,Hw, W&S) - See Statewide
MARATHON COUNTY
Decision #AR-3161 (B)
39 FR 36840 - 10/11/74
(H,Hw, W&S) - See Statewide
MARINETTE COUNTY
(D) - See Ashland County
MARQUETTE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
MENOMINEE COUNTY
(H,Hw,W&S) - See Statewide
MILWAUKEE COUNTY
Decision #AR-3162 (B,R)
39 FR 36843 - 10/11/74
Mod #1 - 40 FR 18287 - 4/25/75
(H,Hw,W&S) - See Statewide
MONROE COUNTY
(H,Hw,W&S) - See Statewide
OCONTO COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
ONEIDA COUNTY
(H,Hw,W&S) - See Statewide
OUTAGAMIE COUNTY
(H,Hw,W&S) - See Statewide
OZAUKEE COUNTY
(B,R) - See Milwaukee County
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
PEPIN COUNTY
(B,R) - See Eau Claire County
(H,Hw,W&S) - See Statewide
PIERCE COUNTY
(H,Hw,W&S) - See Statewide
POLK COUNTY
Decision #AR-3152 (B)
39 FR 36823 - 10/11/74
Mod #1 - 40 FR 18284 - 4/25/75
(H,Hw,W&S) - See Statewide
PORTAGE COUNTY
(H,Hw,W&S) - See Statewide
PRICE COUNTY
(H,Hw,W&S) - See Statewide
RACINE COUNTY
Decision #WI75-2064 (B,R)
40 FR 21691 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
RICHLAND COUNTY
(H,Hw, W&S) - See Statewide
ROCK COUNTY
Decision #AR-3156 (B)
39 FR 36831 - 10/11/74
Mod #1 - 40 FR 21658 - 5/16/75
(H,Hw,W&S) - See Statewide
RUSK COUNTY
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

SAINT CROIX COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
SAUK COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
SAWYER COUNTY
(H,Hw,W&S) - See Statewide
SHAWANO COUNTY
(H,Hw,W&S) - See Statewide
SHEBOYGAN COUNTY
(D) - See Ashland County
TAYLOR COUNTY
(H,Hw,W&S) - See Statewide
TREMPEALEAU COUNTY
(H,Hw,W&S) - See Statewide
VERNON COUNTY
(H,Hw,W&S) - See Statewide
VILAS COUNTY
(H,Hw,W&S) - See Statewide
WALWORTH COUNTY
(H,Hw,W&S) - See Statewide
WASHBURN COUNTY
(H,Hw,W&S) - See Statewide
WASHINGTON COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUKESHA COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUPACA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
WASHARA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - SeeSStatewide
WINNEBAGO COUNTY
Decision #AR-3157 (B)
39 FR 36833 - 10/11/74
Mod #1 - 40 FR 20562 - 5/9/75
(H,Hw,W&S) - See Statewide
WOOD COUNTY
(H,Hw,W&S) - See Statewide

WYOMING

STATEWIDE
Decision #WY75-5011 (Hw)
40 FR 4879 - 1/31/75
Mod #1 - 40 FR 16497 - 4/11/75
Mod #2 - 40 FR 26187 - 6/20/75
ALBANY COUNTY
(Hw) - See Statewide
BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
Decision #WY75-5106 (B H)
40 FR 34578 - 8/15/75
(Hw) - See Statewide
CROOK COUNTY
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GOSHEN COUNTY
(B H) - See Converse County
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
NATRONA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
NIOBRARA COUNTY
(B H) - See Converse County
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
SHERIDAN COUNTY.
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide
WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK
(Hw) - See Statewide

[FR Doc.75-33297 Filed 12-11-75;8:45 am]