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# federal register

FRIDAY, JUNE 17, 1977

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The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

| Monday | Tuesday | Wednesday | Thursday | Friday |
|---|---|---|---|---|
| NRC | USDA/ASCS | | NRC | USDA/ASCS |
| DOT/COAST GUARD | USDA/APHIS | | DOT/COAST GUARD | USDA/APHIS |
| DOT/NHTSA | USDA/FNS | | DOT/NHTSA | USDA/FNS |
| DOT/FAA | USDA/REA | | DOT/FAA | USDA/REA |
| DOT/OHMO | CSC | | DOT/OHMO | CSC |
| DOT/OPSO | LABOR | | DOT/OPSO | LABOR |
| | HEW/FDA | | | HEW/FDA |

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

**ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.**

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presidential documents

# Title 3—The President

Proclamation 4509 • June 15, 1977

## Modification of Temporary Quantitative Limitations on the Importation into the United States of Certain Articles of Alloy Tool Steel

*By the President of the United States*

## A Proclamation

1. Proclamation No. 4445, of June 11, 1976, as modified by Proclamation No. 4477 of November 16, 1976, imposed quantitative restrictions on the importation of certain articles of specialty steels. Section 203(h)(4) of the Trade Act of 1974 (the Trade Act) (19 U.S.C. 2253(h)(4)) permits the President to reduce or terminate any such restrictions if, after taking into account advice received from the United States International Trade Commission (USITC) and after seeking advice from the Secretaries of Commerce and Labor, the President determines that the reduction or termination is in the national interest.

2. I have sought and received advice from the USITC and from the Secretaries of Commerce and Labor concerning the effects of excluding alloy tool steel provided for in item 923.25 of the Tariff Schedules of the United States (TSUS) from the quantitative restrictions imposed by Proclamation No. 4445, as modified by Proclamation No. 4477. I have determined, after considering that advice, that the exclusion of alloy tool steel provided for in item 923.25, TSUS, from such quantitative restrictions is in the national interest.

3. Accordingly, the purpose of this proclamation is to terminate in part Proclamation No. 4445 of June 11, 1976, as modified by Proclamation No. 4477 of November 16, 1976, so as to exclude alloy tool steel provided for in item 923.25, TSUS, from the present quantitative restrictions. The authority for this action is set forth in section 203(h)(4) (19 U.S.C. 2253(h)(4)), and section 125(b) (19 U.S.C. 2135(b)) of the Trade Act.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including sections 125 and 203 of the Trade Act (19 U.S.C. 2135 and 2253, respectively), do proclaim that—

A. Subpart A, part 2, of the Appendix to the TSUS (19 U.S.C. 1202) is modified as follows:

(1) by modifying headnote 2(a)(iii) to read as follows:

"(iii) The term *"alloy tool steel"* in item 923.26 refers to alloy steel which contains the following combinations of elements in the quantity, by weight, respectively indicated:

not less than 1.0% carbon and over 11.0% chromium; or
not less than 0.3% carbon and 1.25% to 11.0% inclusive chromium; or
not less than 0.85% carbon and 1% to 1.8% inclusive manganese; or
0.9% to 1.2% inclusive chromium and 0.9% to 1.4% inclusive molybdenum; or

not less than 0.5% carbon and not less than 3.5% molybdenum; or
not less than 0.5% carbon and not less than 5.5% tungsten;
but does not include any of such alloy tool steel which contains, in addition to iron, each of the following elements by weight in the amounts specified:
carbon: not less than 0.95 nor more than 1.13 percent;
manganese: not less than 0.22 nor more than 0.48 percent;
sulfur: none, or not more than 0.03 percent;
phosphorus: none, or not more than 0.03 percent;
silicon: not less than 0.18 nor more than 0.37 percent;
chromium: not less than 1.25 nor more than 1.65 percent;
nickel: none, or not more than 0.28 percent;
copper: none, or not more than 0.38 percent;
molybdenum: none, or not more than 0.09 percent;"

(2) by deleting headnote 2(a)(iv) and redesignating headnote 2(a)(v) as 2(a)(iv).

(3) (a) by deleting the last sentence from headnote 2(f); and

(b) by deleting item 923.25 from the tabulation in headnote 2(f).

(4) (a) by deleting "923.24" from the superior heading to items 923.20 through 923.26 and substituting therefor "923.26"; and

(b) by deleting items 923.25 and 923.26 and their immediately superior heading and substituting therefor the following:

| Item | Articles | Quota Quantity (in short tons) | | |
|---|---|---|---|---|
| | | Effective on or after— | | |
| | | June 14, 1976 | June 14, 1977 | June 14, 1978 |
| 923.26 | Alloy tool steel of the types provided for in items 608.52, 608.76, 608.78, 608.85, 608.88, 609.06, 609.07, and 609.08 within the specifications of headnote 2(a)(iii): | | | |
| | Japan | 3,500 | 3,700 | 3,800 |
| | European Economic Community | 3,400 | 3,500 | 3,600 |
| | Canada | 1,900 | 2,000 | 2,000 |
| | Sweden | 8,500 | 8,600 | 8,700 |
| | Austria | 6 | 2,322 | 2,385 |
| | Other: | | | |
| | Countries entitled to the rate of duty in rates of duty column numbered 1 (total). | 3,600 | 1,378 | 1,415 |
| | Other (total) | none | 6 | 6 |

B. The modifications of subpart A of part 2 of the Appendix to the TSUS, made by this proclamation, shall be effective as to articles entered, or withdrawn from warehouse, for consumption on and after the date of publication of this proclamation in the FEDERAL REGISTER.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of June in the year of our Lord nineteen hundred and seventy seven, and of the Independence of the United States of America the two hundred and first.

Jimmy Carter

[FR Doc.77-17555 Filed 6-15-77;4:26 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

#### Department of Housing and Urban Development

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This section is amended to reflect an organizational redesignation from: Office of the Assistant Secretary for Community Planning and Management, to: Office of the Assistant Secretary for Community Planning and Development.

EFFECTIVE DATE: June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling (202–632–4533).

Accordingly, 5 CFR 213.3384(d) is amended to read as follows:

§ 213.3384 Department of Housing and Urban Development.

* * * * *

(d) *Office of the Assistant Secretary for Community Planning and Development.*

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

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77–17100 Filed 6–16–77;8:45 am]

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### PART 213—EXCEPTED SERVICE

#### Department of State

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amendment excepts from the competitive service under Schedule C one position of Special Assistant to the Deputy Secretary of State and one position of Special Assistant to the Assistant Secretary for Congressional Relations because these positions are confidential in nature.

EFFECTIVE DATE: June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling (202–632–4533).

Accordingly, 5 CFR 213.3304(a)(21) is amended and (c)(5) is added as set out below:

§ 213.3304 Department of State.

(a) *Office of the Secretary.* * * *

(21) One Secretary (Steno) and one Special Assistant to the Deputy Secretary.

* * * * *

(c) *Office of the Assistant Secretary for Congressional Relations.* * * *

(5) One Special Assistant to the Assistant Secretary.

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

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77–17099 Filed 6–16–77;8:45 am]

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## Title 7—Agriculture

### CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

[FSP No. 1977–6.2, Amdt. No. 111]

### PART 271—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS FOOD STAMP PROGRAM

### MAXIMUM MONTHLY ALLOWABLE INCOME STANDARDS AND BASIS OF COUPON ISSUANCE: GUAM

#### Appendix F—Guam

*Correction*

In FR Doc. 77–14149 appearing at page 26006 in the issue for Friday, May 20, 1977, in the table on page 26007, in the line for "Monthly net income—$150 to $169.99," in the column for a household of 6 persons, the monthly purchase requirement now reading "42" should have read "43."

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

[Lemon Reg. 97]

### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

#### Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period June 19–25, 1977. This regulation is needed to provide for orderly marketing of fresh lemons for the regulation period because of the production and marketing situation confronting the lemon industry.

EFFECTIVE DATE: June 19, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447–3545.

SUPPLEMENTARY INFORMATION: (a) *Findings.* (1) Pursuant to the amended marketing agreement 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 amended marketing agreement and order, and upon other available information, it is found that the limitation of handling of such lemons, as provided in this regulation will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation for the quantity of lemons it considers advisable to be handled during the specified week. The recommendation resulted from consideration of the factors covered in the order. The committee further reports the demand for lemons is easier early this week.

Average f.o.b. price was $6.65 per carton the week ended June 11, 1977, compared to $6.72 per carton the previous week. Track and rolling supplies at 225 cars were up 5 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 established as provided in this regulation.

(3) It is further found that it is impracticable and is contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553), because the time intervening between the date when information upon which this regulation is based became available and the time when it must become effective to effectuate the declared policy of the act is insufficient. A reasonable time is permitted, for preparation for the effective

time; and good cause exists for making the regulation effective as specified. The committee held an open meeting during the current week, after giving due notice, 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 were promptly submitted to the Secretary after the meeting was held, and information concerning the provisions and effective time has been provided to handlers of lemons. It is necessary, to effectuate the declared policy of the act, to make this regulation effective as specified. The committee meeting was held on June 14, 1977.

§ 910.397 Lemon Regulation 97.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period June 19, 1977, through June 25, 1977, is established at 310,000 cartons.

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

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

Dated: June 16, 1977.

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

[FR Doc.77-17601 Filed 6-16-77;11:27 am]

## CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

### SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[Amdt. 2]

### PART 1446—PEANUTS

### 1976 Crop Peanut Warehouse Storage Loan Supplement; Final Support Values

*Correction*

In FR Doc. 77-15965 appearing at page 28989 in the issue for Tuesday, June 7, 1977, in the table at the bottom of page 28990 entitled "1976 Crop Peanut Warehouse Storage Loans" the following entry was omitted after "Southeast Spanish": "Southwest Spanish_____ 5.854".

[CCC Farm Storage and Drying Equipment Loan Program Regulations, Amendment 2]

### PART 1474—FARM STORAGE FACILITIES

### Subpart—Farm Storage and Drying Equipment Loan Program Regulations

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: This rule increases amounts and broadens coverage for farm storage and drying equipment loans and reduces downpayment provisions. The Secretary, USDA, in a press release dated April 4, 1977 said, "changes in the facility loan program will make storage more attractive to farmers and will encourage expansion of on-the-farm storage and drying capacity, which will help meet the objectives of the food grain reserve program." The intended effect is to make the loan program more attractive and encourage farmers to add additional on-farm facilities.

DATES: This amendment applies to loans disbursed on or after April 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Dean L. Spearman, ASCS, USDA, P.O. Box 2415, Washington, D.C. 20013, 202-447-9222.

SUPPLEMENTARY INFORMATION: Commodity Credit Corporation, USDA is amending the regulations governing farm facility loans to: (1) change the basis for determining storage needs, (2) increase the amount which may be loaned, (3) increase the maximum outstanding loan, (4) permit the inclusion of concrete and wiring costs, (5) provide that the interest rate will remain constant for the term of the loan, (6) increase the approval level of county committees, and (7) increase the loan amount requiring a lien on the real estate. In view of the fact that revisions in the program are being made to encourage greater participation and remove restrictions, it is hereby found and determined that compliance with the procedure for notice of proposed rulemaking and public participation is unnecessary. Therefore, these regulations are issued without compliance with such procedure.

RULE

1. In § 1474.4, paragraph (b) is revised to read as follows:

§ 1474.4 Eligible borrowers.

* * * * *

(b) *Need for storage or equipment.* At the time any loan application is being considered, the county committee shall determine if the proposed farm storage or drying equipment is needed for the storage or conditioning of eligible commodities produced on the farm(s) to which the loan application relates: *Provided, however,* That in making this determination (1) one year's estimated production of eligible commodities shall be used in determining whether the proposed drying equipment is needed, and (2) the maximum storage space for which a loan may be made shall be the amount by which the total capacity of existing storage on the farm(s) which is suitable for storage of eligible commodities is less than the storage capacity necessary to store two year's production (computed on the basis of estimated yields) of all eligible commodities produced on the farm(s) to which the loan application relates. If the capacity of the storage to be purchased or erected by the applicant exceeds the need as determined above, the application may be approved, but the amount of such loan shall not exceed the maximum authorized in § 1474.8 (b).

2. In § 1474.7, paragraph (c) is revised to read as follows:

§ 1474.7 Security for loan.

* * * * *

(c) *First lien on real estate.* As additional security, a first lien, except as provided in subparagraph (1) of this paragraph, on real estate shall be required for any loan of $25,000 or more: *Provided, however,* That the State Committee may establish such lower level as it considers necessary: *Provided, further,* That a first lien on the real estate may be required for any loan at the discretion of the approving committee. Such first lien shall be in the form of a real estate mortgage, deed of trust, or other form of security instrument approved by CCC. It shall attach to the borrower's farm or other real estate on which the farm storage or drying equipment is to be located or on such acreage thereof as will, in the judgment of the county committee, make the site easily accessible for the use of other farmers, and, in the event of foreclosure will constitute a salable unit.

(1) Where the real estate is subject to a prior lien, the State committee may accept a second lien provided the borrower owns the land on which the farm storage or drying equipment is located and the State committee determines that the borrower has sufficient equity in the land to adequately protect CCC's interest.

(2) Where the real estate is subject to any other lien and a second lien is not acceptable under the provisions of subparagraph (1) of this paragraph, the priority of CCC's lien must be obtained through a consent and subordination agreement which shall be filed or recorded with the lien on the real estate.

* * * * * *

3. § 1474.8 is revised to read as follows:

§ 1474.8 Amount of loan and loan application approvals.

(a) *Cost basis.* (1) The loan shall be based on the "net cost" which is the actual cost to the applicant, after deduction of any discount or rebate. "Net cost" may include the purchase price, local sales taxes payable by purchasers, and costs for transportation, delivery, and erection or installation of the farm storage or drying equipment: *Provided, however,* That "net cost" shall not include the cost of used or second-hand material to be used in the proposed construction of otherwise new farm storage, or costs for labor performed by the applicant or other labor usually employed on the farm.

(b) *Amount of loan.* The amount of any loan, when added to the outstanding balance of any previous loan for farm storage and drying equipment, shall not result in an aggregate outstanding balance in excess of $50,000 and shall not exceed the smaller of (1) 85 percent of the net cost of the applicant's needed farm storage and drying equipment or (2) 85 percent of the prorated cost for the applicant's farm storage which is needed and suitable for the storage of

the eligible commodities when a farm storage structure has a larger capacity than the applicant's needed farm storage.

(c) *Loan application approvals.* (1) The county committee may approve or disapprove loan applications for amounts less than $25,000 without concurrence of the State committee: *Provided, however,* That no application may be so approved by the county committee if the amount thereof, plus the outstanding balance of any previous loan, would create for the applicant an aggregate outstanding balance of $25,000 or more: *Provided, further,* That the State committee may establish such lower amount as it considers necessary.

(2) The State committee shall approve or disapprove all other loan applications.

(3) A loan application for $25,000 or more shall not be approved unless the applicant will provide the additional security in accordance with § 1474.7 (c).

(4) A loan application shall not be approved where the approving authority determines that approval would not be in the best interest of the program.

(d) *Expiration of approvals.* If there has been no disbursement of the loan 4 months after the date the loan application was approved, the approval shall become null and void unless it is extended in writing by the approving State or county committee for a stated period not to exceed an additional four months: *Provided, however,* That the Executive Vice President, CCC, or his designee, may extend the approval for such additional periods of time as he may deem justified by the circumstances.

4. In § 1474.10, paragraph (c) is added to read as follows:

§ 1474.10 Interest rate.

* * * * *

(c) Loans disbursed on or after April 1, 1977. Loans shall bear interest at the rate in effect on the date of disbursement until repaid. The rate shall be set forth in a separate announcement in the FEDERAL REGISTER.

(Sections 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714 b and c).)

NOTE.—Commodity Credit Corporation has determined that this document does not require preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Signed at Washington, D.C. on June 9, 1977.

VICTOR A. SENECHAL,
*Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc.77-17458 Filed 6-16-77;8:45 am]

SUBCHAPTER C—EXPORT PROGRAMS

[Amdt. 2]

## PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM-5)

MISCELLANEOUS AMENDMENTS

AGENCY: Commodity Credit Corporation, Department of Agriculture.

ACTION: Final rule.

SUMMARY: Due to the sensitivity of the words "political risk," experience has shown that such terminology sometimes creates unintended connotations when dealing with the diplomatic community. This amendment, by substituting the words "non-commercial risk" for "political risk", will help avoid such connotations in the future.

EFFECTIVE DATE: June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

L. T. McElvain, Commercial Export Programs, Office of the General Sales Manager, U.S. Department of Agriculture, 14th Street and Independence Avenue SW., Washington, D.C. 20250, telephone 202-447-3224.

SUPPLEMENTARY INFORMATION: Since the amendment is primarily for clarification to prevent unintended connotations, it is hereby found and determined that compliance with the procedure for notice of proposed rulemaking and public participation is unnecessary. Therefore, these amendments are issued without compliance with such procedure.

RULE

Accordingly, Part 1488 of 7 CFR containing the terms and conditions of the CCC Export Credit Sales Program regulations (GSM-5) (42 FR 10999, corrected at 42 FR 13535 and 42 FR 13561, and amended at 42 FR 27569) is hereby amended as follows:

1. Section 1488.2(g) is amended to read as follows:

§ 1488.2 Definition of terms.

* * * * *

(g) "Commercial risk" means risk of loss due to any cause other than those specified as non-commercial risk in paragraph (u) of this section.

§ 1488.13 [Amended]

2. Sections 1488.2(u) and 1488.13 are amended by substituting the words "non-commercial risk" for the words "political risk" wherever they may appear.

§ 1488.12 [Amended]

3. Section 1488.12(f) is amended by substituting the words "non-commercial risks" for the words "political risks" wherever they may appear.

(Sec. 5(f), 62 Stat. 1072 (15 U.S.C. 714c); Sec. 4, 80 Stat. 1538 (7 U.S.C. 1707a).)

Signed at Washington, D.C., on June 14, 1977.

GEORGE S. SHANKLIN,
*Acting Vice President, Commodity Credit Corporation, and Acting General Sales Manager, Office of the General Sales Manager.*

[FR Doc.77-17411 Filed 6-16-77;8:45 am]

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Title 17—Commodity and Securities Exchange

## CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33-5832; 34-13603; 35-20067; IA-590; IC-9808]

## PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission

REIMBURSEMENT FOR TRAVEL OR SUBSISTENCE EXPENSES

AGENCY: Securities and Exchange Commission.

ACTION: Amendment of Conduct Regulation.

SUMMARY: The amendment prescribes the conditions under which Commission members and employees may accept reimbursement for travel or subsistence expenses from nongovernmental sources and sets forth the policy of the Commission will respect to the acceptance of honoraria or similar fees and payments. It reflects the Commission's concern that conflicts of interest be strictly prohibited and the Commission believes that the amendment will not only preclude potential conflict of interest situations but also avoid even the appearance of conflicts.

DATES: Effective Date: June 17, 1977. Comments must be received on or before: December 1, 1977.

ADDRESSES: Comments should be addressed, in triplicate, to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. All such communications should refer to File No. S7-704 and will be available for public inspection in Room 6101, 1100 L Street NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Vernon Zvoleff, Attorney, Office of the General Counsel, Securities and Exchange Commission, Washington, D.C. 20549.(202–755–1387).

SUPPLEMENTAL INFORMATION: On April 13, 1977, the United States Civil Service Commission approved for publication the amendment to the Commission's conduct regulation set forth below. Therefore, pursuant to 5 CFR 735.-104(c), this amendment is effective on June 17, 1977. In general, the amendment prohibits Commission members and employees from accepting reimbursement for travel and subsistence expenses, under any circumstances, from entities required to file reports or registration statements with the Commission or from entities regulated by the Commission, as well as any association predominantly composed of such regulated entities. Subject to that prohibition, Commission members and employees on official duty status may accept reimbursement from tax-exempt entities of the type described in 26 U.S.C. 501(c)(3); and employees, while appropriately on annual leave, may accept reimbursement from other entities as well. Under no circumstances may either members or employees accept reimbursement, nor may payment be made on their behalf, for unreasonable or lavish expenses, gifts, entertainment or other personal benefits.

Honoraria or similar payments are discouraged and may not be accepted without prior written approval from the Commission's General Counsel, subject to the general review of the Commission.

Although the amendment shall be effective immediately, the Commission will reevaluate the amendment after approximately six months, in light of its experience with the new requirements. Comments received prior to December 1, 1977, will be considered by the Commission during this reevaluation.

Accordingly, 17 CFR Part 200 is amended by revising paragraph (b)(5) of § 200.735–4 and adding paragraph (b)(7) thereto to read as follows:

§ 200.735–4 Outside or private employment.

* * * * *

(b) * * *

(5) (i) A member or employee may accept reimbursement for travel or subsistence expenses, and any expenses may be paid on his or her behalf, only if reimbursement is authorized by paragraphs (b)(5)(iii) or (iv) of this section. No member or employee may, under any circumstances, accept reimbursement for travel or subsistence expenses incurred in connection with attendance at a seminar, meeting, conference, etc., sponsored in whole or in part by any person from whom the acceptance of reimbursement is prohibited by paragraph (b)(5)(ii) of this section.

(ii) No member or employee shall accept reimbursement for travel or subsistence expenses from

(A) Any person[1] directly required to file reports or registration statements with the Commission, or

(B) Any person[1] directly regulated by the Commission, including any association or other group predominantly composed of persons regulated by the Commission.

For purposes of this section, the phrase "person regulated by the Commission" means all persons whose activities are directly regulated by, or who are required to register with, the Commission, including, but not limited to, such persons as brokers or dealers in securities, national securities exchanges, national securities associations, investment companies, investment advisers, public utility holding companies, and any self-regulatory organization, as that term is defined in Section 3 of the Securities Exchange Act of 1934, 15 U.S.C. 78c.

(iii) Subject to the general prohibition set forth in paragraph (b)(5)(ii) of this section, members or employees may, pursuant to 5 U.S.C. 4111, while on official duty status, accept bona fide reimbursement for actual expenses for travel or necessary subsistence incident to attendance at meetings from a person determined by the Secretary of the Treasury to be a tax-exempt organization of the type described in 26 U.S.C. 501(c)(3), provided, however, that no Government payment or reimbursement is made for the expense so reimbursed, and provided further that the member or employee is not reimbursed, nor payment made on his or her behalf, for those personal living expenses, gifts, entertainment or other personal benefits, which are unreasonable or lavish.

(iv) Consistent with the general prohibition set forth in paragraph (b)(5)(ii) of this section and the Commission's regulations governing conflicts of interest, employees (but not members) of the Commission appropriately on annual leave may accept bona fide reimbursement for actual expenses for travel or necessary subsistence from persons in addition to organizations described in paragraph (b)(5)(iii) above, provided that the employee is not reimbursed, nor payment made on his or her behalf, for those personal living expenses, gifts, entertainment or other personal benefits, which are unreasonable or lavish.

(v) Nothing in this section or otherwise shall be considered as permitting the acceptance from any person of reimbursement to a member or employee of the Commission, directly or indirectly, for the travel or subsistence expenses of the member's or employee's spouse or traveling companion.

* * * * *

(7) As a matter of general policy, the Commission discourages the acceptance of honoraria or similar fees and payments. In accord with this policy, no member or employee may accept an honorarium unless written approval is obtained in advance from the Commission's General Counsel, subject to the general review of the Commission. Requests for such approval should be submitted to the General Counsel in writing and should include a statement in support of the request. An employee may not, under any circumstances, accept an honorarium from any person from whom reimbursement for travel expenses is prohibited by paragraph (b)(5)(ii) of this section.

(5 CFR 735.104(b).)

By the Commission.

GEORGE A. FITZSIMMONS,
*Secretary.*

JUNE 7, 1977.

[FR Doc.77–17313 Filed 6–16–77;8:45 am]

[1] As defined in paragraph b(1) of § 200.-735–3.

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[Release No. 34–13605]

## PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

### Delegation of Authority to the Director of the Division of Market Regulation

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Commission is amending its rules to delegate authority with respect to the Securities Exchange Act of 1934 to the Director of the Division of Market Regulation to exchange with Federal bank regulatory agencies notices of examination, and copies of reports and related data resulting from examination, of a bank clearing agency, transfer agent, or municipal securities dealer.

EFFECTIVE DATE: Immediately.

FOR FURTHER INFORMATION CONTACT:

Harry Melamed, Assistant Director, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, 202–755–7987.

SUPPLEMENTARY INFORMATION: Section 17(c)(3) [15 U.S.C. 78q(c)(3)] of the Securities Exchange Act of 1934 (the "Act") provides that, when the Commission is not the appropriate regulatory agency for a clearing agency, transfer agent, or municipal securities dealer, the Commission and the appropriate regulatory agency shall each notify the other and make a report of any examination conducted by it of that regulated entity and shall each, upon request, furnish to the other a copy of such report and any data supplied to it in connection with such examination. Therefore, pursuant to Sections 4, 17(c)(3) and 23(a) of the Act [15 U.S.C. 78d, q(c)(3) and w(a)], § 200.30–3 [17 CFR 200.30–3] of the rules of the Commission, relating to general organization, is amended to delegate authority to the Director of the Division of Market Regulation to request such reports and other data from any such appropriate regulatory agency, to provide notices to any such appropriate regulatory agency and,

on request of any such appropriate regulatory agency, to furnish such reports and other data. The amendment adds a new paragraph (a) (25) as follows:

§ 200.30–3 Delegation of authority to Director of Division of Market Regulation.

* * * * *

(a) * * *

(25) Pursuant to Section 17(c)(3) of the Act, 15 U.S.C. 78q(c)(3), in regard to clearing agencies, transfer agents and municipal securities dealers for which the Commission is not the appropriate regulatory agency, (i) to notify the appropriate regulatory agency of any examination conducted by the Commission of any such clearing agency, transfer agent, or municipal securities dealer; (ii) to request from the appropriate regulatory agency a copy of the report of any examination of any such clearing agency, transfer agent, or municipal securities dealer conducted by such appropriate regulatory agency and any data supplied to it in connection with such examination; and (iii) to furnish to the appropriate regulatory agency on request a copy of the report of any examination of any such clearing agency, transfer agent, or municipal securities dealer conducted by the Commission and any data supplied to it in connection with such examination.

* * * * * *

The Commission finds, in accordance with sections 5 U.S.C. 553(b)(3)(B) and 553(d)(3) of the Administrative Procedure Act, that the foregoing action relates solely to agency organization, procedure or practice and should be effective immediately in order to provide an orderly procedure for the exchange of information with the Federal bank regulatory agencies. Accordingly, the foregoing action becomes effective immediately.

By the Commission.

GEORGE A. FITZSIMMONS,
*Secretary.*

June 7, 1977.

[FR Doc.77–17314 Filed 6–16–77;8:45 am]

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Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

## MISCELLANEOUS TECHNICAL AMENDMENTS

AGENCY: Federal Highway Administration, DOT.

ACTION: Technical amendments to final rules.

SUMMARY: This document corrects final rules that contain incomplete or erroneous citations in Chapter I of Title 23, Code of Federal Regulations.

EFFECTIVE DATE: June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank L. Calhoun, Office of the Chief Counsel (202/426–0762), Federal Highway Administration, 400 Seventh Street SW., Washington, D.C. 20590. Office hours: Monday–Friday from 7:45 a.m. to 4:15 p.m. ET.

The following corrections are made by revising Chapter I of Title 23, Code of Federal Regulations:

### PART 635—CONSTRUCTION AND MAINTENANCE

§ 635.104 [Amended]

1. In § 635.104(b), strike the period at the end of the third sentence and insert "of Part 635 of this Chapter.";

### PART 646—RAILROADS

Appendix A [Amended]

2. In Part 645, Subpart B, Appendix A, Paragraph (11), § 424.206(g), is corrected to read "§ 645.206(g)";

§ 646.220 [Amended]

3. In § 646.220(b)(1), change the citation reading § 646.260(a)(3) to read "§ 646.206(a)(3)" and in (b)(2) change the citation reading § 646.206(a)(3) to read "§ 646.206(b)";

### PART 650—BRIDGES, STRUCTURES, AND HYDRAULICS

§ 650.605 [Amended]

4. In § 650.605(a)(3), the citation in footnote No. 1 "23 CFR 625.3(a)(6)" is corrected to read "23 CFR 625.3" and in footnote No. 2 the address for AASHTO is changed from "341 National Press Building, Washington, D.C. 20045" to "Suite 225, 444 North Capitol Street, NW., Washington, D.C. 20001";

### PART 720—APPRAISAL

§ 720.202 [Amended]

5. In § 720.202(f)(2)(i), the reference to § 720.2011(g) is corrected to read "§ 720.201(g)(1)";

### PART 740—RELOCATION ASSISTANCE

§ 740.7 [Amended]

6. In § 740.7(f) the words "this Part 740, Subpart G" are changed to read "Part 140, Subpart G of this Chapter.";

### PART 750—HIGHWAY BEAUTIFICATION

§ 750.304 [Amended]

7. In § 750.304(c)(4) the citation in the first sentence reading "23 CFR 710.24" is changed to read "23 CFR 710.204"; and

### PART 771—ENVIRONMENTAL IMPACT AND RELATED STATEMENTS

§ 771.19 [Amended]

8. In § 771.19(g) the fourth sentence is changed to read "Separate circulation may be made if there are unusual conditions which warrant separate circulation."

AUTHORITY: (23 U.S.C. 315).

DOWELL H. ANDERS,
*Acting Chief Counsel.*

[FR Doc.77–17409 Filed 6–16–77;8:45 am]

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Title 27—Alcohol, Tobacco Products and Firearms

CHAPTER I—BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE TREASURY

[T.D. ATF–43; Re: Notice No. 307]

## PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

### Elimination of the Serial-Number-of-Approved-Formula-Marking Requirement on Distilled Spirits Containers

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Final rule; Treasury decision.

SUMMARY: This rule eliminates the requirement of marking the serial number of the approved formula on containers of distilled spirits made in Puerto Rico and in the Virgin Islands of the United States, and shipped to the United States. Since the serial number of the approved formula is made available by other means of documentation, there is no need to require the serial number on the containers of distilled spirits. The Puerto Rican and Virgin Islands manufacturers will be relieved from meeting this marking requirement.

EFFECTIVE DATE: June 16, 1977. (Because this Treasury decision is liberalizing in nature and simplifying in terminology, it need not be subject to the effective date limitation of 5 U.S.C. 553(d).)

FOR FURTHER INFORMATION CONTACT:

A. N. Stickney, ATF&E Specialist, Research and Regulations Branch, Regulations and Procedures Division, (Regulatory Enforcement), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226, 202–566–7626.

SUPPLEMENTARY INFORMATION: On January 27, 1977, a notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 5104), which proposed to amend §§ 250.40 and 250.206 of the Liquors and Articles from Puerto Rico and the Virgin Islands regulations (27 CFR Part 250) to eliminate the requirement of marking the serial number of the approved formula number on distilled spirits containers shipped to the United States from Puerto Rico and from the Virgin Islands. Both sections presently provide that the referred-to markings appear on containers of distilled spirits produced in Puerto Rico and the Virgin Islands, and shipped to the United States.

In our analysis, we found that, in the case of Puerto Rican products, Form 478–B is a required application and permit document which identifies the formula number of all shipping containers. In the case of products of the Virgin Islands, the use of a certificate and a report of gauge, which accompany each shipment, provides complete information to identify the formula number with the serial number of each package gauged for shipment. In conclusion, by eliminat-

ing the approved formula requirement of §§ 250.40 and 250.206, we are still able to trace the origin and movement of the spirits so as to protect the revenue and consumers. Moreover, the Puerto Rican and Virgin Island manufacturers are relieved from the procedure of affixing, removing, and re-marking serial numbers on containers to be shipped to the United States.

Interested persons were given until March 14, 1977, to submit relevant data, views, or arguments regarding the proposal. Since comments received were in favor of adopting the proposals, the Director has decided to delete the requirement to mark the approved formula number on the containers.

(The principle author of this final rule is A. N. Stickney of the Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. Officials from the Bureau and from the Treasury Department, however, participated in developing the final rule, both on matters of substance and style.)

Accordingly, under the authority of 26 U.S.C. 7805 (68A Stat. 917) the proposed amendments of §§ 250.40 and 250.206 are adopted as set forth below.

Signed: May 23, 1977.

REX D. DAVIS,
*Director.*

Approved: June 8, 1977.

BETTE B. ANDERSON,
*Under Secretary of the Treasury.*

1. As amended, § 250.40 reads as follows:

**§ 250.40 Marking containers of distilled spirits.**

The distiller, rectifier, or bottler shall serially number each case, barrel, cask, or similar container of distilled spirits filled for shipment to the United States. In addition to the serial number of the container, the distiller, rectifier, or bottler shall plainly print, stamp, or stencil with durable coloring material, in letters and figures not less than one-half inch high, on the head of each barrel, cask or similar container or on one side of each case, as follows:

(a) The name of the distiller, rectifier, or bottler;

(b) The brand name and kind of liquor;

(c) The wine and proof gallon contents; or, for bottles filled according to the metric standards of fill prescribed by § 5.47a, of this chapter, the contents in liters and the proof of the spirits; and

(d) In the case of barrels or casks, the serial number of the permit to ship, Form 487–B, prefixed by the number of such form (e.g., "487–B–61–1").

2. As amended, § 250.206 reads as follows:

**§ 250.206 Marking packages and cases.**

The distiller, rectifier, or bottler shall serially number each case, barrel, cask, or similar container of distilled spirits filled for shipment to the United States. In addition to the serial number of the container, the distiller, rectifier, or bottler shall plainly print, stamp, or stencil with durable coloring material, in letters and figures not less than one-half inch high, on the head of each barrel, cask or similar container or on one side of each case, as follows:

(a) The name of the manufacturer;

(b) The brand name and kind of liquor; and

(c) The wine and proof gallon contents; or, for bottles filled according to the metric standards of fill prescribed by § 5.47a, of this chapter, the contents in liters and the proof of the spirits.

[FR Doc.77–17257 Filed 6–16–77;8:45 am]

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## Title 29—Labor

## SUBTITLE A—OFFICE OF THE SECRETARY OF LABOR

## PART 29—LABOR STANDARDS FOR THE REGISTRATION OF APPRENTICESHIP PROGRAMS

### Policies and Procedures; Corrections

AGENCY: Department of Labor.

ACTION: Corrections.

SUMMARY: In FR Doc. 77–5512, appearing at page 10137 in the FEDERAL REGISTER on Friday, February 18, 1977, several typographical errors appeared. Therefore, a number of corrections should be made to correct these errors, which were made during the printing of the document. None of the corrections affect the substance of the regulation.

EFFECTIVE DATE: March 21, 1977.

FOR FURTHER INFORMATION CONTACT:

James P. Mitchell, Deputy Administrator, Bureau of Apprenticeship and Training, Employment and Training Administration, Room 5000, Patrick Henry Building, Washington, D.C. 20213, Telephone No. 202–376–6585.

Accordingly, the following changes should be made in the text of 29 CFR Part 29:

1. On page 10139, delete the abbreviation "Sec.", which appears in the table of contents between the entry for § 29.3 and the entry for § 29.4.

2. On page 10141, invert the order of the last two lines in § 29.3(h) so that the last sentence of § 29.3(h), in its entirety, reads: "The registration agency shall provide a reasonable time period of not less than 30 days nor more than 60 days for receipt of union comments, if any, before final action on the application for registration and/or approval."

3. On page 10141, the third sentence of § 29.5(b)(4) is corrected to read as follows: "Such instruction may be given in a classroom through trade or industrial courses, or by correspondence courses of equivalent value, or other forms of self-study approved by the registration/approval agency."

Dated: June 13, 1977.

HUGH C. MURPHY,
*Administrator, Bureau of Apprenticeship and Training, Employment and Training Administration.*

[FR Doc.77–17518 Filed 6–16–77;8:45 am]

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## Title 36—Parks, Forests, and Public Properties

## CHAPTER II—FOREST SERVICE, DEPARTMENT OF AGRICULTURE

## PART 222—RANGE MANAGEMENT

## PART 231—GRAZING

### Use of Helicopters in Management of Wild Free-Roaming Horses and Burros

AGENCY: Forest Service, USDA.

ACTION: Final rule.

SUMMARY: This amendment authorizes the use of helicopters, and, for transporting captured animals, motor vehicles in the administration of the Wild Free-Roaming Horse and Burro Act (16 U.S.C. 1331–1340). It also outlines how helicopters and motor vehicles are to be operated to ensure humane treatment of the animals. The amendment is necessary to implement provisions of section 9 of the act as required by section 404 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701). The authorized use of helicopters and motor vehicles will facilitate management of wild free-roaming horses and burros where they reside on National Forest System lands. In connection with this rulemaking, the Wild Free-Roaming Horse and Burro Regulations are being moved from 36 CFR 231.11 to 36 CFR Part 222, Subpart B. Some additional nonsubstantive language changes have been made to make the regulations easier to understand. Public comment on these changes was deemed to be unnecessary.

EFFECTIVE DATE: June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

Don D. Seaman, Assistant Director, Range Management Staff, Forest Service, P.O. Box 2417, Washington, DC 20013, telephone 703–235–8139.

SUPPLEMENTAL INFORMATION: On March 7, 1977, a notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 12890) for the purpose of authorizing the use of helicopters, and, for purposes of transporting captured animals, motor vehicles, in managing wild free-roaming horses and burros on National Forest System lands. The public was given until April 30, 1977, for interested parties to make written comments on the proposal. A March 7, 1977, FEDERAL REGISTER notice advised public meetings would be held to give interested parties an opportunity to speak on the proposal. Ten meetings were held. The written record of these meetings has been reviewed and considered in arriving at the final rule. Also written submissions received have been reviewed and considered.

The Bureau of Land Management of the Department of the Interior is also involved in amending regulations covering management of wild free-roaming horses and burros occurring on lands that Agency administers. Rulemaking has been a joint effort as were the public meetings. The final rule represents a coordinated effort.

Written comments were received by the Chief, Forest Service, from 11 parties. In addition, at the meetings there were comments by 80 individuals either for themselves or an organization they represented. Written submissions received by the Director, Bureau of Land Management, in connection with similar rulemaking have been reviewed and discussed to ensure consideration of all comments from the public.

Substantive comments received from all sources have been considered as follows:

COMMENTS LEADING TO CHANGES IN RULEMAKING

1. It was suggested that the definition of "malicious harassment" be clarified to include deliberate disregard for the welfare of the animals.

2. It was suggested that the definition of "humane treatment" be changed to remove redundant and limiting words.

3. Several parties suggested that helicopters should be available for use in connection with roundup actions involving claimed animals. The rule is amended so that such helicopter use can be authorized.

4. Comments received regarding use of fixed-wing aircraft suggested: (a) use no fixed-wing aircraft, (b) use no fixed-wing aircraft below 1,000 feet above the ground surface, and (c) ensure that wording in the rulemaking will permit utilization of fixed-wing aircraft to carry personnel and supplies to gather sites if needed. The rule is clarified to satisfy the concerns expressed.

5. The words "or injury" are added to the rules covering how helicopters will be used during capture operations as suggested by comments received.

6. Some comments received were concerned about sorting animals for transportation. Criteria for sorting and provisions for efficiency of operations were suggested. The rule is amended to consider these concerns.

7. Some other minor editorial changes have been made for clarification.

COMMENTS NOT LEADING TO CHANGES IN THE RULEMAKING

1. It was suggested that the definition of "malicious harassment" be reworded to remove the exclusion of the Agencies and to use only the dictionary definitions of the terms. This is not practical because the objective is to include any unlawful gathering of animals as malicious harassment regardless of the methods used. Therefore, to avoid confusion, lawful gathering of animals by the Agencies under humane, controlled conditions must be excluded from the meaning of the terms.

2. It was suggested that "undue stress" be defined. The term used in § 222.20 (b) (5) is "unnecessary stress." The comments indicated a desire to set criteria for measuring stress. No criteria have been set which could be applied in the field. It is understood that the animals will be under stress during the operation. The intent of this rulemaking is to keep the stress to a minimum.

3. Several comments suggested elimination of trespass charges on claimed animals. Trespass was not a substantive issue in the proposed rulemaking.

4. Several comments suggested allowing State brand and estray laws to apply in ownership determinations. No change is needed since these are the standards currently used for Forest officers and the appropriate State official to determine ownership of claimed animals.

5. It was suggested that saddle horses used simultaneously with helicopters would add efficiency. No change is needed; both can be used on the same operation.

6. It was suggested that helicopters only be allowed to fly under 1,000 feet at the immediate capture site. This change is not made because a capable pilot and the authorized Forest officer must have flexibility to determine a safe and efficient altitude in accordance with field conditions and terrain encountered on each operation.

7. Suggestions were received to provide for more than one helicopter on a gather and to provide for ground to air communications. Both are permissible under the rules as written.

8. It was suggested that § 222.24(a) (4) be reworded to allow the utilization of wheeled vehicles in the actual driving and capture of animals. The change would violate existing law.

9. Suggestions were made that the rules provide for a representative of a humane organization to be in any helicopter engaged in a gather of horses and burros, that a public representative be present, and that the authorized officer always be in the helicopter. These changes are not made because, for safety and liability reasons, no one except the pilot and Federal officers should be in the helicopter and in certain situations the pilot may determine that no other person should be in the helicopter for safety reasons.

10. It was suggested that the rules be written to provide for gathering only one band at a time. Such a provision is impractical because there may be natural mixing of bands at water holes or accidental mixing of bands by the disturbance of a roundup. Additionally, the efficiency of operations and related expense of gathering in an area where several bands range would be significantly affected by a piecemeal effort directed to single bands of horses and burros.

11. It was suggested that no contract be issued on a per-head basis. To make the suggested provision would restrict contracting to a time-of-operation basis and could be expected to lead to much higher costs per animal captured.

12. A comment suggested that, in gathering and driving animals, weaker animals, such as colts and mares in foal, should be considered in setting the speed of movement. This is provided for in § 222.24 (a) (2) (ii).

13. Several comments suggested that the regulations provide for notification to humane groups, special interest groups, and the general public and that hearings be conducted prior to each roundup. It is not necessary to include such provisions in these regulations; the provisions of the act relating to public hearings can be more efficiency complied with on a Ranger District or National Forest basis at the discretion of the Forest officer in charge.

14. It was suggested that these rules include a provision for medical examination of horses to ensure that disease is not transmitted to already domesticated animals. No change is needed. The precaution is already being taken.

SUGGESTED CHANGES EXCEEDING EXISTING AUTHORITY

The following suggested changes in the proposed rulemaking cannot be made because they violate existing authorities:

1. Allow roundup of wild free-roaming horses and burros by any method and free of charge by any individual.

2. Provide for the sale and passage of fee title on animals.

3. Pass all responsibility for wild free-roaming horses and burros to the State government.

4. Do not allow Federal Government to gather animals because of competition with free enterprise.

SUGGESTIONS TO BE CONSIDERED IN PREPARING FOREST SERVICE MANUAL TEXT

Additionally, these comments and suggestions relate to subjects which do not belong in the regulations but will be considered in the preparation of Manual directives for the program or in the specific plans for each roundup and capture operation:

1. Operate in a manner that will keep bands together.

2. If more than one band is handled at one time, transport the animals immediately after capture to minimize fighting and the chance of injury.

3. Consider issuing contracts to reliable individuals using saddle mounts to gather animals.

4. Provide for a reconnaissance flight to locate and map potential hazards such as cliffs and fences before a gather-and-drive is underway.

5. For the vehicles to be used to transport captured animals provide specific standards as to the construction of the inside of the vehicle, its condition as related to possible injury inflicting hazards, and the number of animals to be transported per vehicle.

6. In transporting of animals, provide for adequate rest periods and feeding and watering at appropriate intervals.

The redesignation of these regulations into subpart B, part 222 is one step in a long-term effort to correlate the numbering schemes used in Forest Service regulations and the Forest Service Manual. The last two digits in the CFR part designation (e.g., Part 222, Range Management) correspond to the first two digits of the Forest Service Manual (e.g., FSM 2200, Range Management). When the grazing regulations are amended later this year, they will be moved from part 231 to subpart A of Part 222.

The following table shows the relationship of these regulations before and after the redesignation:

| Old part and section: Part 231, Sec. 231.11 | New part: Part 222, Subpart B |
|---|---|
| **Old section no.:** | **New section no.** |
| 231.11, introductory, and 231.11 (a) | 222.20 |
| 231.11(b) | 222.21 |
| 231.11(c) | 222.22 |
| 231.11(d) | 222.23 |
| | 222.24 |
| 231.11(e) | 222.25 |
| 231.11(f) | 222.26 |
| 231.11(g) | 222.27 |
| 231.11(h) | 222.28 |
| 231.11(i) | 222.29 |
| 231.11(j) | 222.30 |
| 231.11(k) | 222.31 |
| 231.11(l) | 222.32 |
| 231.11(m) | 222.33 |
| 231.11(n) | 222.34 |
| 231.11(o) | 222.35 |
| 231.11(p) | 222.36 |
| 231.11(q) | [1] |

[1] Deleted.

NOTE.—The Department of Agriculture has determined that the publication of this rule is not a major Federal action significantly affecting the quality of the human environment and that a detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332 (2)(c)) is not required.

In light of the foregoing, 36 CFR Chapter II is amended as follows:

## § 231.11 [Removed]

Section 231.11 is deleted and its provisions are redesignated and transferred to part 222.

A new subpart B to part 222, consisting in part of the former provisions of § 231.11, is added as follows:

### Subpart B—Management of Wild Free-Roaming Horses and Burros

Sec.


222.20 Authority and definitions.
222.21 Administration of wild free-roaming horses and burros and their environment.
222.22 Ownership claims.
222.23 Removal of other horses and burros.
222.24 Use of helicopters, fixed-wing aircraft and motor vehicles.
222.25 Protection of wild free-roaming horses and burros when they are upon other than National Forest System or the public lands.
222.26 Removal of wild free-roaming horses and burros from private lands.
222.27 Maintenance of wild free-roaming horses and burros on privately-owned lands.
222.28 Cooperative agreements.
222.29 Relocation of animals.
222.30 Disposal of animals.
222.31 Disposal of carcasses.
222.32 Use of non-Forest Service personnel.
222.33 Management coordination.
222.34 National Advisory Board.
222.35 Studies.
222.36 Arrest.


AUTHORITY: The provisions of this Subpart B are issued under 85 Stat. 649, as amended (16 U.S.C. 1331–1340); Sec. 1, 30 Stat. 35, as amended (16 U.S.C. 551); Sec. 32, 50 Stat. 522, as amended (7 U.S.C. 1011).

### Subpart B—Management of Wild Free-Roaming Horses and Burros

### § 222.20 Authority and definitions.

(a) *Authority.* The Chief, Forest Service, shall protect, manage, and control wild free-roaming horses and burros on lands of the National Forest System and shall maintain vigilance for the welfare of wild free-roaming horses and burros that wander or migrate from National Forest System lands. If these animals also use lands administered by the Bureau of Land Management as a part of their habitat, the Chief, Forest Service, shall cooperate to the fullest extent with the Department of the Interior through the Bureau of Land Management in administering the animals.

(b) *Definitions.* (1) "Act" means the Act of December 15, 1971 (85 Stat. 649, as amended, 16 U.S.C. 1331–1340).

(2) "Captured animal" means a wild free-roaming horse or burro taken and held in the custody of an authorized officer, his delegate or agent. This term does not apply to an animal after it is placed in private custody through a cooperative agreement.

(3) "Excess animals" means wild free-roaming horses or burros determined to be in excess of populations proper to maintain a thriving natural ecological balance and harmonious multiple use relationship on National Forest System lands.

(4) "Herd" means one or more stallions and their mares, or jacks and their jennies.

(5) "Humane treatment" means kind and merciful treatment, without causing unnecessary stress or suffering to the animal.

(6) "Malicious harassment" means any intentional act demonstrating deliberate disregard for the well-being of wild free-roaming horses and burros and which creates a likelihood of injury or is detrimental to normal behavior pattern of wild free-roaming horses or burros including feeding, watering, resting and breeding. Such acts include, but are not limited to, unauthorized chasing, pursuing, herding, roping or attempting to gather wild free-roaming horses or burros. It does not apply to activities conducted by, or on behalf of, the Forest Service or the Bureau of Land Management in implementation or performance of duties and responsibilities under the act.

(7) "National Advisory Board" means the Advisory Board as established jointly by the Secretary of Agriculture and the Secretary of the Interior under the provisions of the act.

(8) "National Forest System lands" include the National Forests, National Grasslands and other Federal lands for which the Forest Service has administrative jurisdiction.

(9) "Problem animal" means a wild free-roaming horse or burro whose demonstrated individual habits or traits pose an undue threat to the safety or welfare of persons, wildlife, livestock, or property.

(10) "Wild free-roaming horses and burros" mean all unbranded and unclaimed horses and burros and their progeny that have used lands of the National Forest System on or after December 15, 1971, or do hereafter use these lands as all or part of their habitat, but does not include any horse or burro introduced onto National Forest System lands on or after December 15, 1971, by accident, negligence, or willful disregard of private ownership. Unbranded, claimed horses and burros, where the claim is found to be erroneous, are also considered as wild and free-roaming if they meet the criteria above.

(11) "Wild horse and burro range" means an area of National Forest System land specifically so designated by the Chief, Forest Service, from wild horse and burro territory, for the purpose of sustaining an existing herd or herds of wild free-roaming horses and burros, Provided: the range does not exceed known territorial limits and is devoted principally but not necessarily exclusively to the welfare of the wild horses and burros in keeping with the multiple-use management concept for National Forest System lands.

(12) "Wild horse and burro territory" means National Forest System lands which are identified by the Chief, Forest Service, as the lands which were the territorial habitat of wild free-roaming horses and/or burros at the time of the passage of the act.

### § 222.21 Administration of wild free-roaming horses and burros and their environment.

(a) The Chief, Forest Service shall:

(1) Administer wild free-roaming horses and burros and their progeny on the National Forest System land in the areas where they now occur (wild horse and burro territory) to maintain a thriving ecological balance, considering them an integral component of the multiple use resources, and regualting their population and accompanying need for forage and habitat in correlation with that of uses recognized under the Multiple Use-Sustained Yield Act of June 12, 1960 (74 Stat. 215; 16 U.S.C. 528–531).

(2) Provide direct administration for the welfare of wild freeroaming horses and burros that are located on National Forest System land by use of the Forest Service organization rather than by the granting of leases and permits for maintenance of these animals to individuals and organizations.

(3) Establish wild horse and burro territories in accordance with the act and continue recognition of such territories where it is determined that horses and/or burros will be recognized as part of the natural system. The Chief may designate areas within these territories as a specific wild horse and burro range in those unique and singularly important situations where he determines such designation as especially fitting to meet the

purposes of the act and the Multiple Use-Sustained Yield Act and after consultation with the appropriate State agencies where such range is proposed and with the National Advisory Board.

(4) Analyze each wild horse or burro territory and, based on said analysis, develop and implement a plan of management. The analysis and plans will be updated whenever needed as determined by conditions on each territory.

### § 222.22 Ownership claims.

(a) Any person claiming ownership under State branding and estray laws, of branded or unbranded horses or burros within a wild horse or burro territory or range on National Forest System lands where such animals are not authorized must present evidence of ownership to justify a roundup before permission will be granted to gather such animals. Claims of ownership with supporting evidence were required to be filed during a claiming period which expired November 15, 1973. Unauthorized privately owned horses or burros entering the National Forest System after November 15, 1973, which become intermingled with wild horses or burros, may be claimed by filing an application with the District Ranger. All authorizations to gather claimed animals shall be in writing in accordance with instructions as the Chief, Forest Service, may prescribe. After such public notice as an authorized officer deems appropriate to inform interested parties, gathering operations may be authorized. The authorization shall provide that the gathering or roundup be consistent with regulations, and will (1) establish a specific, reasonable period of time to allow the gathering of claimed animals; and (2) stipulate other conditions, including visual observation by Forest Service personnel, deemed necessary to assure humane treatment of associated wild free-roaming horses and burros and to protect other resources involved.

(b) Prior to removal of claimed animals which have been captured from National Forest Sysem lands, claimants shall substantiate their claim of ownership in accordance with whatever criteria are cooperatively agreed to between the Forest Service and the State agency administering the State estray laws. In the absence of a cooperative agreement, ownership claims shall be substantiated in accordance with State law and subject to approval of the Forest Service.

### § 222.23 Removal of other horses and burros.

Horses and burros which do not come within the definition in § 222.20(b)(10) which are introduced onto Wild Horse and Burro Territories or Ranges after December 15, 1971, by accident, negligence, or willful disregard of private ownership, and which do not become intermingled with wild free-roaming horses or burros, shall be considered as unauthorized livestock and treated in accordance with provisions in 36 CFR 261.7 and 262.2.

### § 222.24 Use of helicopters, fixed-wing aircraft and motor vehicles.

(a) The Chief, Forest Service, is authorized to use helicopters, fixed-wing aircraft, and motor vehicles in a manner that will ensure humane treatment of wild free-roaming horses and burros as follows:

(1) Prior to using helicopters in capture operations and/or using motor vehicles for the purpose of transporting captured animals, a public meeting will be held in the proximity of the territory where the capture operation is proposed.

(2) Helicopters may be used in all phases of the administration of the act including, but not limited to; inventory, observation, surveillance and capture operations. In capture operations, helicopters may be used to locate the animals involved, to assist ground crews in moving the animals, and for related purposes such as to transport personnel and equipment. The condition of the animals shall be continuously observed by the authorized officer and, should signs of harmful stress be noted, the source of stress shall be removed so as to allow recovery. Helicopters may be used in roundups or other capture operations subject to the following procedures:

(i) Helicopters shall be used in such a manner that bands or herds will tend to remain together.

(ii) Horses or burros will not be moved at a rate which exceeds limitations set by the authorized officer who shall consider terrain, weather, distance to be traveled and condition of the animals.

(iii) The helicopter shall be used to observe the presence of dangerous areas and may be used to move animals away from hazards during capture operations.

(iv) During capture operations, animals shall be moved in such a way as to prevent harmful stress or injury.

(v) The authorized officer shall supervise all helicopter use as follows:

(A) Have means to communicate with the pilot and be able to direct the use of the helicopter.

(B) Be able to observe effects of the use of the helicopter on the well-being of the animals.

(3) Fixed-wing aircraft may be used for inventory, observation and surveillance purposes necessary in administering the act. Such use shall be consistent with the Act of September 8, 1959, as amended (18 U.S.C. 41 et seq.). Fixed-wing aircraft shall not be used in connection with capture operations except as support vehicles.

(4) Motor vehicles may be used in the administration of the act except that such vehicles shall not be used for driving or chasing wild horses or burros in capture operations. Motor vehicles may also be used for the purpose of transporting captured animals, subject to the following humane procedures:

(i) Such transportation shall comply with appropriate State and Federal laws and regulations applicable to humane transportation of horses and burros.

(ii) Vehicles shall be inspected by an authorized officer prior to use to ensure vehicles are in good repair and of adequate rated capacity.

(iii) Vehicles shall be carefully operated to ensure that captured animals are transported without undue risk or injury.

(iv) Where necessary and practical, animals shall be sorted as to age, temperament, sex, size and condition so as to limit, to the extent possible, injury due to fighting and trampling.

(v) The authorizing officer shall consider the condition of the animals, weather conditions, type of vehicle, and distance to be traveled when planning for transportation of captured animals.

### § 222.25 Protection of wild free-roaming horses and burros when they are upon other than National Forest System or public lands.

Individual animals and herds of wild free-roaming horses and burros will be under the protection of the Chief, Forest Service, even though they may thereafter move to lands of other ownership or jurisdiction as a part of their annual territorial habitat pattern or for other reasons. The Chief will exercise surveillance of these animals through the use of cooperative agreements and as otherwise authorized by law, and act immediately through appropriate administrative or criminal and civil judicial procedures to provide them the protective measures of the act at any time he has cause to believe its provisions are being violated.

### § 222.26 Removal of wild free-roaming horses and burros from private lands.

Owners of land upon which wild free-roaming horses and burros have strayed from National Forest System lands may request their removal by calling the nearest office of either the Forest Service or Federal Marshal.

### § 222.27 Maintenance of wild free-roaming horses and burros on privately-owned lands.

Owners of land who wish to maintain wild free-roaming horses and burros which have strayed onto their lands from National Forest System lands may do so by notifying the nearest office of the Forest Service in a timely fashion and providing such information on a continuing basis as the Chief, Forest Service, may require. Such owners shall protect the wild free-roaming horses and burros on their lands. They may not, in so maintaining these animals, impede their return to National Forest System lands unless authorized by cooperative agreement with the Forest Service.

### § 222.28 Cooperative agreements.

The Chief, Forest Service, may enter into cooperative agreements as he deems necessary to further the protection, management, and control of wild free-roaming horses and burros.

### § 222.29 Relocation of animals.

(a) The Chief, Forest Service, may cause wild free-roaming horses and burros to be captured under the supervision

of Forest Service personnel and relocated if they are found to be "excess" animals, "problem" animals, or if it is necessary to prevent their repetitive return to private land from which their removal has been requested.

(1) Relocation upon National Forest System land may be made only to areas identified as 1971 Horse or Burro Territory, and if suitable habitat capacity is available.

(2) Animals may be placed in the custody of private persons, organizations, and other governmental agencies through the use of a cooperative agreement. Such custodial care arrangements must require that the animals be maintained and protected in accordance with the act, and not used for commercial exploitation.

**§ 222.30 Disposal of animals.**

(a) No person except an authorized Forest officer shall destroy any wild free-roaming horse or burro located on National Forest System lands. Such Forest officer may destroy wild free-roaming horses or burros under the following circumstances:

(1) Severely injured or seriously sick animals may be destroyed immediately in the most humane manner possible as an Act of Mercy.

(2) Old, sick, and lame animals may be destroyed in the most humane manner possible. The National Advisory Board will be requested to recommend guidelines to be followed in such action.

(3) When the Chief, Forest Service, finds it necessary to remove wild free-roaming horses or burros for the reasons identified in § 222.29 and determines there is no practical way to effect either their capture or their relocation, the animal(s) shall be destroyed in the most humane manner possible.

**§ 222.31 Disposal of carcasses.**

The remains of deceased wild free-roaming horses and burros, including those in the custody of private parties, may be disposed of in any customary manner under State sanitary codes, but in no event will they be processed into a commercial product.

**§ 222.32 Use of non-Forest Service personnel.**

The Chief, Forest Service, may authorize the use of non-Forest Service personnel to assist in specific situations of short duration.

**§ 222.33 Management coordination.**

All management activities by the Chief, Forest Service, shall be carried out in consultation with the appropriate agencies of the State involved. The expert advice of qualified scientists in the fields of biology and ecology shall also be sought in administering wild free-roaming horses and burros. The advice and suggestions of agencies, qualified scientists, and other qualified interest groups shall be made available to the National Advisory Board for their use and consideration. Actions taken in connection with private ownership claims shall be coordinated to the fullest extent possible with the State agency responsible for livestock estray law administration.

**§ 222.34 National Advisory Board.**

The Chief, Forest Service, shall appoint a representative to attend meetings of the National Advisory Board for Wild Free-Roaming Horses and Burros and to function as prescribed by the Memorandum of Agreement between the Department of the Interior and the Department of Agriculture and the Joint Charter issued by the Secretary of the Interior and the Secretary of Agriculture. Policies and guidelines relative to proposals for the establishment of ranges, adjustments in number, relocation and disposal of animals, and other matters relating generally to the protection, management, and control of wild free-roaming horses and burros shall be presented to the National Advisory Board for recommendations.

**§ 222.35 Studies.**

The Chief, Forest Service, is authorized and directed to undertake those studies of the habits and habitat of wild free-roaming horses and burros that he may deem necessary. In doing so, he shall consult with the appropriate agencies of the State(s) involved.

**§ 222.36 Arrest.**

Any employee designated by the Chief, Forest Service, shall have the power to arrest without warrant, any person committing in the present of the employee a violation of the act and to take such person immediately for examination or trial before an officer or court of competent jurisdiction. Any employee so designated shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of the act.

M. RUPERT CUTLER,
*Assistant Secretary.*

JUNE 13, 1977.

[FR Doc.77-17346 Filed 6-16-77;8:45 am]

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## Title 49—Transportation

## CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 76-01]

## PART 258—REGULATIONS GOVERNING SECTION 505 OF THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976, AS AMENDED

### Final Standards for Evaluation and Other Miscellaneous Amendments; Correction

AGENCY: Federal Railroad Administration, DOT.

ACTION: Correction.

SUMMARY: In FR Doc. 77-15923 appearing at page 28976 in the FEDERAL REGISTER of Monday, June 6, 1977, the following change should be made in section 258.27(b)(1):

The fourth line from the bottom of column 3 of page 28985 is corrected to read "density in (iv), (vi), (vii) and (viii), above,".

FOR FURTHER INFORMATION CONTACT:

Jeffrey K. Mercer, Office of Chief Counsel, Federal Railroad Administration, Washington, D.C. (202) 426-7737.

Dated: June 14, 1977.

BRUCE M. FLOHR,
*Deputy Administrator.*

[FR Doc.77-17457 Filed 6-16-77;8:45 am]

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[Docket No. 76-01]

## PART 258—REGULATIONS GOVERNING SECTION 505 OF THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976, AS AMENDED

### Final Standards for Evaluation and Other Miscellaneous Amendments

*Correction*

In FR Doc. 77-15293 appearing at page 28976 in the issue for Monday, June 6, 1977, make the following changes:

1. On page 28978, first column, fourth full paragraph, the fourteenth line, now reading "cial purpose trucks. Pickup trucks will be", should read "ards, provide that a project will be".

2. On page 28979, middle column, in the fifteenth line of the fourth full paragraph "With a continued experience" should read "With continued experience".

3. In the third line of the introductory paragraph of § 258.7(b), third column, page 28981, "(pur)chased" should read "(pur)chase".

4. In the second line of the introductory paragraph of § 258.9(c), first column, page 28982, "yearend" should read "year end".

5. In the second line of § 258.9(c)(3), page 28982, first column, the period between "741" and "Other Assets" should be a comma.

6. In the fifth line of the introductory paragraph of § 258.9(e), page 28982, middle column, "proceed" should read "proceeds".

7. In the third line of § 258.9(g), page 28982, middle column, delete the comma between "years" and "sub-".

8. In the fourth line of § 258.19(b), page 28983, third column, delete "or internally".

9. In the 17th line from the end of § 258.23(a), page 28984, middle column, delete "below".

10. In the sixth line of § 258.27(b)(2)(ii), page 28986, first column, "markekt" should read "market".

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## CHAPTER X—INTERSTATE COMMERCE COMMISSION

### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[SO 1226; Amdt. 3]

## PART 1033—CAR SERVICE

### Chicago, Milwaukee, St. Paul and Pacific Railroad Company Authorized To Operate Over Tracks of Chicago and North Western Transportation Company

AGENCY: Interstate Commerce Commission.

ACTION: Emergency order (Amendment No. 3 to Service Order No. 1226).

SUMMARY: Service Order No. 1226 authorizes the Chicago, Milwaukee, St. Paul and Pacific to operate over 2.77 miles of the Chicago & North Western Transportation Company at Fond du Lac, Wisconsin. Rerouting of trains of the Chicago, Milwaukee, St. Paul and Pacific over tracks of the Chicago and North Western contributes to public safety by eliminating train movements over nineteen street crossings and two railroad crossings at grade.

DATES: Effective 11:59 p.m., June 15, 1977; Expires 11:59 p.m., November 15, 1977.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202–275–7840, Telex 89–2742.

SUPPLEMENTARY INFORMATION: The order is reprinted in full below.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 13th day of June, 1977.

Upon further consideration of Service Order No. 1226 (40 FR 59598; 41 FR 27728 and 42 FR 3310) and good cause appearing therefor:

*It is ordered,* That:

§ 1033.1226 Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over tracks of Chicago and North Western Transportation Company.

Service Order No. 1226 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., November 15, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 15, 1977.

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

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

By the Commission, Railroad Service Board members Joel E. Burns, Robert S. Turkington, and John R. Michael. Member John R. Michael not participating.

H. G. Homme, Jr.,
*Acting Secretary.*

[FR Doc.77–17413 Filed 6–16–77;8:45 am]

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[S O 1254; Amdt. 2]

## PART 1033—CAR SERVICE

### Vermont Northern Railroad Company Authorized to Operate Over Tracks Owned by State of Vermont and Formerly Operated by St. Johnsbury & Lamoille County Railroad

AGENCY: Interstate Commerce Commission.

ACTION: Emergency order (Amendment No. 2 to Service Order No. 1254)

SUMMARY: Service Order No. 1254 authorizes the Vermont Northern Railway to operate a railroad owned by the State of Vermont between St. Johnsbury, Vermont and Swanton, Vermont, in order to provide essential railroad service to shippers served by that line.

DATES: Effective 11:59 p.m., June 30, 1977. Expires 11:59 p.m., September 30, 1977.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202–257–7840, Telex 89–2742.

SUPPLEMENTARY INFORMATION: The order is reprinted in full below.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 13th day of June, 1977.

Upon further consideration of Service Order No. 1254 (41 F.R. 48122 and 42 F.R. 3309), and good cause appearing therefor:

*It is ordered,* That:

§ 1033.1254 Vermont Northern Railroad Company authorized to operate over tracks owned by State of Vermont and formerly operated by St. Johnsbury & Lamoille County Railroad.

Service Order No. 1254 be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., September 30, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

*Effective date:* This amendment shall become effective at 11:59 p.m., June 30, 1977.

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

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

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael. Member John R. Michael not participating.

H. Gordon Homme, Jr.,
*Acting Secretary.*

[FR Doc.77–17414 Filed 6–16–77;8:45 am]

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## Title 50—Wildlife and Fisheries

## CHAPTER III—INTERNATIONAL REGULATORY AGENCIES (FISHING AND WHALING)

### SUBCHAPTER C—INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

## PART 371—FRASER RIVER SOCKEYE AND PINK SALMON FISHERY

### Fraser River Sockeye and Pink Salmon Regulations

AGENCY: National Oceanic and Atmospheric Administration/Commerce.

ACTION: Emergency regulations.

SUMMARY: These regulations implement the Convention between Canada and the United States for the protection, preservation, and extension of the sockeye and pink salmon fisheries of the Fraser River System. The rules include general sockeye and pink salmon fishing rules promulgated by NOAA and rules governing fishing seasons promulgated by the International Pacific Salmon Fisheries Commission. These rules do not apply to treaty Indians exercising treaty-secured fishing rights at the tribe's usual and accustomed grounds and stations.

EFFECTIVE DATE: 0001 a.m. on June 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Donald Johnson, Northwest Regional Director, National Marine Fisheries Service, Seattle, Washington 98109. (206–442–7575).

SUPPLEMENTARY INFORMATION: On June 1, 1977, the International Pacific Salmon Fisheries Commission, acting under the authority of the Convention between Canada and the United States for the protection, preservation, and extension of the sockeye and pink salmon fisheries of the Fraser River System, forwarded to the Governments of Canada and the United States for the approval required by Article VI of the Convention the regulations to be applicable during the 1977 fishing season in Convention waters. The United States, acting

through the Department of State, has approved the regulations (except as to treaty Indians exercising treaty-secured fishing rights at the tribe's usual and accustomed grounds and stations). Such Indian fishing is governed by amendments to 25 CFR, Part 256 to be published by the Department of the Interior June 17, 1977. Subpart A contains general rules which implement the Sockeye Salmon or Pink Salmon Fishing Act of 1947, 16 U.S.C. 776–776f, and apply to fishing conducted under the Commission's regulations. The appendix is a verbatim reprint of the Commission's regulations. As the Federal agency responsible for enforcement of the Convention, the Commission's regulations, and the Sockeye Salmon Act, the National Marine Fisheries Service hereby for good cause finds that, because the fishing season begins on June 26, 1977, and these regulations are necessary to meet the obligations of the United States under the Convention, the advance notice, public procedures, and delayed effectiveness provisions of 5 U.S.C. 553 are impracticable and contrary to the public interest. These regulations are therefore effective 0001 hours local time on June 26, 1977.

Issued at Washington, D.C., this 14th day of June 1977.

JACK W. GEHRINGER,
*Deputy Director,*
*National Marine Fisheries Service.*

Accordingly, 50 CFR is amended by adding new Part 371 as follows:

Sec.
371.1 Purpose of regulations.
371.2 Scope of regulations.
371.3 Definitions of terms.
371.4 Other laws and regulations.
371.5 Reporting requirements.
37.16 Notice of change.
371.7 Unlawful possession.
371.8 Forcible assault of enforcement officer.

APPENDIX A—INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

AUTHORITY: The provisions of Subpart A are issued under Sockeye or Pink Salmon Fishery Act of 1947, 16 U.S.C. 776–776f.

### § 371.1 Purpose of regulations.

The regulations in this Subpart A implement the convention between the United States and Canada for the protection of sockeye and pink salmon fisheries of the Frazer River System, and the sockeye or Pink Salmon Fishing Act of 1947.

### § 371.2 Scope of regulations.

This Part 371 applies to all fishing for sockeye salmon or pink salmon conducted in U.S. convention waters during the time the Commission exercises jurisdiction over the sockeye salmon and pink salmon fishery.

### § 371.3 Definition of terms.

When used in this Subchapter C: (a) Act means: the Sockeye or Pink Salmon Fishery Act of 1947, 16 U.S.C. 776–776f.

(b) Commission means: the International Pacific Salmon Fisheries Commission provided for by article 11 of the convention.

(c) Convention means: the convention between the United States of America and the Dominion of Canada for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed at Washington on the 26th day of May 1930, as amended by the protocol to the convention, signed at Ottawa on the 28th day of December 1956.

(d) Convention waters means: those waters described in article I of the convention.

(e) Enforcement Officer means: (1) any enforcement agent of the National Marine Fisheries Service.

(2) Any commissioned, warrant, or petty officer of the Coast Guard;

(3) Any Coast Guard personnel accompanying and acting under the direction of any person described in paragraph (e) (2) of this section

(4) Any other person authorized by the Regional Director, Northwest Region, National Marine Fisheries Service to enforce the provisions of the convention, the Commission's regulations, the Act and this part 371.

(f) Fish, Fishing means: The fishing for, catching, or taking, or the attempted fishing for, catching, or taking, of any sockeye salmon or pink salmon in convention waters.

(g) Fishing gear means: any net, trap, hook, or other device, appurtenance or equipment, of whatever kind or description, used or capable of being used, for the purpose of capturing fish or an aid in capturing fish.

(h) Gillnet means: Gillnet as defined in Washington Administrative Code Chapter 220–16, and lawful gillnet as defined in Washington Administrative Code Chapter 220–47.

(i) Person means: The word "person" includes individuals, partnership, associations, and corporations.

(j) Pink salmon means: That species of salmon known by the scientific name *Oncorhyuchus gorbuscha.*

(k) Purse seine means: Purse seine as defined in Washington Administrative Code Chapter 220–16 and lawful purse seine as defined in Washington Administrative Code Chapter 220–47.

(l) Reef net means: Reef net as defined in Washington Administrative Code Chapter 220–16 and lawful reef net as defined in Washington Administrative Code Chapter 220–47.

(m) Salmon preserves means: Salmon preserves defined in Washington Administrative Code Chapter 220–47.

(n) Sockeye salmon means: That species of salmon known by the scientific name *Oncorhynchus nerka.*

(o) State areas means: Fishing areas defined as Puget Sound Salmon Management and Catch Reporting Areas in Washington Administrative Code Chapter 220–22.

(p) Troll line means: Troll line as defined in Washington Administrative Code Chapter 220–16 and lawful troll line as defined in Washington Administrative Code Chapter 220–47.

### § 371.4 Other laws and regulations.

Nothing in Part 371 shall be construed to relieve a person from any other requirements imposed by a law, statute or regulation of the United States or of the State of Washington.

### § 371.5 Reporting requirements.

(a) Any person receiving or purchasing fish caught by any person fishing under Appendix A of this Part 371 shall comply with Washington Administrative Code, Chapter 220-69.

(b) Any person fishing under Appendix A of this part 371 selling these fish directly to the consumer, restaurant, boathouse or any other retail outlet shall comply with Washington Administrative Code Chapter 220–69.

### § 371.6 Notice of change in regulations.

The regulations of the Commission regarding the times permissible to fish are subject to frequent change by emergency order. Emergency orders are published by news releases to radio stations and newspapers in the fishing area. In addition, these orders will be available by calling the National Marine Fisheries Service Hotline 800–562–2870. The emergency orders will be effective from the time of publication or as stated in the order.

### § 371.7 Unlawful possession.

No person shall possess or retain on board a fishing vessel a sockeye or pink salmon while engaged in a fishery for other species in U.S. Convention waters during times these waters are closed by the Commission.

### § 371.8 Forcible assault of enforcement officer.

No person fishing under Appendix A to this Part 371 shall forcibly assault, resist, oppose, impede, intimidate or interfere with an enforcement officer engaged in enforcing the convention, the Commission's regulations, the Act or this Part 371.

APPENDIX A—INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION REGULATIONS

AUTHORITY: Art. IV, 50 Stat. 1355, T.S. 918.

1. (1) No person shall fish for sockeye or pink salmon with purse seines in the Convention Waters of the United States of America lying westerly of a straight line drawn from Angles Point in the State of Washington across Race Rocks to William Head in the Province of British Columbia:

(a) From the 26th day of June, 1977 to the 13th day of August, 1977, both dates inclusive, except from five o'clock in the forenoon to half past nine o'clock in the afternoon of Monday and Tuesday of each week; and

(b) From the 14th day of August, 1977 to the 17th day of September, 1977, both dates inclusive, except from five o'clock in the forenoon to nine o'clock in the afternoon of Monday and Tuesday of each week.

(2) No person shall fish for sockeye or pink salmon with gill nets in the waters described in subsection (1) of this section:

(a) From the 26th day of June, 1977 to the 2nd day of July, 1977; from the 10th day of July, 1977 to the 16th day of July, 1977; from the 24th ady of July, 1977 to the 30th day of July, 1977; and from the 7th day of August, 1977 to the 13th day of August, 1977, all dates inclusive, except from seven o'clock in the afternoon of Monday to half past nine o'clock in the forenoon of Tuesday and from seven o'clock in the afternoon of Tuesday to

half past nine o'clock in the forenoon of Wednesday of each week; and

(b) From the 3rd day of July, 1977 to the 9th day of July, 1977; from the 17th day of July, 1977 to the 23rd day of July, 1977; and from the 31st day of July, 1977 to the 6th day of August, 1977, all dates inclusive, except from seven o'clock in the afternoon of Sunday to half past nine o'clock in the forenoon of Monday and from seven o'clock in the afternoon of Monday to half past nine o'clock in the forenoon of Tuesday of each week; and

(c) From the 14th day of August, 1977 to the 20th day of August, 1977; from the 28th day of August, 1977 to the 3rd day of September, 1977; and from the 11th day of September, 1977 to the 17th day of September, 1977, all dates inclusive, except from six o'clock in the afternoon of Sunday to nine o'clock in the forenoon of Monday and from six o'clock in the afternoon of Monday to nine o'clock in the forenoon of Tuesday of each week; and

(d) From the 21st day of August, 1977 to the 27th day of August, 1977; and from the 4th day of September, 1977 to the 10th day of September, 1977, all dates inclusive, except from six o'clock in the afternoon of Monday to nine o'clock in the forenoon of Tuesday and from six o'clock in the afternoon of Tuesday to nine o'clock in the forenoon of Wednesday of each week.

(3) No person shall fish for sockeye or pink salmon with commercial trolling gear in the waters described in subsection 1 of this section from the 26th day of June, 1977 to the 17th day of September, 1977, both dates inclusive, except from Monday to Friday of each week on those days when purse seine fishing is permitted within that area.

2. (1) No person shall fish for sockeye or pink salmon with purse seines in the Convention Waters of the United States of America lying easterly of a straight line drawn from Angles Point in the State of Washington across Race Rocks to William Head in the Province of British Columbia:

(a) From the 26th day of June, 1977 to the 13th day of August, 1977, both dates inclusive, except from five o'clock in the forenoon to half past nine o'clock in the afternoon of Monday and Tuesday of each week; and

(b) From the 14th day of August, 1977 to the 24th day of September 1977, both dates inclusive, except from five o'clock in the forenoon to nine o'clock in the afternoon of Monday and Tuesday of each week.

(2) No person shall fish for sockeye or pink salmon with reef nets in the waters described in subsection (1) of this section:

(a) From the 26th day of June, 1977 to the 2nd day of July, 1977; from the 10th day of July, 1977 to the 16th day of July, 1977; from the 24th day of July, 1977 to the 30th day of July, 1977; and from the 7th day of August, 1977 to the 13th day of August, 1977, all dates inclusive, except from seven o'clock in the afternoon to half past nine o'clock in the afternoon of Monday, from five o'clock in the forenoon to half past nine o'clock in the afternoon of Tuesday and from five o'clock in the forenoon to seven o'clock in the afternoon of Wednesday of each week; and

(b) From the 3rd day of July, 1977 to the 9th day of July, 1977; from the 17th day of July, 1977 to the 23rd day of July, 1977; and from the 31st day of July, 1977 to the 6th day of August, 1977, all dates inclusive, except from half past ten o'clock in the forenoon to half past nine o'clock in the afternoon of Sunday, from five o'clock in the forenoon to half past nine o'clock in the afternoon of Monday, and from five o'clock in the forenoon to half past ten o'clock in the forenoon of Tuesday of each week; and

(c) From the 14th day of August, 1977 to the 20th day of August, 1977; from the 28th day of August, 1977 to the 3rd day of September, 1977; and from the 11th day of September, 1977 to the 17th day of September, 1977, all dates inclusive, except from half past ten o'clock in the forenoon to nine o'clock in the afternoon of Sunday, from five o'clock in the forenoon to nine o'clock in the afternoon Monday, and from five o'clock in the forenoon to half past ten o'clock in the forenoon of Tuesday of each week; and

(d) From the 21st day of August, 1977 to the 27th day of August, 1977; from the 4th day of September, 1977 to the 10th day of September, 1977; and from the 18th day of September, 1977 to the 24th day of September, 1977, all dates inclusive, except from seven o'clock in the afternoon to nine o'clock in the afternoon of Monday, from five o'clock in the forenoon to nine o'clock in the afternoon of Tuesday, and from five o'clock in the forenoon to seven o'clock in the afternoon of Wednesday of each week.

(3) No person shall fish for sockeye or pink salmon with gill nets in the waters described in subsection (1) of this section:

(a) From the 26th day of June, 1977 to the 2nd day of July, 1977; from the 10th day of July, 1977 to the 16th day of July, 1977; from the 24th day of July, 1977 to the 30th day of July, 1977; and from the 7th day of August, 1977 to the 13th day of August, 1977, all dates inclusive, except from seven o'clock in the afternoon of Monday to half past nine o'clock in the forenoon of Tuesday and from seven o'clock in the afternoon of Tuesday to half past nine o'clock in the forenoon of Wednesday of each week; and

(b) From the 3rd day of July, 1977 to the 9th day of July, 1977; from the 17th day of July, 1977 to the 23rd day of July, 1977; and from the 31st day of July, 1977 to the 6th day of August, 1977, all dates inclusive, except from seven o'clock in the afternoon of Sunday to half past nine o'clock in the forenoon of Monday, and from seven o'clock in the afternoon of Monday to half past nine o'clock in the forenoon of Tuesday of each week; and

(c) From the 14th day of August, 1977 to the 20th day of August, 1977; from the 28th day of August, 1977 to the 3rd day of September, 1977; and from the 11th day of September, 1977 to the 17th day of September, 1977, all dates inclusive, except from six o'clock in the afternoon of Sunday to nine o'clock in the forenoon of Monday, and from six o'clock in the afternoon of Monday to nine o'clock in the forenoon of Tuesday of each week; and

(d) From the 21st day of August, 1977 to the 27th day of August, 1977; from the 4th day of September, 1977 to the 10th day of September, 1977; and from the 18th day of September, 1977 to the 24th day of September, 1977, all dates inclusive, except from six o'clock in the afternoon of Monday to nine o'clock in the forenoon of Tuesday, and from six o'clock in the afternoon of Tuesday to nine o'clock in the forenoon of Wednesday of each week.

3. (1) No person shall fish for sockeye or pink salmon with nets within the described waters of subsection (1) of section 2 lying southerly and easterly of a line projected from Dungeness Light to Smith Island Light to Lawson Reef Lighted Buoy to Northwest Island, thence due east to Fidalgo Island from the 14th day of August, 1977 to the 10th day of September, 1977, both dates inclusive, except with nets having mesh not less than 8 inches extension measure at times when fishing by each gear is permitted in State Fishing Area 7.

(2) No person shall fish for sockeye or pink salmon with nets in that portion of the waters described in subsection (1) of section 2 lying northerly and westerly of a straight line drawn from Iwersen's Dock on Point Roberts in the State of Washington to Georgina Point Light at the entrance to Active Pass in the Province of British Columbia from the 28th day of August, 1977 to the 3rd day of September, 1977, and from the 25th day of September, 1977 to the 8th day of October, 1977, all dates inclusive.

(3) No person shall fish for sockeye or pink salmon with nets in that portion of the waters described in subsection (1) of section 2 lying westerly of a straight line drawn true south from the southeast tip of Point Roberts in the State of Washington (otherwise known as Lily Point) to the International Boundary from the 4th day of September, 1977 to the 24th day of September, 1977, both dates inclusive.

4. The foregoing recommended regulations shall not apply to the following United States Convention Waters:

(1) State Fishing Area 7B including Hale Passage and Bellingham Bay and all Convention Waters of Area 7B lying easterly and inside of a line projected from Carter Point on Lummi Island to the most northerly tip of Vendovi Island, thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island, thence to March Point on Fidalgo Island, and

(2) State Fishing Areas 6B and 7C, and

(3) Preserves previously established by the Director of Fisheries of the State of Washington for the protection of other species of food fish.

All times hereinbefore mentioned shall be Pacific Daylight Saving Time.

[FR Doc.77-17338 Filed 6-16-77;8:45 am]

# proposed rules

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

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

### [9 CFR Part 94]

### TRANSITING OF ANIMAL PRODUCTS AND MATERIALS THROUGH THE UNITED STATES

### Notice of Proposed Rulemaking

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed amendment would provide for the transiting of animal products and materials through the United States when such products or materials would otherwise be eligible for entry into the United States as restricted products or materials subject to special handling or processing at an approved establishment. In the absence of specific transiting provisions in the regulations, brokers, importers, exporters, and carriers have experienced many unusual problems and delays in the movement of restricted animal products and materials in foreign commerce when such animal products or materials are aboard transiting vessels or other means of conveyance which enter the United States. The intended effect of this amendment is to relieve existing barriers to foreign commerce associated with such movements by adding provisions to the regulations under which restricted animal products and materials may transit the United States.

DATE: Comments on or before July 5, 1977.

ADDRESS: Written comments to Deputy Administrator, USDA, APHIS, VS, Room 824, Federal Building, Hyattsville, MD 20782.

FOR FURTHER INFORMATION CONTACT:

Dr. Blakey Deal, Chief Staff Veterinarian, Import/Export, Animal Products, USDA, APHIS, VS, Federal Building, Room 824, Hyattsville, Maryland 20782 (301-436-8170).

SUPPLEMENTARY INFORMATION: Provisions are made in the regulations (9 CFR Part 94) whereby certain animal products and materials may be brought into the United States from foreign countries under specified post-entry restrictions. These products and materials are moved under seal from the port of entry to an establishment which is specifically approved by the Department to receive and process such animal products, and are released from such establishment only after they have been treated in a manner which renders them safe for importation. No provision is made in the regulations for such animal products and materials which are moving in foreign commerce to transit the United States even though they would be eligible to enter and remain in the United States under restrictions. Because of this, brokers, importers, exporters, and carriers moving these animal products and materials in international commerce have experienced delays, and unnecessary expense in their efforts to satisfy existing requirements when vessels and other means of conveyance carrying such animal products and materials transit the United States.

Following a review of this matter by the Department, a determination has been made by the officials of the Animal and Plant Health Inspection Service that animal products and materials which would otherwise qualify for restricted entry and movement from a port of entry to a specifically approved establishment under seal, if offered for entry into the United States, could also be permitted to move through the United States under seal without constituting an undue risk of introduction and spread of disease. Provisions for the transit of animal products and materials through the United States under conditions specified in this amendment would not represent a substantive change in the requirements for entry of these products and materials into the United States under restrictions as presently imposed by the regulations. They would represent a change in procedure for the handling of such products and materials in foreign commerce and are being placed in effect to expedite such movements and to relieve existing barriers to international trade.

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that, pursuant to sec. 306, 46 Stat. 689, as amended; sec. 2, 32 Stat. 792, as amended; secs. 2, 3, 4, and 11, 76 Stat. 129, 130, 132 (19 U.S.C. 1306; 21 U.S.C. 111, 134a, 134b, 134c, 134f); 37 FR 28464, 28477; 38 FR 19141, the Animal and Plant Health Inspection Service is considering amending Part 94, Title 9, Code of Federal Regulations.

Accordingly, Part 94, Title 9, Code of Federal Regulations, would be amended in the following respect:

A new § 94.15 would be added to read:

**§ 94.15 Animal products and materials; movement and handling.**

Any animal product or material which would be eligible for entry into the United States, as specified in the regulations in this part, may transit through the United States for immediate export if the following conditions are met:

(a) Notification of and the transiting of such animal product or material must be made by the importer one day in advance to the Deputy Administrator, and

(b) The animal product or material transited shall be contained in a sealed, leakproof carrier or container which shall remain sealed while aboard the transporting carrier or other means of conveyance, or if the container or carrier in which such animal product or material is transported is offloaded in the United States for reshipment, it shall remain sealed at all times.

All written submissions made pursuant to this notice will be made available for public inspection at the Federal Building, 6505 Belcrest Road, Rm. 824, Hyattsville, MD, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of June 1977.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

PIERRE A. CHALOUX,
*Acting Deputy Administrator,*
*Veterinary Services.*

[FR Doc.77-17067 Filed 6-16-77;8:45 am]

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### [9 CFR Part 95]

### TRANSITING OF ANIMAL BYPRODUCTS AND MATERIALS THROUGH THE UNITED STATES

### Notice of Proposed Rulemaking

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed amendment would provide for the transiting of animal byproducts and materials through the United States when such byproducts or materials would otherwise be eligible for entry into the United States as restricted products or materials subject to special handling or processing at an approved establishment. In the absence of specific transiting provisions in the regulations, brokers, importers, exporters, and carriers have experienced many unusual problems and delays in the movement of restricted animal products and materials in foreign commerce when such animal byproducts or materials are aboard transiting vessels or other means

of conveyance which enter the United States. The intended effect of this proposed amendment is to relieve existing barriers to foreign commerce associated with such movements by adding provisions to the regulations under which such restricted animal byproducts and materials may transit the United States.

DATE: Comments on or before July 5, 1977.

ADDRESS: Written comments to Deputy Administrator, USDA, APHIS, VS, Room 824, Federal Building, Hyattsville, MD 20782.

FOR FURTHER INFORMATION CONTACT:

Dr. Blakey Deal, Chief Staff Veterinarian, Import/Export Animal Products, USDA, APHIS, VS, Room 824, Federal Building, Hyattsville, MD. 20782 (301–436–8379).

SUPPLEMENTARY INFORMATION: Provisions are made in the regulations (9 CFR Part 95) whereby certain animal byproducts and materials may be brought into the United States from foreign countries under specified post-entry restrictions. These animal byproducts and materials are moved under seal from the port of entry to an establishment which is specifically approved by the Department to receive and process such products, and are released from such establishment only after they have been treated in a manner which renders them safe for importation. No provision is made in the regulations for such byproducts and materials which are moving in foreign commerce to transit the United States even though they would be eligible to enter and remain in the United States under restrictions. Because of this, brokers, importers, exporters, and carriers moving these animal byproducts and materials in foreign commerce have experienced delays and unnecessary expense in their efforts to satisfy existing requirements when vessels and other means of conveyance carrying such byproducts and materials transit the United States.

Following a review of this matter by the Department, a determination has been made by the officials of the Animal and Plant Health Inspection Service, that animal byproducts and materials which would otherwise qualify for restricted entry and movement from a port of entry to a specifically approved establishment under seal, if offered for entry into the United States, could also be permitted to move through the United States under seal without constituting an undue risk of introduction and spread of disease. Provisions for the transit of animal byproducts and materials through the United States under conditions specified in this amendment could not represent a substantive change in the requirements for entry of these products and materials into the United States under restrictions as presently imposed by the regulations. They do represent a change in procedure for the handling of such products and materials in foreign commerce and are being placed in effect to expedite such movements and to relieve existing barriers to international trade.

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that, pursuant to sec. 2, 32 Stat. 792, as amended; 21 U.S.C. 111; 37 FR 28464, 28477; 38 FR 19141, the Animal and Plant Health Inspection Service is considering amending Part 95, Title 9, Code of Federal Regulations.

Accordingly, Part 95, Title 9, Code of Federal Regulations, would be amended in the following respect:

A new § 95.4 would be added to read:

**§ 95.4 Animal byproducts and materials; movement and handling.**

Any animal byproduct or material which would be eligible for entry into the United States, as specified in the regulations in this part, may transit through the United States for immediate export if the following conditions are met:

(a) Notification of the transiting of such animal byproduct or material must be made by the importer one day in advance to the Deputy Administrator, and

(b) The animal byproduct or material transited shall be contained in a sealed, leakproof carrier or container which shall remain sealed while aboard the transporting carrier or other means of conveyance, or if the container or carrier in which such animal byproduct or material is transported is offloaded in the United States for reshipment out of the United States, it shall remain sealed at all times.

All written submissions made pursuant to this notice will be made available for public inspection at the Federal Building, 6505 Belcrest Road, Room 824, Hyattsville, MD, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of June 1977,

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A–107.

PIERRE A. CHALOUX,
*Acting Deputy Administrator, Veterinary Services.*

[FR Doc.77–17066 Filed 6–16–77;8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 240 and 249]

[Release No. 34–13582; File No. S7–687]

### REPORTING BY INSTITUTIONAL INVESTMENT MANAGERS OF INFORMATION WITH RESPECT TO ACCOUNTS OVER WHICH INVESTMENT DISCRETION IS EXERCISED

### Extension of Comment Period for Proposed Rulemaking

AGENCY: Securities and Exchange Commission.

ACTION: Extension of comment period.

SUMMARY: This notice extends the period for comments on the notice, published March 30, 1977, proposing a rule and form regarding reporting by institutional investment managers of information with respect to accounts over which investment discretion is exercised. This action has been taken to allow the party requesting the extension additional time to prepare comments on the proposed rule.

DATES: Comments must be received on or before July 1, 1977.

ADDRESSES: Send comments to: George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

FOR FURTHER INFORMATION CONTACT:

Paul Haaga (202–755–0233), Dennis Gurtz (202–755–0228), Division of Investment Management, Securities and Exchange Commission, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: A request for an extension of time to July 1, 1977, was submitted by the American Council of Life Insurance (the "ACLI"). The ACLI states that proposed Rule 13f–1 (17 CFR 240.13f–1) and its effect on the diverse composition of its members' assets requires a longer analysis than time would permit it to complete, prior to June 1, 1977. In view of this request and the complexity of implementation of a reporting scheme under Section 13(f) of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq. as amended by Pub. L. No. 94–29 (June 4, 1975)), the Commission has authorized an extension until July 1, 1977, of the due date for submitting comments with respect to the proposed rule, which was published at 42 FR 16831. The Commission believes that this extension is appropriate and will not result in undue delay, since during this period members of the Commission staff will be meeting with representatives of the various agencies with which the Commission is required to consult in connection with adoption of proposed Rule 13f–1 (17 CFR 240.13f–1). Interested persons are invited to submit their views and comments in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, on or before July 1, 1977. All such communications should refer to File No. S7–687 and will be available for public inspection.

By the Commission.

Dated: May 31, 1977.

SHIRLEY E. HOLLIS,
*Assistant Secretary.*

[FR Doc.77–17312 Filed 6–16–77;8:45 am]

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[8 CFR Part 244]

### VOLUNTARY DEPARTURE

### Extension of Comment Period

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Proposed rule, extension of period for public comments.

SUMMARY: This notice responds to a request by an interested party for an extension of the period for submission of written comments on the notice of proposed rule making to provide a formal procedure and application to be filed by aliens to request an extension of the period of time within which to depart from the United States in voluntary departure cases. The notice of proposed rule making was published in the FEDERAL REGISTER on May 2, 1977 (42 FR 22148) and established a deadline of June 1, 1977, for the receipt of written comments. In order to afford interested parties additional time to submit comments, the deadline date for receipt of comments is hereby changed to June 30, 1977. All relevant comments received on or before that date will be considered. Oral representations may not be presented in any manner and will not be considered.

DATE: Comments must be received on or before June 30, 1977.

ADDRESS: Please submit written representations only to the Commissioner of Immigration and Naturalization, 425 Eye Street, N.W., Washington, D.C. 20536.

FOR FURTHER INFORMATION CONTACT:

James G. Hoofnagle, Jr., Instructions Officer, Immigration and Naturalization Service, 425 Eye Etreet, N.W., Washington, D.C. Telephone: 202-376-8373.

Dated: June 14, 1977.

LEONEL J. CASTILLO,
*Commissioner of Immigration and Naturalization.*

[FR Doc.77-17412 Filed 6-16-77;8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. RM77-21]

[ 18 CFR Parts 201 and 260 ]

### UNIFORM SYSTEMS OF ACCOUNTS FOR NATURAL GAS COMPANIES; STATEMENTS AND REPORTS (SCHEDULES)

### Notice of Proposed Rulemaking Proposing Revisions to Uniform Systems of Accounts for Natural Gas Companies to Provide Accounts for Base Load Liquefied Natural Gas Terminaling and Processing Facilities

AGENCY: Federal Power Commission.

ACTION: Proposed rule.

SUMMARY: By this rulemaking the Commission proposes to amend its Uniform System of Accounts for Class A and Class B Gas Companies to provide a separate accounting classification for base load liquefied natural gas terminaling and processing facilities and to amend the necessary report form. The advent of base load LNG facilities such as are currently being developed by Columbia LNG Corporation and others, has pointed out the need for a separate accounting classification in the Uniform System of Accounts to porvide for such base load plants and the related expenses.

DATES: Comments by August 8, 1977. Proposed effective date January 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Robert E. Hildebrand, Office of Chief Accountant, 202-275-4067.

The Commission is proposing to amend its Uniform System of Accounts for Class A and Class B Natural Gas Companies to provide a separate accounting classification for base load liquefied natural gas terminaling and processing facilities. Revisions are also proposed to FPC Report Form No. 2 Annual Report for Natural Gas Companies in order to reflect the amended accounting classifications.

The Uniform Systems of Accounts for Natural Gas Companies were amended by Order No. 426, issued March 10, 1971, in Docket No. R-384, by, among other things, the addition of separate accounting classifications for liquefied natural gas (LNG) storage facilities. At the time such amendments were made it was contemplated that LNG facilities would be utilized for peaking purposes only as base load LNG facilities were not contemplated at that time. However, the advent of base load facilities such as are currently being developed by Columbia LNG Corporation and others, has pointed out the need for a separate accounting classification in the Uniform System of Accounts to provide for such base load plants and the related expenses. Such amendments are proposed herein.

Certain schedules in the FPC Form No. 2 are also proposed to be amended in accordance with the amendments to the Uniform System of Accounts.

Parties responding to this Notice are requested to submit suggested retirement units for the properties classified in proposed new LNG plant accounts.

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, to be received no later than August 8, 1977; data, views, comments or suggestions in writing concerning all or part of the amendments proposed herein. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C., 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submittals to the Commission should indicate the name, title, mailing address and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed revisions. The staff, in its discretion, may grant or deny written requests for conference prior or subsequent to the filing of formal submittals.

The proposed amendments to the Commission's Uniform System of Accounts under the Natural Gas Act would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly Sections 8, 10, and 16 (52 Stat. 825-826, 830; 15 U.S.C. 717g, 717l, 717o).

The proposed amendments to FPC Form No. 2 would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly Sections 10(a) and 16 (52 Stat. 826. 830; 15 U.S.C. 717l(a), 717o).

(A) The following are proposed amendments to Part 201—Uniform System of Accountants for Natural Gas Companies, of Subchapter F—Accounts, Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations:

(1) Amend the Gas Plant Instructions by the addition of a new subparagraph 20. under instruction "3. Components of Construction Cost" entitled "(20). Line pack and LNG heel gas."

As amended, the Gas Plant Instructions will read:

Gas Plant Instructions

* * * * *

3. *Components of construction cost.*

* * * * *

(20) "Line pack and LNG heel gas." Line pack includes the first cost of that quantity of gas introduced into the utility's system necessary to bring the system up to its designed operating capacity or increases therein and which must be maintained in the system in order to sustain such design operating capacity. LNG "heel" is the first cost of that minimum quantity of liquefied natural gas necessary to be retained in holding tanks and other facilities for purposes of temperature and/or pressure maintenance.

(2) Amend the Balance Sheet Chart of Accounts by adding new "Account 164.3, Liquefied Natural Gas Held for Processing" immediately following "Account 164.2, Liquefied Natural Gas Stored."

As amended, the Balance Sheet Chart of Accounts will read:

Balance Sheet Chart of Accounts

* * * * *

ASSETS AND OTHER DEBITS

* * * * *

3. CURRENT AND ACCRUED ASSETS

* * * * *

164.3 Liquefied natural gas held for processing.

* * * * *

(3) Amend the text of the Balance Sheet Accounts as follows:

(a) Amend the second sentence of paragraph C of account 108, Accumulated Provision for Depreciation of Gas Utility Plant," and account 111, Accumulated Provision for Amortization and Depletion of Gas Utility Plant, by adding new classification "(6) Base Load LNG Terminaling and Processing Plant" and renumbering present functions 6 through 8 as 7 through 9.

(b) Add new "Account 164.3, Liquefied Natural Gas Held for Processing" immediately following "Account 164.2, Liquefied Natural Gas Stored."

As amended, the text of the Balance Sheet Accounts will read:

Balance Sheet Accounts

* * * * *

ASSETS AND OTHER DEBITS

1. UTILITY PLANT

* * * * *

**108 Accumulated provision for depreciation of gas utility plant.**

* * * * *

C. * * * For purposes of analysis, however, each utility shall maintain subsidiary records in which this account is segregated according to the following, functional classification for gas plant: (1) Production—manufactured gas, (2) Production and gathering—natural gas, (3) Products extraction—natural gas, (4) Underground gas storage, (5) Other storage, (6) Base load LNG terminaling and processing plant, (7) Transmission, (8) Distribution, and (9) General. * * *

* * * * *

**111 Accumulated provision for amortization and depletion of gas utility plant.**

* * * * *

C. * * * For purposes of analysis, however, each utility shall maintain subsidiary records in which this account is segregated according to the following functional classification for gas plant: (1) Production—manufactured gas. (2) Production and gathering—natural gas, (3) Products extraction—natural gas, (4) Underground gas storage, (5) Other storage, (6) Base load LNG terminaling and processing plant, (7) Transmission, (8) Distribution, and (9) General. * * *

* * * * *

3. CURRENT AND ACCRUED ASSETS

**164.3 Liquefied natural gas held for processing.**

A. This account shall include the cost of base load liquefied natural gas available for vaporization and injection into the utility's natural gas system.

B. Natural gas purchased in a liquefied form shall be priced at the cost of such gas to the utility.

C. Amounts debited to this account for liquefied natural gas purchased for processing and credited for liquefied natural gas used in processing shall be respectively credited and debited to account 804.2, Liquefied Natural Gas Held for Processing, Net.

D. Withdrawals of gas held for vaporization may be priced according to the first-in-first-out, last-in-first-out or weighted average cost method provided the method adopted by the utility is used consistently from year to year and inventory records are maintained in accordance therewith. Commission approval must be obtained for any other pricing method or for any change in the pricing method adopted by the utility. Separate records shall be maintained for Mcf (or Btu) of liquefied gas purchased for processing, used in processing, and remainnig for processing.

E. Adjustments for inventory losses shall be charged to Account 849.13, Gas Losses.

* * * * *

(4) Amend the Gas Plant Chart of Accounts by amending the title of the subsection "3. Natural Gas Storage Plant" and by adding a new subsection "C. Base Load Liquefied Natural Gas Terminaling and Processing Plant" and related accounts thereunder.

As amended, the Gas Plant Chart of Accounts will read:

Gas Plant Chart of Accounts

* * * * *

3. NATURAL GAS STORAGE AND PROCESSING PLANT

* * * * *

C. BASE LOAD LIQUEFIED NATURAL GAS TERMINALING AND PROCESSING PLANT

364.10 Land and land rights.
364.20 Structures and improvements.
364.30 LNG processing terminal equipment.
364.40 Measuring and regulating equipment.
364.50 Compressor station equipment.
364.60 Communication equipment.
364.70 Other equipment.

* * * * *

(5) In the text of the Gas Plant Accounts: (a) Amend the title of Subsection "3. Natural Gas Storage Plant" to read: "3. Natural Gas Storage and Processing Plant", and amend instruction thereto.

(b) Add new subsection "C. Base Load Liquefied Natural Gas Terminaling and Processing Plant" and related accounts immediately following Account 363.5, Other Equipment.

As amended, the text of the Gas Plant Accounts will read:

Gas Plant Accounts

* * * * *

3. NATURAL GAS STORAGE AND PROCESSING PLANT

NOTE.—The accounts under subsections A and B hereunder are to be used by the transmission and distribution companies for the classification of storage facilities used for peak shaving operations. The accounts shall be subdivided to classify the peak shaving storage facilities according to the transmission or distribution function, if the utility operates both transmission and distribution systems. Only base load liquefied natural gas terminaling and processing facilities are to be classified under subsection C, Base Load Liquefied Natural Gas Terminaling and Processing Plant.

* * * * *

C. BASE LOAD LIQUEFIED NATURAL GAS TERMINALING AND PROCESSING PLANT

**364.10 Land and land rights.**

A. This account shall include the cost of land and land rights used in connection with liquefied natural gas terminaling and processing operations. (See gas plant instruction 7.)

**364.20 Structures and improvements.**

A. This account shall include the cost in place of structures and improvements used in connection with liquefied natural gas terminaling and processing operations. (See gas plant instruction 8.)

B. This account shall be subdivided as follows:

Docking and harbor facilities.
LNG processing terminal structures.
Measuring and regulating structures.
Compressor station structures.
Other structures.

**364.30 LNG processing terminal equipment.**

This account shall include the cost installed of equipment used to receive, hold, and regasify liquefied natural gas for delivery into the utility's transmission or distribution system. Among the liquefied natural gas processing functions accommodated under this account are: offloading of the liquid gas, holding the liquid gas for processing, boil-off and diplacement of vapor, vaporization of liquefied gas, sendout of vaporized gas and power generation.

ITEMS

1. Aftercoolers.
2. Air compressors.
3. Air coolers.
4. Alarm systems.
5 Blowers.
6. Controls and control apparatus.
7. Dikes.
8. Drums.
9. Electrical power and ignition circuits including wiring and conduits.
10. Fire control devices and equipment.
11. Foundations.
12. Gas compressors.
13. Generators.
14. Heat exchangers.
15 Heaters and reheaters.
16. Instrumentation.
17. Intercoolers.
18. Liquefied gas holders and storage tanks.
19. Nitrogen system equipment.
20. Plant piping including pipe supports.
21. Pollution control facilities.
22. Pumps and driving units.
23. Stacks.
24. Tanks, other than LNG storage tanks (including ladders, stairs, walkways, and lighting).
25 Unloading and loading arms, and appurtenant equipment.
26. Vaporizers.
27. Waste heat recovery units.
28. Water craft and accessory equipment.
29. Miscellaneous other LNG equipment.

**364.40 Measuring and regulating equipment.**

This account shall include the cost installed of meters, gauges and other equipment used in measuring or regulating liquefied natural gas and vaporized natural gas converted from a liquid state in connection with liquefied natural gas operations prior to entrance of vaporized gas into the utility's transmission or distribution system.

ITEMS

1. Automatic control equipment.
2. Boilers, heaters, etc.
3. Foundation, pits, etc.
4. Gas cleaners, scrubbers, separators, dehydrators, etc.
5. Gauges and instruments, including piping, fittings, wiring, etc., and panel boards.
6. Headers.

7. Meters, orifice or positive, including piping and connections.
8. Oil fogging equipment.
9. Odorizing equipment.
10. Regulators or governors, including controls and instruments.
11. Structures of a minor or portable type.

**364.50 Compressor station equipment.**

This account shall include the cost installed of compressor station equipment and associated appliances used in connection with liquefied natural gas operations prior to entrance of vaporized gas into the utility's transmission or distribution system.

ITEMS

1. Boiler plant, coal handling and ash handling equipment for steam powered compressor station.
2. Compressed air system equipment.
3. Compressor equipment and driving units, including auxiliaries, foundations, guard rails, and enclosures, etc.
4. Electric system equipment, including generating equipment and driving units, power wiring, transformers, regulators, battery equipment, switchboard, etc.
5. Fire fighting equipment.
6. Gas lines and equipment, including fuel supply lines, cooling tower and pond and associated equipment, dehydrators, fuel gas mixers, special pipebands and connections, and associated scrubbers, separators, tanks, gauges and instruments.
7. Laboratory and testing equipment.
8. Lubricating oil system, including centrifuge, filter, tanks, purifier, and lubricating oil piping, etc.
9. Office furniture and fixtures and general equipment such as steel lockers, first-aid equipment, gasoline dispensing equipment, lawn mowers, incinerators, etc.
10. Shop tools and equipment.
11. Water supply and circulation system, including water well, tank, water piping, cooling tower, spray fence, and water treatment equipment, etc., but not including water system equipment used solely for domestic and general use.

**364.60 Communication equipment.**

This account shall include the cost installed of radio, telephone, microwave, and other equipment used wholly or predominantly in connection with the operation and maintenance of the liquefied natural gas system. (See also accounts 370 and 397, Communication Equipment.)

ITEMS

1. Carrier terminal equipment including repeaters, power supply equipment, transmitting and receiving sets.
2. Microwave equipment, including power supply equipment, transmitters, amplifiers, paraboloids, towers, reflectors, receiving equipment, etc.
3. Radio equipment, fixed and mobile, including antenna, power equipment, transmitters and receivers, and portable receiver-transmitter units.
4. Telephone equipment including switchboards, power and testing equipment, conductors, pole lines, etc.

**364.70 Other equipment.**

This account shall include the cost installed equipment used in liquefied natural gas operations, when not assignable to any of the foregoing accounts.

ITEMS

1. Garage and service equipment.
2. General tools, including power operated equipment.
3. Laboratory equipment.
4. Materials handling equipment.
5. Office furniture and equipment.
6. Shop equipment.
7. Tools, other than small hand tools.
8. Other equipment.

(6) Amend the Operation and Maintenance Expense Chart of Accounts as follows:

(a) Add new accounts. "804.1, Liquefied Natural Gas Purchased" and "804.2, Liquefied Natural Gas Held for Processing—Net," immediately following account "804, Natural Gas City Gate Purchases."

(b) Amend title of expense function "2. Natural Gas Storage Expenses" to read "2. Natural Gas Storage, Terminaling and Processing Expenses."

(c) Add a new expense subsection "C. Liquefied Natural Gas Terminaling and Processing Expenses" and related accounts immediately following account "848.3, Maintenance of Other Equipment."

As amended, the Operation and Maintenance Expense Chart of Accounts will read:

Operation and Maintenance Expense Chart of Accounts

1. PRODUCTION EXPENSES

* * * * *

D. OTHER GAS SUPPLY EXPENSES

* * * * *

804.1 Liquefied natural gas purchased.
804.2 Liquefied natural gas held for processing—net.

* * * * *

2. NATURAL GAS STORAGE, TERMINALING AND PROCESSING EXPENSES

* * * * *

C. LIQUEFIED NATURAL GAS TERMINALING AND PROCESSING EXPENSES

Operation

849.01 Operation supervision and engineering.
849.02 LNG processing terminal labor and expenses.
849.03 Measuring and regulating labor and expenses.
849.04 Compressor station labor and expenses.
849.05 Communication system expenses.
849.06 System control and load dispatching.
849.07 Fuel.
849.08 Power.
849.09 Rents.
849.10 Demurrage charges.
849.11 Wharfage receipts—credit.
849.12 Processing liquefied or vaporized gas by others.
849.13 Gas losses.
849.14 Other expenses.

Maintenance

849.21 Maintenance supervision and engineering.
849.22 Maintenance of structures and improvements.
849.23 Maintenance of LNG processing terminal equipment.
849.24 Maintenance of measuring and regulating equipment.
849.25 Maintenance of compressor station equipment.
849.26 Maintenance of communication equipment.
849.27 Maintenance of other equipment.

(7) Amend the text of Operation and Maintenance Expense Accounts as follows:

(a) Add new accounts "804.1, Liquefied Natural Gas Purchases" and "804.2, Liquefied Natural Gas Held for Processing—Net," immediately following account "804, Natural Gas City Gate Purchases."

(b) Amend expense function title "2. Natural Gas Storage Expense" to read "2. Natural Gas Storage, Terminaling and Processing Expenses."

(c) Add a new expense subsection to the expense function "2. Natural Gas Storage and Processing Expenses," entitled "C. Liquefied Natural Gas Terminaling and Processing Expenses", and related accounts immediately following account "848.3, Maintenance of Other Equipment."

As amended, the text of the Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

1. PRODUCTION EXPENSES

* * * * *

D. OTHER GAS SUPPLY EXPENSES

* * * * *

**804.1 Liquefied natural gas purchases.**

A. This account shall include the cost, including transportation, at point of receipt by the utility, of liquefied natural gas purchased for the purpose of vaporization and injection into the utility's transmission or distribution system for resale.

B. The records supporting this account shall be so maintained that there shall be readily available for each vendor and point of receipt, the quantity of liquefied natural gas purchased, basis of charges, the amount paid for the liquefied gas, and transportation charges incurred up to the point of receipt of the liquefied gas.

**804.2 Liquefied natural gas held for processing—net.**

A. This account shall include credits for the cost including transportation of liquefied gas purchased for processing and debits for the cost of liquefied gas used for processing during the year. Respective contra debits and credits for entries to this account shall be made to account 164.3, Liquefied Natural Gas Held for Processing.

B. Deliveries and withdrawals of liquefied gas held for processing shall be netted within this account.

NOTE.—Adjustments for gas inventory losses due to cumulative inaccuracies in gas measurement, or from other causes, shall be entered in account 849.13, Gas Losses, in the month determined, if, however, any adjustment is substantial, the utility may, with approval of the Commission, amortize the amount of the adjustment to account 849.13 over future operating periods.

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2. NATURAL GAS STORAGE, TERMINALING AND PROCESSING EXPENSES

* * * * *

C. LIQUEFIED NATURAL GAS TERMINALING AND PROCESSING EXPENSES

Operation

**849.01 Operations supervision and engineering.**

This account shall include the cost of labor and expenses incurred in the general supervision and direction of operations of liquefied natural gas facilities. Direct supervision of specific activities shall be charged to the appropriate operations accounts.

**849.02 LNG processing terminal labor and expenses.**

This account shall include the cost of labor, materials used and expenses incurred in operating liquefied natural gas processing equipment.

ITEMS

Labor:

1. Supervising.
2. Operating, checking, lubricating, cleaning, and polishing equipment, machinery, valves, instruments, and other processing equipment.
3. Reading meters, gauges and other instruments, changing charts, preparing operating reports, etc.
4. Inspecting and testing equipment when not specifically for repairs or replacement of parts.
5. Cleaning structures housing equipment, cutting grass and weeds, and doing minor grading work around structures and equipment.
6. Cleaning and repairing hand tools used for operations, etc.
7. Operating offshore facilities such as piers, docks, loading and unloading arms, water craft, etc.

Materials and expenses:

8. Charts for pressure gauges and meters, printed forms, office supplies, etc.
9. Lubricants, wiping rags, cleaning materials, etc.
10. Janitor and washroom supplies, landscaping supplies, etc.
11. Employee travel and transportation expenses.
12. Freight, express, parcel post, trucking, and other transportation.
13. Utility services: light, water, and telephone.
14. Chemicals.
15. Refrigerants.
16. Small hand tools.

**849.03 Measuring and regulating labor and expenses.**

This account shall include the cost of labor, materials used and expenses incurred in operating measuring and regulating stations in connection with liquefied natural gas operations.

ITEMS

Labor:

1. Supervising.
2. Recording pressures and changing charts, reading meters, etc.
3. Estimating lost meter registrations, etc., except gas purchases and sales.
4. Calculating gas volumes from meter charts, except gas purchases and sales.
5. Adjusting and calibrating measuring equipment, changing meters, orifice plates, gauges, clocks, etc. not in connection with construction or maintenance.
6. Testing gas samples, determining specific gravity and Btu content of gas.
7. Inspecting and testing equipment not specifically to determine necessity for repairs including pulsation tests.
8. Cleaning and lubricating equipment.
9. Keeping log and other operating records, preparing reports of operations, etc.
10. Attending boilers and operating other accessory equipment.
11. Installing and removing district gauges for pressure survey.
12. Thawing freeze in gauge pipe.
13. Inspecting and pumping drips, dewatering manholes and pits, inspecting sumps, cleaning pits, etc., blowing meter drips.
14. Moving equipment, minor structures, etc., not in connection with maintenance or construction.

Materials and expenses:

15. Charts and printed forms.
16. Lubricants, wiping rags, waste.
17. Employees' transportation and travel expense.
18. Freight, express, parcel post, trucking and other transportation.
19. Utility services: light, water, telephone.

**849.04 Compressor station labor and expenses.**

This account shall include the cost of labor, materials used and expenses incurred, including fuel and power, in operating compressor stations in connection with liquefied natural gas operations.

ITEMS

Labor:

1. Supervising.
2. Operating and checking engines, equipment valves, machinery, gauges, and other instruments, including cleaning, wiping, polishing, and lubricating.
3. Operating boilers and boiler accessory equipment, including fuel handling, recording fuel used, etc.
4. Repacking valves and replacing gauge glasses, etc.
5. Recording pressures, replacing charts, keeping logs, and preparing reports of station operations.
6. Pumping drips at the station.
7. Taking dew point readings.
8. Testing water.
9. Cleaning structures housing equipment, cutting grass and weeds, and minor grading around station.
10. Cleaning and repairing hand tools used in operations.
11. Driving trucks.
12. Watching during shutdowns.
13. Clerical work at station.

Materials and expenses:

14. Scrubber oil.
15. Lubricants, wiping rags, waste.
16. Charts and printed forms, etc.
17. Gauge glasses.
18. Chemicals to treat water.
19. Water tests and treatment by other than employees.
20. Janitor and washroom supplies, first aid supplies, landscaping supplies, etc.
21. Employees' transportation and travel expenses.
22. Freight, express, parcel post, trucking, and other transportation.
23. Utility services: light, water, telephone.

**849.05 Communication system expenses.**

This account shall include the cost of labor, materials used and expenses incurred in connection with the operation of liquefied natural gas communications facilities, such as radio, telephone, microwave and other communication systems, including payments to others for communications services.

ITEMS

Labor:

1. Supervising.
2. Operating switchboards, radio equipment, power generators, microwave equipment, etc. (except general office switchboards).
3. Tagging telephone poles.
4. Testing and replacing telephone batteries, radio tubes, etc.
5. Cutting weeds and grass along telephone rights-of-way and around structures and equipment.
6. Changing radio frequencies.
7. Securing FCC authorization to change frequencies.
8. Taking FCC radio operator tests.
9. Transferring mobile radios between vehicles and/or vessels.
10. Changing locations of telephones and other communications equipment not in connection with maintenance or construction.
11. Inspecting and testing not specifically to determine necessity for repairs.
12. Cleaning and lubricating equipment.
13. Cleaning structures housing equipment.

Materials and expenses:

14. Payments to others for communications services.
15. Telephone batteries, radio tubes and other electronic components.
16. Radio crystals and other materials used in changing radio frequencies.
17. Lubricants, wiping rags, and waste.
18. Employees' transportation and travel expenses.
19. Freight, express, parcel post, trucking and other transportation.

**849.06 System control and load dispatching.**

This account shall include the cost of labor and expenses incurred in dispatching and controlling the supply and flow of liquefied gas and vaporized gas prior to introduction of such vaporized gas into the utility's transmission or distribution system.

Labor:

1. Supervising.
2. Analysis of pressures for irregularities, as received.
3. Collecting pressures by telephone and radio.

4. Controlling mixture of various gases to maintain proper Btu content.
5. Correspondence and records, typing and maintaining files.
6. Controlling inputs and withdrawals of liquefied gas for processing.
7. Instructing field men to increase or decrease pressures at regulators.
8. Maintaining pressures at compressor stations, key line junctions and regulating stations to divide the available gas during heavy demand periods.
9. Maintaining pressure log sheets.
10. Maintaining proper compression ratios at compressor stations, consistent with economical operations.
11. Maintaining lowest necessary line pressures consistent with satisfactory service.
12. Requesting pressure changes at compressor stations, regulating stations, and key line junctions.
13. Rerouting gas during emergencies and planned shutdowns.

Materials and expenses:
14. Consultants' fees and expenses.
15. Meals, travelling and incidental expenses in connection with system load dispatching.
16. Office supplies, stationery and printed forms.
17. Transportation: company and rental vehicles.
18. Utility services: light, water, telephone.

**849.07 Fuel.**

A. This account shall include the cost of gas or other fuel used for the operation of liquefied natural gas terminaling and processing facilities, except compressor station fuel.

B. Concurrent credits offsetting charges to this account for natural gas used for fuel shall be made to account 812, Gas Used for Other Utility Operations—Credit.

**849.08 Power.**

This account shall include the cost of purchased electricity consumed for operation of liquefied natural gas processing facilities, except compressor station power.

**849.09 Rents.**

This account shall include the cost of rents of property of others used, occupied or operated in connection with liquefied natural gas processing operations. (See operating expense instruction 3.)

**849.10 Demurrage charges.**

This account shall include demurrage charges incurred by the utility relative to LNG shipments received or processed by the utility.

**849.11 Wharfage receipts—credit.**

This account shall include wharfage receipts received or receivable from LNG shippers or other parties relative to LNG shipments received or processed by the utility.

**849.12 Processing of liquefied or vaporized gas by others.**

A. This account shall include amounts paid to others for the processing of liquefied or vaporized gas of the utility.

B. Records supporting this account shall be so maintained that there shall be readily available for each agreement, the name of the other party, Mcf or Btu, as appropriate, of gas delivered to the other party for processing and the Mcf or Btu, as appropriate, of gas received back by the utility after processing, points of delivery to and receipt of gas from the other party, amount and basis of charges for the processing service.

NOTE.—If in connection with any gas delivered to another for processing such other party also processes the gas for extraction of gasoline or other salable products, credits attributable to the products so extracted shall be made to account 491, Revenues from Natural Gas Processed by Others, to the end that amounts recorded in this account shall only be charges for processing other than for extraction of salable products.

**849.13 Gas losses.**

This account shall include the amounts of inventory adjustments representing the cost of gas lost or unaccounted for in liquefied natural gas operations due to cumulative inaccuracies of gas measurements or other causes. (See paragraph E of account 164.3, Liquefied Natural Gas Held for Processing.) If, however, any adjustment is substantial, the utility may, with approval of the Commission, amortize the amount of the adjustment to this account over future operating periods.

**849.14 Other expenses.**

This account shall include the cost of labor, materials used, and expenses incurred in operating liquefied natural gas plant not includible elsewhere.

MAINTENANCE

**849.21 Maintenance supervision and engineering.**

This account shall include the cost of labor and expenses incurred in the general supervision and direction of maintenance of liquefied natural gas terminaling and processing facilities. Direct field supervision of specific jobs shall be charged to the appropriate maintenance accounts. (See operating expense instruction 1.)

**849.22 Maintenance of structures and improvements.**

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of structures and improvements, the book cost of which is included in account 364.20, Structures and Improvements. (See operating expense instruction 2.)

**849.23 Maintenance of LNG processing terminal equipment.**

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of LNG terminal processing equipment, the book cost of which is included in Account 364.30, LNG Processing Terminal Equipment. (See operating expense instruction 2.)

**849.24 Maintenance of measuring and regulating equipment.**

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of measuring and regulating equipment, the book cost of which is included in account 364.40, Measuring and Regulating Equipment. (See operating expense instruction 2.)

**849.25 Maintenance of compressor station equipment.**

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of compressor station equipment, the book cost of which is included in account 364.50, Compressor Station Equipment. (See operating expense instruction 2.)

**849.26 Maintenance of communication equipment.**

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of communication equipment, the book cost of which is included in account 364.60, Communication Equipment. (See operating expense instruction 2.)

**849.27 Maintenance of other equipment.**

This account shall include the cost of labor, materials used and expenses incurred in the maintenance of equipment, the book cost of which is included in account 364.70, Other Equipment. (See operating expense instruction 2.)

(B) Effective for the reporting year 1977, it is proposed to amend certain schedule pages of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B), prescribed by S260.1, Chapter I, Title 18 of the Code of Federal Regulations as follows:

| *Page No.* | |
|---|---|
| 110 | Comparative Balance Sheet. |
| 207A | Gas Stored. |
| 355 | Distribution of Salaries and Wages. |
| 501 | Gas Plant in Service. |
| 508 | Accumulated Provision for Depreciation of Gas Utility Plant. |
| 528–529 | Gas Operation and Maintenance Expenses. |
| 532 | Summary of Gas Operation and Maintenance Expenses. |
| 535 | Gas Purchases. |
| 545 | Depreciation, Depletion, and Amortization of Gas Plant. |

as set out in Attachment A, hereto.

(C) The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
*Secretary.*

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Annual Report of . . . . . Year ending December 31, 19 . .

## STATEMENT A COMPARATIVE BALANCE SHEET
### Assets and Other Debits

| Line No. | Title of Account (a) | Page No. (b) | Balance Beginning of Year (c) | Balance End of Year (d) | Increase or (Decrease) (e) |
|---|---|---|---|---|---|
| | Utility Plant* | | $ | $ | $ |
| 1 | Utility plant (101-106, 114) | 113 | | | |
| 2 | Construction Work in Progress (107) | 113 | | | |
| 3 | Total Utility Plant | | $ | $ | $ |
| 4 | Less Acumulated Provision for Depreciation, Amortization and Depletion (108-111, 115) | 113 | | | |
| 5 | Net Utility Plant | 113 | $ | $ | $ |
| 6 | Gas Stored Underground-Noncurrent (117) | 207A | | | |
| 7 | Utility Plant Adjustments (116) | 112 | | | |
| | Other Property and Investments | | | | |
| 8 | Nonutility Property (121) (less Accum. Prov. for Depr. & Amort. included in (122) $.....) | 201 | | | |
| 9 | Investment in Associated Companies (123) | 202 | | | |
| 10 | Investment in Subsidiary Companies (Cost $_____) (123.1) | 203 | | | |
| 11 | Other Investments (124) | 202 | | | |
| 12 | Special Funds (125 - 128) | — | | | |
| 13 | Total Other Property and Investments | | $ | $ | $ |
| | Current and Accrued Assets | | | | |
| 14 | Cash (131) | — | | | |
| 15 | Special Deposits (132 - 134) | — | | | |
| 16 | Working Funds (135) | — | | | |
| 17 | Temporary Cash Investments (136) | 202 | | | |
| 18 | Notes and Accounts Receivable (less Accumulated Provision for Uncoll. Accts.) (141 - 144) | 204 | | | |
| 19 | Receivables from Assoc. Companies (145, 146) | 206 | | | |
| 20 | Materials and Supplies (151 - 156, 163) | 207 | | | |
| 21 | Gas Stored Underground-Current (164.1) | 207A | | | |
| 22 | Liquefied Natural Gas Stored (164.2) | 207A | | | |
| 23 | Prepayments (165) | 210 | | | |
| 24 | Advances for Gas Exploration, Development and Production (166) | 210B | | | |
| 25 | Other Advances for Gas (167) | 210B | | | |
| 26 | Interest and Dividends Receivable (171) | — | | | |
| 27 | Rents Receivable (172) | — | | | |
| 28 | Accrued Utility Revenues (173) | — | | | |
| 29 | Misc. Current and Accrued Assets (174) | 210 | | | |
| 30 | Total Current and Accrued Assets | | $ | $ | $ |
| | Deferred Debits | | | | |
| 31 | Unamortized Debt Expense (181) | 211 | | | |
| 32 | Extraordinary Property Losses (182) | 210 | | | |
| 33 | Prelim. Survey and Investigation Charges (183.1, 183.2) | 212 | | | |
| 34 | Clearing Accounts (184) | — | | | |
| 35 | Temporary Facilities (185) | — | | | |
| 36 | Miscellaneous Deferred Debits (186) | 214 | | | |
| 37 | Deferred Losses from Disposition of Utility Plant (187) | 214A | | | |
| 38 | Research & Development Expenditures (188) | 572 | | | |
| 39 | Unamortized Loss on Reacquired Debt (189) | 214B | | | |
| 40 | Accumulated Deferred Income Taxes (190) | 214C | | | |
| 41 | Unrecovered Purchased Gas Costs (191) | — | | | |
| 42 | Total Deferred Debits | | $ | $ | $ |
| 43 | Total Assets and Other Debits | | $ | $ | $ |

Add: Liquefied Natural Gas Held for Processing (164.3)

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*These accounts are conformed to NARUC accounts in which amounts recorded in FPC accounts 118 and 119 are classified to the accounts indicated under this caption.

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Annual report of.....Year ended December 31, 19....

## GAS STORED (Account 117, 164.1 and 164.2)

1. Report below the information called for concerning inventories of gas stored.
2. The Uniform System of Accounts provides that inventory cost records be maintained on a consolidated basis for all storage projects with separate records showing the Mcf of inputs and withdrawals and balance for each project, except under certain specified circumstances. If the respondent's inventory cost records are not maintained on a consolidated basis for all storage projects, furnish an explanation of the accounting followed and reason for any deviation from the general basis provided by the Uniform System of Accounts. Separate schedules on this schedule form should be furnished for each group of storage projects for which separate inventory cost records are maintained.
3. If during the year adjustment was made of the stored gas inventory, such as to correct for cumulative inaccuracies of gas measurements, furnish an explanation of the reason for the adjustment, the Mcf and dollar amount of adjustment and account charged or credited.
4. Give a concise statement of the facts and the accounting performed with respect to any encroachment of withdrawals during the year, or restoration of previous encroachment, upon *native gas* constituting the "gas cushion" of any storage reservoir.
5. If the respondent uses a "base stock" in connection with its inventory accounting, give a concise statement of the basis of establishing such "base stock" and the inventory basis and the accounting performed with respect to any encroachment of withdrawals upon "base stock," or restoration of previous encroachment, including brief particulars of any such accounting during the year.
6. If respondent has provided accumulated provision for stored gas which may not eventually be fully recovered from any storage project furnish a statement showing: (a) date of Commission authorization of such accumulated provision (b) explanation of circumstances requiring such provision (c) basis of provision and factors of calculation (d) estimated ultimate accumulated provision accumulation (e) a summary showing balance of accumulated provision and entries during year.
7. Pressure base of gas volumes reported in this schedule is 14.73 psia at 60° F.

| Line No. | Description (a) | Noncurrent (Account 117) (b) | Current (Account 164.1) (c) | LNG (Account 164.2) (d) | Total (e) |
|---|---|---|---|---|---|
| 1 | Balance, beginning of year | $ | $ | $ | $ |
| 2 | Gas delivered to storage | | | | |
| 3 | (contra Acct. 809) | Change to: (Account 117, 164.1, 164.2 and 164.3) | | Add: LNG (Account 164.3) | |
| 4 | Gas withdrawn from storage | | | | |
| 5 | (contra Acct. 808) | | | | |
| 6 | Other debits or credits (Explain) | | | | |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |
| 11 | | | | | |
| 12 | Balance, end of year | $ | $ | $ | $ |
| 13 | Mcf | | | | |
| 14 | Amount per Mcf | | | | |
| 15 | State basis of segregation of inventory between current and noncurrent portions. | | | | |
| 16 | | | | | |
| 17 | Gas delivered to storage: | | | | |
| 18 | Mcf | | | | |
| 19 | Amount per Mcf | | | | |
| 20 | Cost basis of gas delivered to storage: | | | | |
| 21 | Specify: Own production (give production area, see uniform system of accounts); average system purchases; specific | | | | |
| 22 | | | | | |
| 23 | purchases (state which purchases). | | | | |
| 24 | Does cost of gas delivered to storage include any expenses for | | | | |
| 25 | use of respondent's transmission, storage, or other facilities? | | | | |
| 26 | ..... If so, give particulars and date of Com- | | | | |
| 27 | mission approval of the accounting. | | | | |
| 28 | | | | | |
| 29 | Gas withdrawn from storage: | | | | |
| 30 | Mcf | | | | |
| 31 | Amount per Mcf | | | | |
| 32 | Cost basis of withdrawals: | | | | |
| 33 | Specify: average cost, lifo, fifo. (Explain any change in | | | | |
| 34 | inventory basis during year and give date of Commission | | | | |
| 35 | approval of the change or approval of an inventory basis | | | | |
| 36 | different from that referred to in uniform system of ac- | | | | |
| 37 | counts.) | | | | |
| 38 | | | | | |
| 39 | | | | | |
| 40 | | | | | |
| 41 | | | | | |

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Annual report of

Year ended December 31, 19

## DISTRIBUTION OF SALARIES AND WAGES

Report below the distribution of total salaries and wages for the year. Amounts originally charged to clearing accounts should be segregated as to *Utility Departments, Construction, Plant Removals, and Other Accounts*, and shown in the appropriate lines and spaces provided for such amounts on pages 355 and 356. In determining this segregation of salaries and wages originally charged to clearing accounts a method of approximation giving substantially correct results may be used.

| Line No. | Classification (a) | Direct Payroll Distribution (b) | Allocation of Payroll Charged Clearing Accounts (c) | Total (d) |
|---|---|---|---|---|
| 1 | ELECTRIC | $ | $ | $ |
| 2 | Operation: | | | |
| 3 | Production | | | |
| 4 | Transmission | | | |
| 5 | Distribution | | | |
| 6 | Customer Accounts | | | |
| 7 | Customer Service and Informational | | | |
| 8 | Sales | | | |
| 9 | Administrative and General | | | |
| 10 | Total Operation | | | |
| 11 | Maintenance: | | | |
| 12 | Production | | | |
| 13 | Transmission | | | |
| 14 | Distribution | | | |
| 15 | Administrative and General | | | |
| 16 | Total Maintenance | | | |
| 17 | Total Operation and Maintenance: | | | |
| 18 | Production | | | |
| 19 | Transmission | | | |
| 20 | Distribution | | | |
| 21 | Customer Accounts | | | |
| 22 | Customer Service and Informational | | | |
| 23 | Sales | | | |
| 24 | Administrative and General | | | |
| 25 | Total Operation and Maintenance | | | |
| 26 | GAS | | | |
| 27 | Operation: | | | |
| 28 | Production—Manufactured Gas | | | |
| 29 | Production—Natural Gas (incl. Expl. and Dev.) | | | |
| 30 | Other Gas Supply | | | |
| 31 | Storage | | | |
| 32 | Transmission | | | |
| 33 | Distribution | | | |
| 34 | Customer Accounts | | | |
| 35 | Customer Service and Informational | | | |
| 36 | Sales | | | |
| 37 | Administrative and General | | | |
| 38 | Total Operation | | | |
| 39 | Maintenance: | | | |
| 40 | Production—Manufactured Gas | | | |
| 41 | Production—Natural Gas | | | |
| 42 | Other Gas Supply | | | |
| 43 | Storage | | | |
| 44 | Transmission | | | |
| 45 | Distribution | | | |
| 46 | Administrative and General | | | |
| 47 | Total Maintenance | | | |
| 48 | | | | |
| 49 | | | | |
| 50 | | | | |

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Change to: Storage, LNG Terminaling and Processing

Continued

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## DISTRIBUTION OF SALARIES AND WAGES (Continued)

| Line No. | Classification (a) | Direct Payroll Distribution (b) | Allocation of Payroll Charged Clearing Accts. (c) | Total (d) |
|---|---|---|---|---|
| | GAS (Continued) | $ | $ | $ |
| 51 | Total Operation and Maintenance: | | | |
| 52 | Production—Manufactured Gas | | | |
| 53 | Production—Natural Gas (incl. Expl. and Dev.) | | | |
| 54 | Other Gas Supply | | | |
| 55 | Storage | | | |
| 56 | Transmission | | | |
| 57 | Distribution | | | |
| 58 | Customer Accounts | | | |
| 59 | Customer Service and Informational | | | |
| 60 | Sales | | | |
| 61 | Administrative and General | | | |
| 62 | Total Operation and Maintenance | | | |
| 63 | OTHER UTILITY DEPARTMENTS | | | |
| 64 | Operation and Maintenance | | | |
| 65 | Total All Utility Departments | | | |
| 66 | UTILITY PLANT | | | |
| 67 | Construction (by utility departments): | | | |
| 68 | Electric Plant | | | |
| 69 | Gas Plant | | | |
| 70 | Other | | | |
| 71 | Total Construction | | | |
| 72 | Plant Removal (by utility departments): | | | |
| 73 | Electric Plant | | | |
| 74 | Gas Plant | | | |
| 75 | Other | | | |
| 76 | Total Plant Removal | | | |
| 77 | Other Accounts (Specify): | | | |
| 78 | | | | |
| 79 | | | | |
| 80 | | | | |
| 81 | | | | |
| 82 | | | | |
| 83 | | | | |
| 84 | | | | |
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| 95 | | | | |
| 96 | | | | |
| 97 | | | | |
| 98 | | | | |
| 99 | | | | |
| 100 | | | | |
| 101 | | | | |
| 102 | | | | |
| 103 | | | | |
| 104 | | | | |
| 105 | TOTAL SALARIES AND WAGES | | | |

Change to: Storage, LNG Terminaling and Processing

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## GAS PLANT IN SERVICE (Continued)

| Line No. | Account (a) | Balance beginning of year (b) | Additions (c) | Retirements (d) | Adjustments (e) | Transfers (f) | Balance end of year (g) |
|---|---|---|---|---|---|---|---|
| | | $ | $ | $ | $ | $ | $ |
| | 2. PRODUCTION PLANT—Continued | | | | | | |
| | Products Extraction Plant-Continued | | | | | | |
| 33 | 345 Compressor equipment | | | | | | |
| 34 | 346 Gas meas. and reg. equipment | | | | | | |
| 35 | 347 Other equipment | | | | | | |
| 36 | Total Products Extraction Plant | | | | | | |
| 37 | Total Nat. Gas Production Plant | | | | | | |
| 38 | Manufactured Gas Prod. Plant (submit sched.) | | | | | | |
| 39 | Total Production Plant | | | | | | |
| 40 | | | | | | | |
| 41 | 3. Natural Gas Storage Plant | | | | | | |
| 42 | Underground Storage Plant | | | | | | |
| 43 | | | | | | | |
| 44 | 350.1 Land | | | | | | |
| 45 | 350.2 Rights-of-way | | | | | | |
| 46 | 351 Structures and improvements | | | | | | |
| 47 | 352 Wells | | | | | | |
| 48 | 352.1 Storage leaseholds and rights | | | | | | |
| 49 | 352.2 Reservoirs | | | | | | |
| 50 | 352.3 Non-recoverable natural gas | | | | | | |
| 51 | 353 Lines | | | | | | |
| 52 | 354 Compressor station equipment | | | | | | |
| 53 | 355 Measuring and reg. equipment | | | | | | |
| 54 | 356 Purification equipment | | | | | | |
| 55 | 357 Other equipment | | | | | | |
| 56 | Total Underground Storage Plant | | | | | | |
| 57 | | | | | | | |
| 58 | Other Storage Plant | | | | | | |
| 59 | | | | | | | |
| 60 | | | | | | | |
| 61 | 360 Land and land rights | | | | | | |
| 62 | 361 Structures and improvements | | | | | | |
| 63 | 362 Gas holders | | | | | | |
| 64 | 363 Purification equipment | | | | | | |
| 65 | 363.1 Liquefaction equipment | | | | | | |
| 66 | 363.2 Vaporizing equipment | | | | | | |
| 67 | | | | | | | |

Change to: 3. Natural Gas Storage LNG Terminaling Processing Plant

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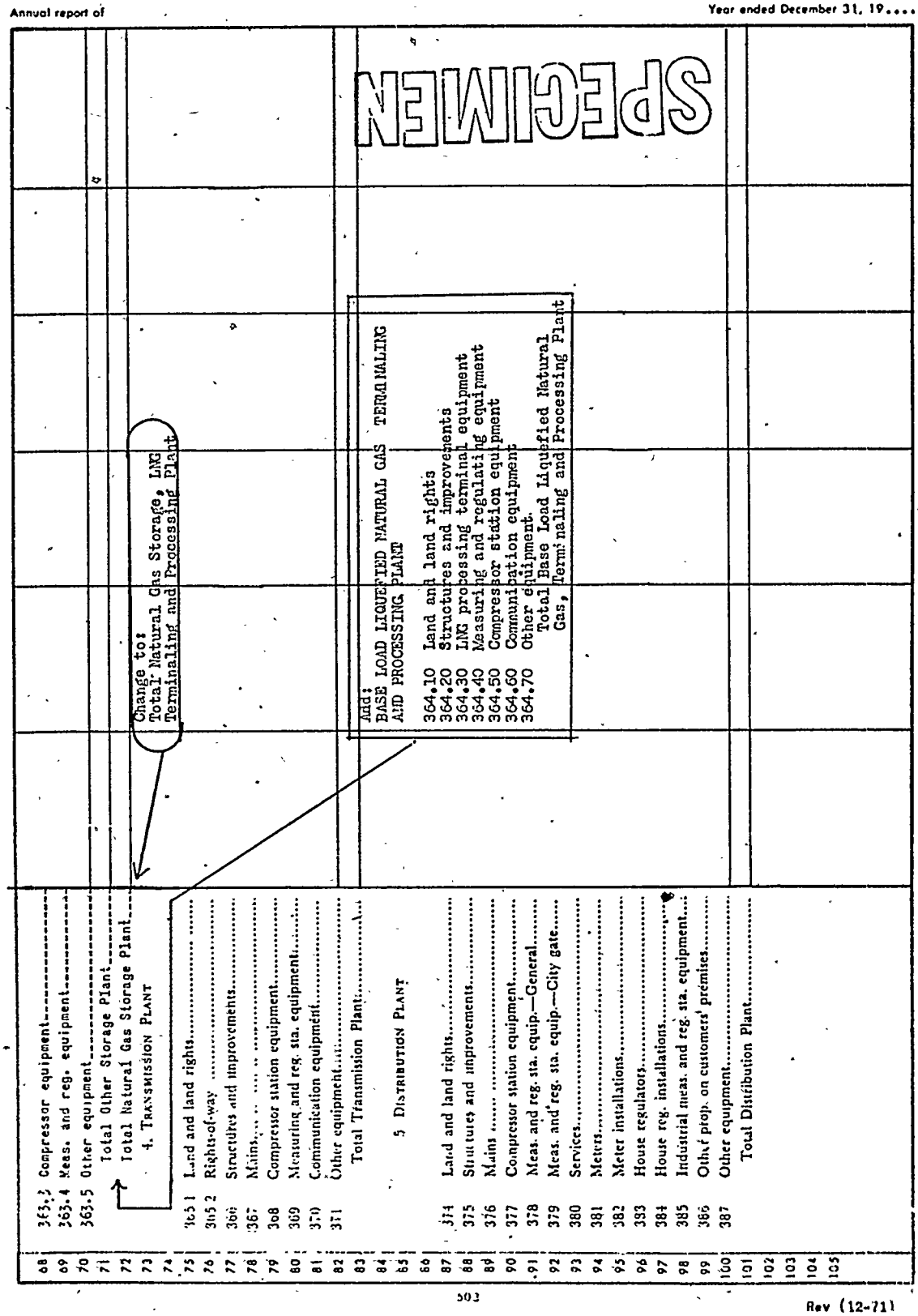


| | | | |
|---|---|---|---|
| 68 | 365.3 | Compressor equipment | |
| 69 | 365.4 | Meas. and reg. equipment | |
| 70 | 365.5 | Other equipment | |
| 71 | | Total Other Storage Plant | |
| 72 | | Total Natural Gas Storage Plant | |
| 73 | | 4. TRANSMISSION PLANT | |
| 74 | | | |
| 75 | 365.1 | Land and land rights | |
| 76 | 365.2 | Rights-of-way | |
| 77 | 366 | Structures and improvements | |
| 78 | 367 | Mains | |
| 79 | 368 | Compressor station equipment | |
| 80 | 369 | Measuring and reg. sta. equipment | |
| 81 | 370 | Communication equipment | |
| 82 | 371 | Other equipment | |
| 83 | | Total Transmission Plant | |
| 84 | | | |
| 85 | | 5. DISTRIBUTION PLANT | |
| 86 | | | |
| 87 | 374 | Land and land rights | |
| 88 | 375 | Structures and improvements | |
| 89 | 376 | Mains | |
| 90 | 377 | Compressor station equipment | |
| 91 | 378 | Meas. and reg. sta. equip.—General | |
| 92 | 379 | Meas. and reg. sta. equip.—City gate | |
| 93 | 380 | Services | |
| 94 | 381 | Meters | |
| 95 | 382 | Meter installations | |
| 96 | 383 | House regulators | |
| 97 | 384 | House reg. installations | |
| 98 | 385 | Industrial meas. and reg. sta. equipment | |
| 99 | 386 | Other prop. on customers' premises | |
| 100 | 387 | Other equipment | |
| 101 | | Total Distribution Plant | |
| 102 | | | |
| 103 | | | |
| 104 | | | |
| 105 | | | |

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Year ended December 31, 19

## ACCUMULATED PROVISION FOR DEPRECIATION OF GAS UTILITY PLANT (Account 108)

1. Report below the information called for concerning provision for depreciation of gas utility plant.
2. Explain any important adjustments during year.
3. Explain any difference between the amount for book cost of plant retired, line 11, column (c), and that reported in the schedule for gas plant in service, pages 501-504, column (d), exclusive of retirements of nondepreciable property.
4. The provisions of account 108 in the Uniform System of Accounts contemplate that retirements of depreciable plant be recorded when such plant is removed from service. If the respondent has a significant amount of plant retired at year end which has not been recorded and/or classified to the various reserve functional classifications, preliminary closing entries should be made to tentatively functionalize the book cost of the plant retired. In addition, all costs included in retirement work in progress at year end should be included in the appropriate functional classifications.
5. Show separately interest credits under a sinking fund or similar method of depreciation accounting.
6. In section B show the amounts applicable to prescribed functional classifications.

### A. Balances and Changes During Year

| Line No | Item (a) | Total (b) | Gas plant in service (c) | Gas plant held for future use (d) | Gas plant leased to others (e) |
|---|---|---|---|---|---|
| | | $ | $ | $ | $ |
| 1 | Balance beginning of year | | | | |
| 2 | Depreciation provisions for year, charged to: | | | | |
| 3 | (403) Depreciation expense | | | | |
| 4 | (413) Expenses of gas plant leased to others | | | | |
| 5 | Transportation expenses-clearing | | | | |
| 6 | Other clearing accounts | | | | |
| 7 | Other accounts (specify) | | | | |
| 8 | | | | | |
| 9 | Total depreciation provisions for year | | | | |
| 10 | Net charges for plant retired: | | | | |
| 11 | Book cost of plant retired | | | | |
| 12 | Cost of removal | | | | |
| 13 | Salvage (credit) | | | | |
| 14 | Net charges for plant retired | | | | |
| 15 | Other debit or credit items (describe): | | | | |
| 16 | | | | | |
| 17 | Balance end of year | | | | |

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### B. Balances at End of Year According to Functional Classifications

| | | | | | |
|---|---|---|---|---|---|
| 18 | Production-manufactured gas | | | | |
| 19 | Production and gathering-natural gas | | | | |
| 20 | Products extraction-natural gas | | | | |
| 21 | Underground gas storage | | | | |
| 22 | Other storage plant | | | | |
| 23 | Transmission | | | | |
| 24 | Distribution | | | | |
| 25 | General | | | | |
| 26 | Total | | | | |

Add: Base load LNG terminaling and processing plant

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GAS OPERATION AND MAINTENANCE EXPENSES (Continued)

| Line No. | Account (a) | Amount for Year (b) | Increase or Decrease from preceding year (c) |
|---|---|---|---|
| 48 | B2. Products Extraction (Continued) | $ | $ |
| 49 | Maintenance: | | |
| 50 | 784 Maintenance supervision and engineering | | |
| 51 | 785 Maintenance of structures and improvements | | |
| 52 | 786 Maintenance of extraction and refining equipment | | |
| 53 | 787 Maintenance of pipe lines | | |
| 54 | 788 Maintenance of extracted products storage equipment | | |
| 55 | 789 Maintenance of compressor equipment | | |
| 56 | 790 Maintenance of gas measuring and reg. equipment | | |
| 57 | 791 Maintenance of other equipment | | |
| 58 | Total maintenance | | |
| 59 | Total products extraction | | |
| 60 | C. Exploration and Development | | |
| 61 | Operation: | | |
| 62 | 795 Delay rentals | | |
| 63 | 796 Nonproductive well drilling | | |
| 64 | 797 Abandoned leases | | |
| 65 | 798 Other exploration | | |
| 66 | Total exploration and development | | |
| 67 | D. Other Gas Supply Expenses | | |
| 68 | Operation: | | |
| 69 | 800 Natural gas well head purchases | | |
| 70 | 801 Natural gas field line purchases | | |
| 71 | 802 Natural gas gasoline plant outlet purchases | | |
| 72 | 803 Natural gas transmission line purchases | | |
| 73 | 804 Natural gas city gate purchases | | |
| 74 | 805 Other gas purchases | | |
| 75 | 805.1 Purchased gas cost adjustments | | |
| 76 | Total purchased gas | | |
| 77 | 806 Exchange gas | | |
| 78 | Purchased gas expenses: | | |
| 79 | 807.1 Well expenses — Purchased gas | | |
| 80 | 807.2 Operation of purchased gas measuring stations | | |
| 81 | 807.3 Maintenance of purchased gas measuring stations | | |
| 82 | 807.4 Purchased gas calculations expenses | | |
| 83 | 807.5 Other purchased gas expenses | | |
| 84 | Total purchased gas expenses | | |
| 85 | 808 Gas withdrawn from underground storage — Debit | | |
| 86 | 809 Gas delivered to underground storage — Credit | ( ) | |
| 87 | Gas used in utility operations — Credit: | | |
| 88 | 810 Gas used for compressor station fuel — Credit | ( ) | |
| 89 | 811 Gas used for products extraction — Credit | ( ) | |
| 90 | 812 Gas used for other utility operations — Credit | ( ) | |
| 91 | Total gas used in utility operations — Credit | ( ) | |
| 92 | 813 Other gas supply expenses | | |
| 93 | Total other gas supply expenses | | |
| 94 | Total production expenses | | |

Add:
804.1 Liquefied natural gas purchases
804.2 Liquefied natural gas held in storage

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GAS OPERATION AND MAINTENANCE EXPENSES (Continued)

| Line No. | Account (a) | Amount for year (b) | Increase or (decrease) from preceding year (c) |
|---|---|---|---|
| | 2. Natural Gas Storage Expenses | | |
| 95 | 2A. Underground Storage Expenses | | |
| 96 | Operations | | |
| 97 | 814 Operation supervision and engineering | | |
| 98 | 815 Maps and records | | |
| 99 | 816 Wells expenses | | |
| 100 | 817 Lines expense | | |
| 101 | 818 Compressor station expenses | | |
| 102 | 819 Compressor station fuel and power | | |
| 103 | 820 Measuring and regulating station expenses | | |
| 104 | 821 Purification expenses | | |
| 105 | 822 Exploration and development | | |
| 106 | 823 Gas losses | | |
| 107 | 824 Other expenses | | |
| 108 | 825 Storage well royalties | | |
| 109 | 826 Rents | | |
| 110 | Total operation | | |
| 111 | | | |
| 112 | | | |
| 113 | Add: | | |
| 114 | 2G. Liquefied Natural Gas Terminaling and Processing Expenses | | |
| 115 | | | |
| 116 | Operation: | | |
| 117 | 849.01 Operation supervision and engineering | | |
| 118 | 849.02 LNG processing terminal labor and expenses | | |
| 119 | 849.03 Measuring and regulating labor and expenses | | |
| 120 | 849.04 Compressor station labor and expenses | | |
| 121 | 849.05 Communication system expenses | | |
| 122 | 849.06 System control and load dispatching | | |
| 123 | 849.07 Fuel | | |
| 124 | 849.08 Power | | |
| 125 | 849.09 Rents | | |
| 126 | 849.10 Demurrage charges | | |
| 127 | 849.11 Wharfage receipts—Cr. | | |
| 128 | 849.12 Transportation and processing of liquefied or vaporized gas by others | | |
| 129 | 849.13 Gas losses | | |
| 130 | 849.14 Other expenses | | |
| 131 | Total operation | | |
| 132 | | | |
| 133 | Maintenance: | | |
| 134 | 849.21 Maintenance supervision and engineering | | |
| 135 | 849.22 Maintenance of structures and improvements | | |
| 136 | 849.23 Maintenance of LNG processing terminal equipment | | |
| 137 | 849.24 Maintenance of measuring and regulating equipment | | |
| 138 | 849.25 Maintenance of compressor station equipment | | |
| 139 | 849.26 Maintenance of communication equipment | | |
| 140 | 849.27 Maintenance of other equipment | | |
| 141 | Total maintenance | | |
| 142 | Total LNG terminaling and processing expenses | | |
| 143 | | | |
| 140 | 548.3 Maintenance of other equipment | | |
| 141 | Total maintenance | | |
| 142 | Total other storage expenses | | |
| 143 | Total storage expenses | | |

Change to:
Total storage, LNG terminaling and processing expenses

Change to:
2. Natural Gas Storage, Terminaling and Processing Expenses

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## GAS OPERATION AND MAINTENANCE EXPENSES (Continued)

### SUMMARY

| Line No. | Functional Classification (a) | Operation (b) | Maintenance (c) | Total (d) |
|---|---|---|---|---|
| 238 | Production: | $ | $ | $ |
| 239 | Manufactured gas | | | |
| 240 | Natural gas: | | | |
| 241 | Production and gathering | | | |
| 242 | Products extraction | | | |
| 243 | Exploration and dev | | | |
| 244 | Total natural gas | | | |
| 245 | Other gas supply expenses | | | |
| 246 | Total production | | | |
| 247 | Underground storage | | | |
| 248 | Other Storage | | | |
| 249 | Transmission | Add: LNG terminaling and processing | | |
| 250 | Distribution | | | |
| 251 | Customer accounts | | | |
| 252 | Customer service and informational | | | |
| 253 | Sales | | | |
| 254 | Administrative and general | | | |
| 255 | TOTAL | | | |

### NUMBER OF GAS DEPARTMENT EMPLOYEES

Number of gas department employees, payroll period ended _____

1. Total regular full-time employees _____
2. Total part-time and temporary employees _____
3. Total employees _____

The data on number of employees should be reported for the payroll period ending nearest to October 31, or any payroll period ending 60 days before or after October 31.

If the respondent's payrolls for the reported period include any special construction forces include such employees as part-time and temporary employees and show the number of such special construction employees so included.

The number of employees assignable to the gas department from joint functions of combination utilities may be determined by estimate, on the basis of employee equivalents. Show the estimated number of equivalent employees attributed to the gas department from joint functions.

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Annual report of.....Year ended December 31, 19.....

## GAS PURCHASES (Accounts 800, 801, 802, 803, 804 and 805)

1. Report particulars of gas purchases during the year in the manner prescribed below. (Code numbers to be used in reporting for Columns (d), (e), and (f) will be supplied by the Commission.)

2. Provide subheadings and totals for prescribed accounts as follow:

800 Natural Gas Well Head Purchases.
801 Natural Gas Field Line Purchases.
802 Natural Gas Gasoline Plant Outlet Purchases.
803 Natural Gas Transmission Line Purchases.
804 Natural Gas City Gate Purchases.
805 Other Gas Purchases.

Purchases are to be reported in account number sequence, e.g. all purchases charged to Account 800, followed by charges to Account 801, etc. Under each account number, purchases should be reported by states in alphabetical order. Totals are to be shown for each account in Columns (k) and (l) and should agree with the books of account, or any differences reconciled.

3. Purchases may be reported by gas purchase contract totals (at the option of the respondent) where one contract includes two or more FPC producer rate schedules or small producer certificates, provided that the same price is being paid for all gas purchased under the contract. If two or more prices are in effect under the same contract, separate details for each price shall be reported. The name, and FPC rate schedule or small producer certificate docket number of each seller included in the contract total shall be listed on separate sheets, clearly cross-referenced. Where two or more prices are in effect the sellers at each price are to be listed separately.

4. Purchases of less than 100,000 Mcf per year per contract from sellers not affiliated with the reporting company may (at the option of the respondent) be grouped by account number, except when the purchases were permanently discontinued during the reporting year. When grouped purchases are reported, the number of grouped purchases is to be reported in Column (a). Only Columns (a), (k), (l), and (n) are to be completed for grouped purchases; however, the Commission may request additional details when necessary. Grouped non-jurisdictional purchases should be shown on a separate line.

5. Column instructions are as follow:

Columns (a) and (d) - In reporting the names of sellers under FPC rate schedules, use the names as they appear on the filed rate schedule. Abbreviations may be used where necessary. The code number to be used is the Commission assigned number.

Column (b) - Give the name of the producing field only for purchases at the wellhead or from field lines. The plant name should be given for purchases from gasoline plant outlets. If purchases under a contract are from more than one field or plant, use the name of the one contributing the largest volume. Use a footnote to list the other fields or plants involved.

Column (c) - State the net rate in cents per Mcf as of December 31 for the reported year, applicable to the volume shown in Column (k). The net rate includes all additive charges and tax reimbursements and is net of all applicable deductions and downward adjustments. The rate is effective if filed pursuant to applicable statutes and regulations and (as to FPC rates schedules) permitted by the Commission to become effective.

Columns (e) and (f) - General Services Administration location code designations are to be used to designate the state and county where the gas is received. Where gas is received in more than one county, use the code designation for the county having the largest volume and by footnote list the other counties involved.

Column (g) - List the assigned Commission rate schedule number or small producer certificate docket number. Use the designation "NJ" in Column (g) to indicate non-jurisdictional purchases.

Column (h) - In some cases, two or more lines will be required to report a purchase, as when two or more rates are being paid under the same contract, or when purchases under the same rate schedule are charged to more than one account. If for such reasons the producer rate schedule or non-jurisdictional purchase contract appears on more than one line, enter a numerical code (selected by the respondent) in Column (h) to so indicate. Once established, the same numerical suffix is to be used for all subsequent-year reporting of the purchase. If the purchase was permanently discontinued during the reporting year, so indicate by an asterisk (*) in Column (h). Column (h) is to be used also, to enter any Commission assigned letter rate schedule suffix (e.g. R.S. No. 22A).

Column (i) - Show date of the gas purchase contract. If gas is purchased under a renegotiated contract, show the date of the original contract and the and the date of the renegotiated contract on the following line in brackets. If new acreage is dedicated by ratification of an existing contract show the date of the ratification, rather than the date of the original contract. If gas is being sold from a different reservoir than the original dedicated acreage pursuant to Section 2.56 (f) (2) of the Commission's Rules of Practice and Procedure, place the letter "A" after the contract date.

Column (j) - Show, for each purchase, the approximate Btu per cubic foot, determined in accordance with the definition in Item No. 7 of the General Instructions for FPC Form 2.

Column (k) - State the volume of purchased gas as finally measured for purpose of determining the amount payable for the gas. Include current year receipts of make-up gas that was paid for in prior years.

Column (l) - State the dollar amount (omit cents) paid and previously paid for the volumes of gas shown in Column (k).

Column (n) - State the average cost per Mcf to the nearest hundredth of a cent. (Column (l) divided by Column (k) multiplied by 100.)

Add:
804.1 Liquefied Natural Gas Purchases
804.2 Liquefied Natural Gas Held for Processing

Add:
804.1 and 804.2

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Year ended December 31, 19...

GAS PURCHASES (Accounts 800, 801, 802, 803, 804 & 805) (Continued)

| Line No. | Name of Seller (Designate Associated Companies) (a) | Name of Producing Field or Gasoline Plant (b) | Net Rate Effective December 31 (c) |
|---|---|---|---|
| 1 | | Add: 804.1 and 804.2 | |
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Annual report of .....Year ended December 31, 19.....

GAS PURCHASES (Accounts 800, 801, 802, 803, 804 & 805) (Continued)

| Seller Code (d) | State Code (e) | County Code (f) | Rate Schedule No. (g) | Rate Schedule Suffix (h) | Date of Contract (i) | Approx. Btu Per Cu. ft. (j) | Gas Purchased-Mcf (14.73 psia 60 F) (k) | Cost of Gas (l) | Cost Per Mcf (cents) (m) | Line No. |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Add: 804.1 and 804.2 | | | 1 |
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Annual report of ..... Year ended December 31, 19....

## DEPRECIATION, DEPLETION, AND AMORTIZATION OF GAS PLANT (Accounts 403, 404.1, 404.2, 404.3, 405)

(Except Amortization of Acquisition Adjustments)

1. Report in Section A for the year the amounts of depreciation expense, depletion and amortization for the accounts indicated, classified according to the plant functional groups shown.

2. Report in Section B the bases and rates used by the respondent to determine charges for depletion and amortization of gas plant for the year for accounts 404.1, 404.2, 404.3 and 405 and whether any changes have been made in the bases or rates from those used for the preceding year.

3. Complete reporting of all available information called for in columns (a) through (g) of Section C shall be made for report year 1971, thereafter report only annual changes to columns (c) through (g). Complete reporting is again required for report year 1974 and every fifth year thereafter with only annual changes to columns (c) through (g) to be shown in the intervals between complete reporting.

Unless composite depreciation accounting for total depreciable plant is followed, list numerically in column (a) each plant subaccount, account or functional classification, as appropriate, to which a rate is applied. Identify at the bottom of Section C the type of plant included in any subaccounts used. In column (c) report all depreciable plant balances to which rates are applied showing subtotals by functional classifications and showing a composite total. Indicate at the bottom of Section C any method of averaging used. For columns (c), (d) and (e) report available information for each plant subaccount, account or functional classification listed in column (a).

Identify those accrual periods shown in column (c) which are based upon the life of associated gas reserves or gas supply contracts. If mortality studies are prepared to assist in estimating service lives or to develop remaining life rates, show in column (f) the type mortality curve selected as most appropriate for the account and in column (g) the weighted average remaining life of surviving plant. If composite depreciation accounting is used, report available information called for in columns (b) through (g) on this basis. Where the unit-of-production method is used to determine depreciation charges, show at the bottom of Section C any revisions made to estimated gas reserves.

4. If provisions for depreciation were made during the year in addition to depreciation provided by application of reported rates, state at the bottom of Section C the amounts and nature of the provisions and the plant items to which related.

### A. SUMMARY OF DEPRECIATION, DEPLETION, AND AMORTIZATION CHARGES

| Line No. | Functional Classification (a) | Depreciation Expense (Account 403) (b) | Amortization and depletion of producing natural gas land and land rights (Acct. 404.1) (c) | Amortization of underground storage land and land rights (Acct 404.2) (d) | Amortization of other limited-term gas plant (Acct. 404.3) (e) | Amortization of other gas plant (Acct. 405) (f) | Total (g) |
|---|---|---|---|---|---|---|---|
| 1 | Intangible plant | $ | $ | $ | $ | $ | $ |
| 2 | Production plant, manufactured gas | | | | | | |
| 3 | Production and gathering plant, natural gas | | | | | | |
| 4 | Products extraction plant | | | | | | |
| 5 | Underground gas storage plant | | | | | | |
| 6 | Local gas storage plant | Add: Base load LNG terminaling and processing plant | | | | | |
| 7 | Transmission plant | | | | | | |
| 8 | Distribution plant | | | | | | |
| 9 | General plant | | | | | | |
| 10 | Common plant-gas | | | | | | |
| 11 | | | | | | | |
| 12 | | | | | | | |
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| 14 | | | | | | | |
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| 17 | | | | | | | |
| 18 | TOTAL | $ | $ | $ | $ | $ | $ |

545 Rev (12-71)

[FR Doc.77-17264 Filed 6-16-77;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 182, 184, 186]

[Docket No. 77N-0042]

## PROPYLENE GLYCOL AND PROPYLENE GLYCOL MONOSTEARATE

### Proposed Affirmation of GRAS Status as Direct and Indirect Human Food Ingredients

AGENCY: Food and Drug Administration (FDA).

ACTION: Proposed rule.

SUMMARY: This is a proposal to affirm as generally recognized as safe (GRAS) propylene glycol and propylene glycol monostearate as direct human food ingredients, and propylene glycol as an indirect human food ingredient. The safety of these ingredients has been evaluated pursuant to the comprehensive safety review being conducted by the agency. The proposal would list these ingredients as food substances affirmed as GRAS.

DATES: Written comments by August 16, 1977.

ADDRESSES: Written comments to Hearing Clerk (HFC-20), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT:

Corbin Miles, Bureau of Foods (HFF-335), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, D.C. 20204, (202-472-4750).

SUPPLEMENTARY INFORMATION: The Food and Drug Administration is conducting a comprehensive safety review of direct and indirect human food ingredients classified as generally recognized as safe (GRAS) or subject to a prior sanction. The Commissioner of Food and Drugs has issued several notices and proposed regulations, published in the FEDERAL REGISTER of July 26, 1973 (38 FR 20040), initiating this review. Pursuant to this review, the safety of propylene glycol and propylene glycol monostearate has been evaluated. In accordance with the provisions of § 170.35 (formerly § 121.40, prior to recodification published in the FEDERAL REGISTER of March 15, 1977 (42 FR 14302)), the Commissioner proposes to affirm the GRAS status of these ingredients.

Propylene glycol (1,2-propanediol) does not occur naturally but is synthesized industrially by reacting propylene with chlorine water and by treating the resulting chlorohydrin with sodium carbonate solution, or by reacting glycerol with sodium hydroxide. Propylene glycol is listed in § 182.4666 (formerly § 121.101 (d) (3), prior to recodification published in the FEDERAL REGISTER of March 15, 1977 (42 FR 14302)), as GRAS for use in food as an emulsifying agent, and in § 182.1666 (formerly § 121.101(d) (8), prior to recodification published in the FEDERAL REGISTER of March 15, 1977 (42 FR 14302)), as GRAS for use in foods as a miscellaneous and/or general purpose food additive, pursuant to regulations published in the FEDERAL REGISTER of November 20, 1959 (24 FR 9369) and subsequently recodified, and in § 182.90 (formerly § 121.101(h)), as GRAS for use in paper and paperboard products used in food packaging, pursuant to regulations published in the FEDERAL REGISTER of June 17, 1961 (26 FR 5421), and subsequently recodified.

Propylene glycol monostearate is a mixture of propoylene glycol mono- and di-esters of stearic and palmitic acids, produced commercially by catalytic trans-esterification between propylene glycol and a hydrogenated vegetable oil such as soybean oil. Propylene glycol monostearate is among the mono- and di-esters of propylene glycol included in § 172.856 (formerly § 121.1113, prior to recodification, published in the FEDERAL REGISTER of March 15, 1977 (42 FR 14302)), for use in foods as emulsifying or surface active agents, pursuant to regulations published in the FEDERAL REGISTER of January 23, 1963 (28 FR 588), and subsequently recodified.

A representative cross-section of food manufacturers was surveyed to determine the specific foods in which propylene glycol and its esters were used and at what levels. Information from surveys of consumer consumption were obtained and combined with the manufacturing information to obtain an estimate of consumer exposure to propylene glycol and propylene glycol monostearate. In 1970, propylene glycol use in foods in the United States was reported to exceed 9,500,000 lb, which is only a slight increase above the amount used in 1960. The use of propylene glycol monostearate approximated 11,500,000 lb in 1970, a three-fold increase over 1960. Propylene glycol was first used in foods in the United States in 1920 and propylene glycol monostearate was first used in 1958.

Propylene glycol and propylene glycol monostearate have been the subject of a search of the scientific literature from 1920 to the present. The parameters used in the search were chosen to discover any articles that considered (1) chemical toxicity, (2) occupational hazards, (3) metabolism, (4) reaction products, (5) degradation products, (6) any reported carcinogenicity, teratogenicity or mutagenicity, (7) dose response, (8) reproductive effects, (9) histology, (10) embryology, (11) behavioral effects, (12) detection and (13) processing. A total of 282 abstracts on propylene glycol and its esters was reviewed and 68 particularly pertinent reports from the literature survey have been summarized in a scientific literature review.

The scientific literature review shows, among other studies, the following information as summarized in the report of the Select Committee on GRAS Substances (hereinafter referred to as the Select Committee), selected by the Life Sciences Research Office of the Federation of American Societies for Experimental Biology:

Propylene glycol has been reported to be readily absorbed from the gastrointestinal tract. Propylene glycol esters are readily hydrolyzed and the fatty acid moieties enter well recognized metabolic pathways. Independent studies have indicated that absorption of propylene glycol was rapid and complete and that formation of glycogen was promoted. After administration of radioactive propylene glycol, substantial amounts were excreted as $^{14}CO_2$ during the first 24 hours. These findings indicated that in vivo propylene glycol enters the carbohydrate cycle as is also suggested by examining its in vitro metabolism in rat liver slices. Most authorities agree that propylene glycol can be utilized as an energy source.

After absorption, propylene glycol disappeared rapidly from the blood of fasted animals. Because propylene glycol enters normal carbohydrate metabolic pathways and promotes glycogen formation, its rapid disappearance from the blood in fasted animals is not surprising. However, it is unclear as to how rapidly propylene glycol would disappear from the blood of well-fed animals in which there is only limited glycogen formation.

Although most orally-administerd propylene glycol is metabolized, an appreciable fraction is excreted unchanged in the urine. In one human study, 20 to 25 percent of a 70 g dose (approximately 1 g per kg) was excreted within 10 hours: in experiments with dogs, 20 percent of a 150 g dose was excreted within 24 hours.

The available information indicates that propylene glycol and its fatty acid esters have a very low order of acute toxicity in a variety of animals. In all animal species tested, the acute $LD_{50}$ of propylene glycol amounts to several grams per kg of body weight. In mice, estimates ranged from 8.0 g per kg intravenously to 31.8 g per kg orally. Intraperitoneal administration generally yielded values equivalent to those obtained intravenously. In other species, the $LD_{50}$ values were essentially within the same limits, the lowest intravenous $LD_{50}$ values reported being 6.5 g per kg for rabbits and 6.8 g per kg for rats.

In short-term chick feeding studies, a diet containing up to 10 percent propylene glycol was generally well tolerated. Mortality was apparently not affected by even the highest doses of propylene glycol in the food. However, diets of 5 percent or more appeared to have some adverse effects on chicks; some investigators reported growth retardation, while others reported hock and toe deformities, diarrhea, or changes in the ratio of protein and fat in the carcass. In rats, the levels of propylene glycol needed to elicit undesirable responses in feeding studies appeared to be about 30 percent. Dogs tolerated the equivalent of 8 percent in the diet, or 10 percent in drinking water, without any noteworthy evidence of toxicity.

A long-term study on rats, extending over two years, showed that up to 50,000 ppm (2,500 mg per kg per day) of propylene glycol in the diet failed to produce an increased or accelerated lethality. Propylene glycol, when administered to rats in high doses (up to 7.5 percent of the diet) for 20 weeks, did not produce tissue damage. However, rats fed 20 percent or more exhibited hepatic and renal pathology.

In reproduction studies, 30 percent propylene glycol was found to decrease reproduction in the third generation and the mothers were unable to feed the young satisfactorily. However, when rats were fed 7.5 percent propylene glycol, no deleterious effect on reproduction was observed through three generations. In chicks fed diets containing 5 percent or more propylene glycol, a deformity of the toe (outward curling of

the toes at each joint) was reported and the incidence of the defect seemed to be dose-dependent. These investigators observed that similar deformities occur in chicks fed diets high in lactose, and suggested that some common metabolite of lactose and propiyene glycol may be responsible for this condition.

Reports of studies specifically designed to detect carcinogenesis or mutagenesis have not been found. However, in a two-year study on dogs maintained on diets containing up to 8 percent propylene glycol (about 2 g per kg per day), the investigators observed no evidence of induction of carcinogenic changes. Further, no carcinogenic potential was revealed in a two-year study in which rats were fed up to 2500 mg per kg per day.

A recently conducted evaluation has shown that propylene glycol is not teratogenic and has no adverse effect on maternal or fetal survival in mice, rats, hamsters, and rabbits at oral dosage levels of 1,600, 1,600, 1,550, and 1,230 mg per kg of body weight, respectively. In the chick embryo, 0.05 ml of propylene glycol was not teratogenic, but when 0.2 ml was introduced into the yolk on the fourth day of incubation, a large liquid-containing cyst was observed on the dorsal side of many embryos.

There are reports that indicate propylene glycol, at extremely high doses, causes kidney damage. Degeneration of the tubular epithelium, interstitial hemorrhage, and glomerular nephritis were found in rats fed 20 percent or more of propylene glycol. Karel et al. found that some of a series of several glycols tested by intraperitoneal injection of $LD_{50}$ doses in mice, produced glomerular and tubular kidney damage; however, propylene glycol was among the least harmful in this respect. In rabbits, evidence of some hemolytic action of propylene glycol administered at a dose of 5 ml intravenously, was visible in the kidneys in the form of hemoglobin-containing casts. In mice, rats, and guinea pigs administered lethal or near lethal doses of propylene glycol by stomach tube, nuclear pyknosis and vacuolar degeneration of the cytoplasm in kidney tubule epithelial cells, as well as protein debris and casts in the lumina of the tubules, have been observed. Hematuria was observed following intravenous administration of sublethal (6 g per kg intravenously) doses of propylene glycol to rats. There is a consensus among these investigators that propylene glycol at lethal or near lethal doses can cause some kidney damage. It is also clear that in this regard, propylene glycol is the least toxic of the glycols tested.

On the other hand, Morris et al. and Seidenfeld and Hanzlik found no evidence of chronic kidney damage resulting from feeding propylene glycol to rats at levels as high as 4.9 percent for one year or at 13.3 g per kg per day for 140 days. A functional study, done by Van Winkler and Newman in 1941, showed that when kidney function was evaluated in dogs by measuring phenolsulfonphthalein excretion over a 2-hour period in dogs that had been given drinking water containing 5 to 10 percent propylene glycol for 5 to 9 months, no abnormal changes were observed. Gaunt et al. and Weil et al., in more recent studies, also failed to detect any indication of impaired kidney function in rats and dogs fed 2 to 20 g propylene glycol per kg per day for 2 years.

While propylene glycol, fed in extremely high amounts can produce kidney damage, the available evidence does not implicate it as a nephrotoxic agent even when it is fed at levels manyfold greater than those existing in man's daily diet. It is noteworthy in this regard that the reported studies indicating the very rapid absorption and metabolism of propylene glycol have been made in fasted animals, where absorption and metabolism are likely to be favored and blood concentration is likely to be low. No reports have been found that consider blood levels of propylene glycol under conditions where glycogenesis is not favored. Since the possibility exists that higher than the reported concentrations of propylene glycol in the blood could occur in well-fed animals to which the substance is fed in large amounts, and since there is evidence that very large doses can cause some kidney damage, it may be advisable in due course, to reexamine the absorption, excretion, and metabolism of propylene glycol taking into account the nutritional state of the experimental animals.

All of the available safety information on propylene glycol and propylene glycol monostearate has been carefully evaluated by qualified scientists of the Select Committee. It is the opinion of the Select Committee that:

Propylene glycol is metabolized by animals and can be used as a carbohydrate source. Propylene glycol can be ingested over long periods of time and in substantial quantities (up to 5 percent of the total food intake) without causing frank toxic effects. Propylene glycol monostearate is readily hydrolyzed in vivo and the propylene glycol and fatty acid moieties enter their respective metabolic pathways. At lethal or near lethal doses (6 g per kg or more), however, it has been reported to cause kidney damage in several species and toe deformities in chicks. These doses contrast with the few mg per kg per day estimated to be the human daily dietary intake of propylene glycol.

It is the conclusion of the Select Committee that there is no evidence in the available information on propylene glycol and propylene glycol monostearate that demonstrates, or suggests reason to suspect, a hazard to the public health when they are used at levels that are now current or that might reasonably be expected in the future. Based upon his own evaluation of the available information on propylene glycol and propylene glycol monostearate (including reports of mutagenic tests which were not available when the Select Committee formed its conclusion), the Commissioner concurs with this conclusion. The Commissioner therefore concludes that no change in the current GRAS status of propylene glycol, as a direct food ingredient or as a substance migrating to foods from paper or paperboard products used in food packaging, is justified. He further concludes that the information generated for this safety review forms a sound scientific basis for affirming as GRAS the direct food use of propylene glycol monostearate, provided the substance is produced from edible fats and/or fatty acids that are in compliance with § 172.860 (formerly § 121.1070, prior to recodification published in the FEDERAL REGISTER of March 15, 1977 (42 FR 14302)).

Copies of the scientific literature review on propylene glycol and derivatives, reports of teratogenic and mutagenic tests for propylene glycol, a report of mutagenic tests for propylene glycol monostearate, and the report of the Select Committee are available for review at the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, and may be purchased from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22151, as follows:

| Title | Order No. | Cost |
|---|---|---|
| Propylene glycol and derivatives (scientific literature review). | PB-221-233 | $4.50 |
| Propylene glycol (teratology test). | PB-223-822/AS | 3.50 |
| Propylene glycol (mutagenic test). | PB-215-450/AS | 4.75 |
| Propylene glycol monostearate (mutagenic test). | PB-215-499/AS | 3.75 |
| Propylene glycol and propylene glycol monostearate (select committee report). | PB-265-501/AS | 3.50 |

This proposed action does not affect the present use of propylene glycol or propylene glycol monostearate for pet food or animal feed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409(d), 701(a), 52 Stat. 1055, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348(d), 371(a))) and under authority delegated to him (21 CFR 5.1), the Commissioner proposes that Parts 182, 184, and 186 be amended as follows:

## PART 182—SUBSTANCES GENERALLY RECOGNIZED AS SAFE

§ 182.90 [Amended]

1a. In § 182.90 *Substances migrating to food from paper and paperboard products* by deleting "Propylene glycol" from the list of substances.

§ 182.1666 [Revoked]

§ 182.4666 [Revoked]

b. By deleting § 182.1666 *Propylene glycol* and § 182.4666 *Propylene glycol.*

## PART 184—DIRECT FOOD SUBSTANCES AFFIRMED AS GENERALLY RECOGNIZED AS SAFE

2. In Part 184 by adding new §§ 184.1666 and 184.1667 to read as follows:

§ 184.1666 Propylene glycol.

(a) Propylene glycol ($C_3H_8O_2$, CAS Reg. No. 000057-55-6) is also referred to as 1,2-propanediol. It does not occur in nature. Propylene glycol is manufactured by treating propylene with chlorine water to form the chlorohydrin which is converted to the glycol by treatment with sodium carbonate solution. It is also prepared by heating glycerol with sodium hydroxide.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 2d Ed. (1972), as amended by the first supplement.[1]

(c) The ingredient is used as an anticaking agent as defined in § 170.3(o)(1) of this chapter, antioxidant as defined in § 170.3(o)(3) of this chapter, color and coloring adjunct as defined in § 170.3(o)

[1] Copies may be obtained from: National Academy of Sciences, 2101 Constitution Ave., NW., Washington, D.C. 20037.

(4) of this chapter, dough strenthener as defined in § 170.3(o) (6) of this chapter, emulsifier as defined in § 170.3(o) (8) of this chapter, flavor agent as defined in § 170.3(o) (12) of this chapter, formulation aid as defined in § 170.3(o) (14) of this chapter, humectant as defined in § 170.3(o) (16) of this chapter, solvent and vehicle as defined in § 170.3 (o) (27) of this chapter, stabilizer and thickener as defined in § 170.3(o) (28) of this chapter, surface active agent as defined in § 170.3(o) (29) of this chapter, and a texturizer as defined in § 170.3(o) (32) of this chapter.

(d) The ingredient is used foods at levels not to exceed good manufacturing practices. Current good manufacturing practice results in maximum levels, as served, of 1 percent for baked goods as defined in § 107.3(n) (1) of this chapter, 5 percent for beverages, alcoholic, as defined in § 170.3(n) (2) of this chapter, 24 percent for confections and frostings as defined in § 170.3(n) (1) of this chapter, 0.08 percent for fats and oils as defined in § 170.3(n) (12) of this chapter, 0.8 percent for frozen dairy products as defined in § 170.3(n) (20) of this chapter, 16 percent for seasonings and flavorings as defined in § 170.3(n) (26) of this chapter, and 1 percent or less for all other food categories.

§ 184.1667 Propylene glycol monostearate.

(a) Propylene glycol monostearate (CAS Reg. No. MX8028-46-4) is a mixture of propyene glycol mono- and diesters of stearic and palmitic acids, produced commercially by catalytic transesterification between propylene glycol and a hydrogenated vegetable oil such as soy bean oil.

(b) The ingredient meets the specification of the Food Chemicals Codex, 2d Ed. (1972).[1]

(c) The ingredient is used as an emulsifier or emulsifier salt, as defined in § 170.3(o) (8) of this chapter, or as a surface active agent as defined in § 170.3 (o) (29) of this chapter.

(d) The ingredient is used in foods at levels not to exceed good manufacturing practices. Current good manufacturing practice in the use of propylene glycol monostearate results in maximum levels, as served, of 1.8 percent for baked goods and baking mixes as defined in § 170.3 (n) (1) of this chapter, 1 percent for cheeses as defined in § 170.3(n) (5) of this chapter, 0.5 percent for dairy product analogs as defined in § 170.3(n) (10) of this chapter, 12 percent for fats and oils as defined in § 170.3(n) (12) of this chapter, 0.8 percent for gelatins and puddings as defined in § 170.3(n) (22) of this chapter, and 0.02 percent or less for all other food categories.

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## PART 186—INDIRECT FOOD SUBSTANCES AFFIRMED AS GENERALLY RECOGNIZED AS SAFE

3. In Part 186 by adding new § 186.1666 to read as follows:

§ 186.1666 Propylene glycol.

(a) Propylene glycol ($C_3H_8O_2$; CAS Reg. No. 000057-55-6) is also referred to as 1,2-propanediol. It does not occur in nature. Propylene glycol is manufactured by treating propylene with chlorine water to form the chlorohydrin which is converted to the glycol by treatment with sodium carbonate solution. It is also prepared by heating glycerol with sodium hydroxide.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 2d Ed. (1972), as amended by the first supplement.[1]

(c) The ingredient is used or intended for use as a constituent of paper and paperboard food packaging containers.

(d) The ingredient is used at levels not to exceed good manufacturing practices.

The Commissioner hereby gives notice that he is unaware of any prior sanction for the use of these ingredients in food under conditions different from those proposed herein. Any person who intends to assert or rely on such a sanction shall submit proof of its existence in response to this proposal. The regulations proposed above will constitute a determination that excluded uses would result in adulteration of the food in violation of section 402 of the act, and the failure of any person to come forward with proof of such an applicable prior sanction in response to this proposal constitutes a waiver of the right to assert or rely on such sanction at any later time. This notice also constitutes a proposal to establish a regulation under Part 181 (21 CFR Part 181), incorporating the same provisions, in the event that such a regulation is determined to be appropriate as a result of submission of proof of such an applicable prior sanction in response to this proposal.

Interested persons may, on or before August 16, 1977, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, written comments (preferably in quadruplicate) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

NOTE.—The Food and Drug Administration has determined that this document does not contain a major proposal requiring preparation of an economic impact statement under Executive Order 11821 and OMB Circular A-107.

Dated: June 10, 1977.

WILLIAM F. RANDOLPH,
*Acting Associate Commissioner for Compliance.*

[FR Doc.77-17084 Filed 6-16-77;8:45 am]

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## [21 CFR Part 201]

[Docket No. 77N-0102]

## THYROID, DIGITALIS, AND RELATED DRUGS FOR HUMAN USE

### Proposed Labeling Requirements

*Correction*

In FR Doc. 77-15090, appearing at page 27262 in the issue of Friday, May 27, 1977, the material in small type in paragraph (b) of §§ 201.316 and 201.317 on page 27263 should be boxed.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[25 CFR Part 221]

### FLATHEAD IRRIGATION PROJECT

### Operation and Maintenance

AGENCY: Bureau of Indian Affairs, Department of Interior.

ACTION: Proposed amendment.

SUMMARY: The purpose of this amendment is to establish the lump sum assessments against the Flathead, Mission and Jocko Valley Irrigation Districts within the Flathead Irrigation Project for the 1978 season. This action is necessary to cover the increase in operation and maintenance costs of the Irrigation Project. Since this revision will change the basic rate of operation and maintenance charges of lands within an Irrigation District, public comment is deemed advisable.

DATES: Interested persons may submit written comments, suggestions, or arguments with respect to the proposed amendment on or before July 18, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. George L. Moon, Project Engineer, Flathead Irrigation Project, Box 198, St. Ignatius, Montana 59865, Telephone 406-745-2661.

SUPPLEMENTARY INFORMATION: The primary author of this document is Mr. George L. Moon. It is hereby certified that the economic and inflationary impacts of this proposed amendment have been carefully evaluated in accordance with Executive Order 11821. The three mentioned Irrigation District Boards of Commissioners have, by resolution, supported this amendment.

Accordingly, it is proposed that §§ 221.24, 221.26, and 221.28 are amended to read as follows:

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929, March 28, 1934, August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1978 an assessment of $550,607.19 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 88,097.15 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on

March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1978 an assessment of $97,448.34 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 16,241.39 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13. 1931, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, April 18, 1950, and August 24, 1967, there is hereby fixed for the season of 1978 an assessment of $45.201.30 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 7.471.29 acres, which does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

GEORGE L. MOON,
*Project Engineer.*

[FR Doc.77-17064 Filed 6-16-77;8:45 am]

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### [ 26 CFR Part 301 ]

### PUBLIC INSPECTION OF WRITTEN DETERMINATIONS

### Notice of Proposed Rulemaking

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of Proposed rulemaking.

SUMMARY: This document contains proposed regulations relating to the public inspection of written determinations, which are rulings, determination letters, and technical advice memoranda. Provisions for public inspection of written determinations were added by the Tax Reform Act of 1976. The regulations would provide the public with the guidance needed to take advantage of the new provisions. The regulations would affect taxpayers who request a written determination and persons who want to inspect a written determination.

DATES: Written comments and requests for a public hearing must be delivered or mailed by August 1, 1977. The amendments are proposed to be effective with respect to written determinations issued in response to requests submitted after October 31, 1976.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT:

James Edward Maule of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-6456).

SUPPLEMENTARY INFORMATION:

#### BACKGROUND

This document contains proposed amendments to the Regulations on Procedure and Administration (26 CFR Part 301) under section 6110 of the Internal Revenue Code of 1954. These amendments are proposed to conform the regulations to section 1201(a) of the Tax Reform Act of 1976 (90 Stat. 1660) and are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

#### WRITTEN DETERMINATIONS

The proposed regulations define rulings, determination letters, technical advice memoranda, and background file documents, and describe those to which section 6110 applies. Those written determinations for which the determination of whether disclosure should occur is made pursuant to section 6104 are not subject to section 6110. Written determinations relating to accounting or funding periods and methods and background file documents relating to any written determination are subject to inspection only upon written request. Technical advice memoranda and background file documents relating to civil fraud or criminal investigations and jeopardy or termination assessments are not open to public inspection until all proceedings relating to the assessment or investigation are completed, and then only if a written request for inspection thereof is made.

#### DELETIONS

Portions of the text of a written determination which contain identifying details about any person, personal privacy information, national defense material, confidential financial data, or geological information are not disclosed. The proposed regulations describe the criteria to be used in determining whether any portion of a written determination should be deleted.

#### THIRD PARTY CONTACTS

Section 6110 (d) provides that when a person (with limited exceptions) contacts the Internal Revenue Service concerning a pending request by another person for a written determination a record of the contact will be made. When the written determination is made open to public inspection a notation of the date and nature of the contact will be placed on the written determination. The proposed regulations provide that any person can ascertain the identity of the person who made the contact by requesting the Internal Revenue Service to disclose it. The identity of the person who requested the written determination (or about whose return technical advice was sought) can be disclosed only by a court order in a proceeding brought for that purpose. The court may order that the identity be disclosed if impropriety or undue influence has occurred.

#### NOTICE OF DISCLOSURE

Section 6110(f) requires the Internal Revenue Service to notify certain persons prior to making open or subject to inspection a written determination or background file document. The proposed regulations describe the contents of the notice of intention to disclose, and the time at which the notice must be sent.

#### TIME OF DISCLOSURE

The proposed regulations set forth the time at which a written determination or background file document is to be made open to public inspection. The person who requested a written determination may request two delays in the time at which the written determination is made open to public inspection if the transaction described therein is not yet completed. However, neither delay may postpone the opening of the written determination to public inspection beyond the day which is 15 days after the date of the actual completion of the transaction.

#### RESTRAINT OF DISCLOSURE

The proposed regulations, by cross-reference to the Statement of Procedural Rules, provide that prior to issuance of a written determination the Internal Revenue Service may discuss with the person requesting the written determination (or the taxpayer about whose return technical advice is requested) the deletions to be made from the text thereof. The Internal Revenue Service will attempt to reach an agreement on deletions with that person. If, after receiving the written determination, the person is dissatisfied with the extent of the deletions made, an action can be brought in the Tax Court to restrain disclosure of the disputed portions. Persons with a direct interest in maintaining the confidentiality of any portion of a written determination may also bring these actions. The commencement of an action delays the opening to public inspection of the disputed portions.

#### ADDITIONAL DISCLOSURE

The proposed regulations provide that any person who is of the opinion that material deleted from the text of any written determination or background file document open or subject to inspection should be disclosed may request the Internal Revenue Service to disclose it. The proposed regulations provide procedures that the Internal Revenue Service will follow before any additional disclosure may be made in response to this request.

If the additional disclosure is not made, the person seeking it may bring an action in the Tax Court or District Court for disclosure. The proposed regulations provide that whenever an action to restrain disclosure or to obtain disclosure is brought, the Internal Revenue Service will notify certain persons. Persons so notified are permitted to intervene in the action.

MISCELLANEOUS

The proposed regulations provide that no precedential status attaches to a written determination open to public inspection. Liability of the Internal Revenue Service for disclosure is limited to intentional failure to make deletions or to conform with the time requirements for disclosure. The records disposal procedures of the Internal Revenue Service are substantially unaffected. Written determinations which are designated as being of significant reference value or which are the bases for certain published revenue rulings cannot be disposed. The proposed regulations also provide procedures for requesting that written determinations or background file documents be made open or subject to inspection, for requesting copies, and for the imposition of fees by the Internal Revenue Service for these services.

PRIOR RULINGS

Section 301.6110-6 of the proposed regulations is "reserved" pending formulation of regulations with respect to written determinations requested prior to November 1, 1976.

COMMENTS AND REQUESTS FOR A PUBLIC HEARING

Before adopting these proposed regulations, consideration will be given to any written comments that are submitted (preferably six copies) to the Commissioner of Internal Revenue. All comments will be available for public inspection and copying. A public hearing will be held upon written request to the Commissioner by any person who has submitter written comments. If a public hearing is held, notice of the time and place will be published in the FEDERAL REGISTER.

DRAFTING INFORMATION

The principal author of these proposed regulations was James Edward Maule of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing these regulations, both on matters of substance and styles.

*Proposed amendments to the regulations.* The proposed amendments to 26 CFR Part 301 are as follows:

§ 301.6111 [Redesignated]

Paragraph 1. Section 301.6110 is redesignated as § 301.6111.

Paragraph 2. There are added immediately after § 301.6109-1 the following new sections:

§ 301.6110-1 Public inspection of written determinations and background file documents.

(a) *General rule.* Except as provided in § 301.6110-3, relating to deletion of certain information, § 301.6110-5(b), relating to actions to restrain disclosure, paragraph (b)(2) of this section, relating to technical advice memoranda involving civil fraud and criminal investigations, and jeopardy and termination assessments, and paragraph (b)(3) of this section, relating to general written determinations relating to accounting or funding periods and methods, the text of any written determination (as defined in § 301.6110-2(a)) issued pursuant to a request postmarked or hand delivered after October 31, 1976, shall be open to public inspection in the places provided in paragraph (c)(1) of this section. The text of any written determination issued pursuant to a request postmarked or hand delivered before November 1, 1976, shall be open to public inspection pursuant to section 6110(h) and § 301.6110-6, when funds are appropriated by Congress for such purpose. The procedures and rules set forth in §§ 301.6110-1 through 301.6110-5 and 301.6110-7 do not apply to written determinations issued pursuant to requests postmarked or hand delivered before November 1, 1976, unless § 301.6110-6 states otherwise. There shall also be open to public inspection in each place of public inspection an index to the written determinations open or subject to inspection at such place. Each such index shall be arranged by section of the Internal Revenue Code, related statute, or tax treaty and by subject matter description within such section in such manner as the Commissioner may from time to time provide. The Commissioner shall not be required to make any written determination or background file document open to public inspection pursuant to section 6110 or refrain from disclosure of any such documents or any information therein, except as provided by section 6110 or with respect to a discovery order made in connection with a judicial proceeding. The provisions of section 6110 shall not apply to matters for which the determination of whether public inspection should occur is made pursuant to section 6104. Matters within the ambit of section 6104 include: any application filed with the Internal Revenue Service with respect to the qualification or exempt status of an organization, plan, or account described in section 6104(a)(1), whether the plan or account has more than 25 or less than 26 participants; any document issued by the Internal Revenue Service in which the qualification or exempt status of an organization, plan, or account described in section 6104(a)(1) is granted, denied or revoked or the portion of any document in which technical advice with respect thereto is given to a district director; any application filed, and any document issued by the Internal Revenue Service, with respect to the qualification or status of master, prototype, and pattern employee plans; the portion of any document issued by the Internal Revenue Service in which is discussed the effect on the qualification or exempt status of an organization, plan, or account described in section 6104(a)(1) of proposed transactions by such organization, plan, or account; and any document issued by the Internal Revenue Service in which is discussed the qualification or status of an organization described in section 509(a) or 4942(j)(3), but not including any document issued to non-exempt charitable trusts described in section 4947(a)(1).

(b) *Items that may be inspected only under certain circumstances*—(1) *Background file documents.* A background file document (as such term is defined in § 301.6110-2(g)) relating to a particular written determination issued pursuant to a request postmarked or hand delivered after October 31, 1976, shall not be subject to inspection until such written determination is open to public inspection or available for inspection pursuant to paragraph (b)(2) or (3) of this section, and then only if a written request pursuant to paragraph (c)(4) of this section is made for inspection of such background file document. Background file documents relating to written determinations issued pursuant to requests postmarked or hand delivered before November 1, 1976, shall be subject inspection pursuant to section 6110(h) and § 301.6110-6, when funds are appropriated by Congress for such purpose. The version of the background file document which is available for inspection shall be the version originally made available for inspection, as modified by any additional disclosure pursuant to section 6110(d)(3) and (f)(4).

(2) *Technical advice memoranda involving civil fraud and criminal investigations, jeopardy and termination assessments.* Any technical advice memorandum (as such term is defined in § 301.6110-2(f)) involving any matter that is the subject of a civil fraud or criminal investigation, a jeopardy assessment (as such term is defined in section 6861), or a termination assessment (as such term is defined in section 6851) shall not be subject to inspection until all actions relating to such investigation or assessment are completed and then only if a written request pursuant to paragraph (c)(4) of this section is made for inspection of such technical advice memorandum. A "civil fraud investigation" is any administrative step or judicial proceeding in which an issue for determination is whether the Commissioner should impose additional tax pursuant to section 6653(b). A "criminal investigation" is any administrative step or judicial proceeding in which an issue for determination is whether a taxpayer should be charged with or is guilty of criminal conduct. An action relating to a civil fraud or criminal investigation includes any such administrative step or judicial proceeding, the review of subsequent related activities and related returns of the taxpayer or related taxpayers, and any

other administrative step or judicial procedure or proceeding or appellate process that is initiated as a consequence of the facts and circumstances disclosed by such investigation. An action relating to a jeopardy or termination assessment includes any administrative step or judicial proceeding that is initiated to determine whether to make such assessment, that is brought pursuant to section 7429 to determine the appropriateness or reasonableness of such assessment, or that is brought to resolve the legal consequences of the tax status or liability issue underlying the making of such assessment. Any action relating to a civil fraud or criminal investigation, a jeopardy assessment, or a termination assessment is not completed until all available administrative steps and judicial proceedings and remedies, including appeals, have been completed.

(3) *Written determinations with respect to adoption of or change in certain accounting or funding periods and methods.* Any general written determination (as defined in § 301.6110–2 (c)) that relates solely to approval of any adoption of or change in:

(i) The funding method or plan year of a plan under section 412,

(ii) A taxpayer's annual accounting period under section 442,

(iii) A taxpayer's method of accounting under section 446 (e), or

(iv) A partnership's or partner's taxable year under section 706

shall not be subject to inspection until such written determination would, but for this (3), be open to public inspection pursuant to § 301.6110–5 (c) and then only if a written request pursuant to paragraph (c) (4) of this section is made for inspection of such written determination.

(c) *Procedure for public inspection.*— (1) *Place of public inspection.* The text of any ruling (as such term is defined in § 301.6110–2(d)), or technical advice memorandum that is open to public inspection pursuant to section 6110 shall be located in the National Office Reading Room. The text of any determination letter (as such term is defined in § 301.6110–2(e)) that is open to public inspection pursuant to section 6110 shall be located in the Reading Room of the Regional Office in which is located the district office that issued such determination letter. Inspection of any written determination subject to inspection only upon written request shall be requested from the National Office Reading Room. Inspection of any background file document shall be requested only from the reading room in which the related written determination is either open to public inspection or subject to inspection upon written request. The locations and mailing addresses of the reading rooms are set forth in § 601.702 (b) (3) (ii) of this chapter.

(2) *Time and manner of public inspection.* The inspection authorized by section 6110 will be allowed only in the place provided for such inspection in the presence of an internal revenue officer or employee and only during the regular hours of business of the Internal Revenue Service office in which the reading room is located. The public will not be allowed to remove any record from a reading room. A person who wishes to inspect reading room material without visiting a reading room may submit a written request pursuant to paragraph (c) (4) of this section for copies of any such material to the Internal Revenue Service reading room in which is located such material.

(3) *Copies.* Notes may be taken of any material open to public inspection under section 6110, and copies may be made manually. Copies of any material open to public inspection or subject to inspection upon written request will be furnished by the Internal Revenue Service to any person making requests therefor pursuant to paragraph (c) (4) of this section. If made at the time of inspection, the request for copies need not be in writing, unless the material is not immediately available for copying. The Commissioner may prescribe fees pursuant to section 6110(j) for furnishing copies of material open or subject to inspection.

(4) *Requests.* Any request for copies of written determinations, for inspection of general written determinations relating to accounting or funding periods and methods or technical advice memoranda involving civil fraud and criminal investigations, and jeopardy and termination assessments, for inspection or copies of background file documents, and for copies of the index shall be submitted to the reading room in which is located the requested material. If made in person, the request may be submitted to the internal revenue employee supervising the reading room. The request shall contain:

(i) Authorization for the Internal Revenue Service to charge the person making such request for making copies, searching for material, and making deletions therein;

(ii) The maximum amount of charges which the Internal Revenue Service may incur without further authorization from the person making such request;

(iii) With respect to requests for inspection and copies of background file documents, the file number of the written determination to which such background file document relates and a specific identification of the nature or type of the background file document requested;

(iv) With respect to requests for inspection of general written determinations relating to accounting or funding periods and methods, the day, week, or month of issuance of such written determination, and the applicable category as selected from a special summary listing of categories prepared by the Internal Revenue Service;

(v) With respect to requests for copies of written determinations, the file number of the written determination to be copied, which can be ascertained in the reading room or from the index;

(vi) With respect to requests for copies of portions of the index, the section of the Internal Revenue Code, related statute or tax treaty in which the person making such request is interested;

(vii) With respect to material which is to be mailed, the name, address, and telephone number of the person making such request and the address to which copies of the requested material should be sent; and

(viii) Such other information as the Internal Revenue Service may from time to time require in its operation of reading rooms.

**§ 301.6110–2 Meaning of terms.**

(a) *Written determination.* A "written determination" is a ruling, a determination letter, or a technical advice memorandum, as such terms are defined in paragraphs (d), (e), and (f) of this section, respectively. Notwithstanding paragraphs (d) through (f) of this section, a written determination does not include, for example, opinion letters (as defined in § 601.201(a) (4) of this chapter), information letters (as defined in § 601.201(a) (5) of this chapter), technical information responses, technical assistance memoranda, notices of deficiency, reports on claims for refund, Internal Revenue Service decisions to accept taxpayers' offers in compromise, earnings and profits determinations, or documents issued by the Internal Revenue Service in the course of tax administration that are not disclosed to the persons to whose tax returns or tax liability the documents relate.

(b) *Reference written determination.* A "reference written determination" is any written determination that the Commissioner determines to have significant reference value. Any written determination that the Commissioner determines to be the basis for a published Revenue Ruling is a reference written determination until such Revenue Ruling is obsoleted, revoked, superseded or otherwise held to have no effect.

(c) *General written determination.* A "general written determination" is any written determination that is not a reference written determination.

(d) *Ruling.* A "ruling" is a written statement issued by the National Office to a taxpayer or to the taxpayer's authorized representative (as such term is defined in § 601.201(e) (7) of this chapter) on behalf of the taxpayer, that interprets and applies tax laws to a specific set of facts. A ruling generally recites the relevant facts, sets forth the applicable provisions of law, and shows the application of the law to the facts.

(e) *Determination letter.* A "determination letter" is a written statement issued by a district director in response to a written inquiry by an individual or an organization that applies principles and precedents previously announced by the National Office to the particular facts involved.

(f) *Technical advice memorandum.* A "technical advice memorandum" is a written statement issued by the National Office to, and adopted by, a district director in connection with the examination of a taxpayer's return or consideration of a taxpayer's claim for refund or credit. A technical advice memorandum generally recites the relevant facts, sets

forth the applicable law, and states a legal conclusion.

(g) *Background file document.*—(1) *General rule.* A "background file document" is: (i) The request for a written determination,

(ii) Any written material submitted in support of such request by the person by whom or on whose behalf the request for a written determination was made,

(iii) Any written communication, or memorandum of a meeting, telephone communication, or other contact, between employees of the Internal Revenue Service or Office of its Chief Counsel and persons outside the Internal Revenue Service in connection with such request or written determination which is received prior to the issuance (as such term is defined in paragraph (h) of this section) of the written determination, but not including communications described in paragraph (g) (2) of this section, and

(iv) Any subsequent communication between the National Office and a district director concerning the factual circumstances underlying the request for a technical advice memorandum, or concerning a request by the district director for reconsideration by the National Office of a proposed technical advice memorandum.

(2) *Limitations.* Notwithstanding paragraph (g) (1) of this section, a "background file document" shall not include any:

(i) Communication between the Department of Justice and the Internal Revenue Service or the Office of its Chief Counsel relating to any pending civil or criminal case or investigation,

(ii) Communication between Internal Revenue Service employees and employees of the Office of its Chief Counsel,

(iii) Internal memorandum or attorney work product prepared by the Internal Revenue Service or Office of its Chief Counsel which relates to the development of the conclusion of the Internal Rvenue Service in a written determination, including, with respect to a technical advice memorandum. the Transmittal Memorandum. as defind in § 601.105 (b) (5) (vi) (c) of this chapter,

(iv) Correspondence or any portion of correspondence between the Internal Revenue Service and any person relating solely to the making of or extent of deletions pursuant to section 6110(c), or a request pursuant to sction 6110(g) (3) and (4) for postponement of the time at which a written determination is made open or subject to inspection,

(v) Material relating to (A) a request for a ruling or determination letter that is withdrawn prior to issuance thereof or that the Internal Revenue Service declines to answer, (B) a request for technical advice that the National Office declines to answer, or (C) the appeal of a taxpayer from the decision of a district director not to seek technical advice, or

(vi) Response to a request for technical advice which the district director declines to adopt, and the district director's request for reconsideration thereof.

(h) *Issuance.* "Issuance" of a written determination occurs, with respect to rulings and determination letters, upon the mailing of the ruling or determination letter to the person to whom it pertains. Issuance of a technical advice memorandum occurs upon the adoption of the technical advice memorandum by the district director.

(i) *Person to whom written determination pertains.* A "person to whom a written determination pertains" is the person by whom a ruling or determination letter is requested, but if requested by an authoried representative, the person on whose behalf the request is made. With respect to a technical advice memorandum, a "person to whom a written determination pertains" is the taxpayer whose return is being examined or whose claim for refund or credit is being considered.

(j) *Person to whom a background file document relates.* A "person to whom a background file document relates" is the person to whom the related written determination pertains, as such term is defined in paragraph (i) of this section.

(k) *Person who has a direct interest in maintaining confidentiality.* A "person who has a direct interest in maintaining the confidentiality of a written determination" is any person whose name and address is listed in the request for such written determination, as required by § 601.201(e) (2) of this chapter. A "person who has a direct interest in maintaining the confidentiality of a background file document" is any person whose name and address is in such background file document, or who has a direct interest in maintaining the confidentiality of the written determination to which such background file document relates.

(l) *Successor in interest.* A "successor in interest" to any person to whom a written determination pertains or background file document relates is any person who acquires the rights and assumes the liabilities of such person with respect to the transaction which was the subject matter of the written determination, provided that the successor in interest notifies the Commissioner with respect to the succession in interest.

### § 301.6110–3 Deletion of certain information in written determinations open to public inspection.

(a) *Information subject to deletion.* There shall be deleted from the text of any written determination open to public inspection or subject to inspection upon written request and background file document subject to inspection upon written request pursuant to section 6110 the following types of information:

(1) *Identifying details:* (i) The names, addresses, and identifying numbers (including telephone, license, social security, employer identification, credit card, and selective service numbers) of any person, other than the identifying details of a person who makes a third-party communication described in § 301.6110–4 (a), and

(ii) Any other information that would permit a person generally knowledgeable with respect to the appropriate community to identify any person. The determination of whether information would permit identification of a particular person will be made in view of information available to the public at the time the written determination or background file document is made open or subject to inspection and in view of information that will subsequently become available, provided the Internal Revenue Service is made aware of such information and the potential that such information may identify any person. The "appropriate community" is that group of persons who would be able to associate a particular person with a category of transactions one of which is described in the written determination or background file document. The appropriate community may vary according to the nature of the transaction which is the subject of the written determination. For example, if a steel company proposes to enter a transaction involving the purchase and installation of blast furnaces, the "appropriate community" may include all steel producers and blast furnace manufacturers, but if the installation process is a unique process of which everyone in national industry is aware, the "appropriate community" might also include the national industrial community. On the other hand, if the steel company proposes to enter a transaction involving the purchase of land on which to construct a building to house the blast furnaces, the "appropriate community" may also include those residing or doing business within the geographical locale of the land to be purchased.

(2) *Information concerning national defense and foreign policy.* Information specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and which is in fact properly classified pursuant to such order.

(3) *Information exempted by other statutes and agency rules.* Information specifically exempted from disclosure by any statute other than the Internal Revenue Code of 1954 and 5 U.S.C. 552 which is applicable to the Internal Revenue Service, and any information obtained by the Internal Revenue Service solely and directly from another Federal agency subject to a nondisclosure rule of such agency. Deletion of information shall not be made solely because the same information was submitted to another Federal agency subject to a nondisclosure rule applicable only to such agency.

(4) *Trade secrets and privileged or confidential commercial or financial information.*—(i) *Deletions to be made.* Any—

(A) Trade secrets, and

(B) Commercial or financial information obtained from any person which, despite the fact that identifying details are deleted pursuant to paragraph (a) (1) of this section, nonetheless remains privileged or confidential.

(ii) *Trade secret.* For purposes of paragraph (a) (4) (i) (A) of this section, a trade secret may consist of any formula, pattern, device or compilation of information that is used in one's business, and that gives one an opportunity to obtain an advantage over competitors

who do not know or use it. It may be a formula for a chemical compound, a process of manufacturing, treating or preserving materials, a pattern for a machine or other device, or a list of customers. The subject of a trade secret must be secret, that is, it must not be of public knowledge or of a general knowledge in the trade or business. Novelty, in the patent law sense, is not required for a trade secret.

(iii) *Privileged or confidential.* For purposes of paragraph (a)(4)(i)(B) of this section, information is privileged or confidential if from examination of the request and supporting documents relating to a written determination, and in consideration of the fact that identifying details are deleted pursuant to paragraph (a)(1) of this section, it is determined that disclosure of such information would cause substantial harm to the competitive position of any person. For example, while determining whether disclosure of certain information would cause substantial harm to X's competitive position, the Internal Revenue Service becomes aware that this information has previously been disclosed to the public. In this situation, the Internal Revenue Service will not agree with X's argument that disclosure of the information would cause substantial harm to X's competitive position. An example of information previously disclosed to the public is financial information contained in the published annual reports of widely held public corporations.

(5) *Information within the ambit of personal privacy.* Information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, despite the fact that identifying details are deleted pursuant to paragraph (a)(1) of this section. Personal privacy information encompasses embarassing or sensitive information that a reasonable person would not reveal to the public under ordinary circumstances. Matters of personal privacy include, but are not limited to, details not yet public of a pending divorce, medical treatment for physical or mental disease or injury, adoption of a child, the amount of a gift, and political preferences. A clearly unwarranted invasion of personal privacy exists if from analysis of information submitted in support of the request for a written determination it is determined that the public interest purpose for requiring disclosure is outweighed by the potential harm attributable to such invasion of personal privacy.

(6) *Information concerning agency regulation of financial institutions.* Information contained in or related to reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions concerning examination, operation or condition of a financial institution, disclosure of which would damage the standing of such financial institution.

(7) *Information concerning wells.* Geological or geophysical information and data, including maps, concerning wells.

(b) *Manner of deletions.* Whenever information, which is not to be disclosed pursuant to section 6110(c), is deleted from the text of a written determination or background file document, substitutions therefore shall be made to the extent feasible if necessary for an understanding of the legal analysis developed in such written determination or to make the disclosed text of a background file document comprehensible. Wherever any material is deleted, an indication of such deletion, and of any substitution therefor, shall be made in such manner as the Commissioner deems appropriate.

(c) *Limitations on the making of deletions.* Any portion of a written determination or background file document that has been deleted will be restored to the text thereof—

(1) If pursuant to section 6110(d)(3) or (f)(4)(A) a court orders disclosure of such portion, or

(2) If pursuant to § 301.6110-5(d)(1) an agreement is reached to disclose information.

**§ 301.6110-4 Communications from third parties.**

(a) *General rule.* Except as provided in paragraph (b) of this section, a record will be made of any communication, whether written, by telephone, at a meeting, or otherwise, received by the Internal Revenue Service or Office of its Chief Counsel prior to the issuance of a written determination from any person other than a person to whom the written determination pertains or the authorized representative of such person. This rule applies to any communication concerning such written determination, any communication concerning the request for such written determination, or any communication concerning other matters involving such written determination. A notation that such communication has been made shall be placed on such written determination when it is made open to public inspection or available for inspection upon written request pursuant to § 301.6110-5. The notation to be placed on a written determination shall consist of the date on which the communication was received and the category of the person making such communication, for example, Congressional, Department of Commerce, Treasury, trade association, White House, educational institution. Any person may request the Internal Revenue Service to disclose the name of any person about whom a notation has been made pursuant to this paragraph.

(b) *Limitations.* The provisions of paragraph (a) of this section shall not apply to communications received by the Internal Revenue Service from employees of the Internal Revenue Service or Office of its Chief Counsel, from the Chief of Staff of the Joint Committee on Internal Revenue Taxation, from the Department of Justice with respect to any pending civil or criminal case or investigation, or from another government agency in response to a request made by the Internal Revenue Service to such agency for assistance involving the expertise of such agency.

(c) *Action to obtain disclosure of identity of person to whom written determination pertains.*—(1) *Creation of remedy.* With respect to any written determination on which a notation has been placed pursuant to paragraph (a) of this section, any person may file a petition in the United States Tax Court or file a complaint in the United States District Court for the District of Columbia for an order requiring that the identity of any person to whom such written determination pertains be disclosed, but such petition or complaint must be filed within 36 months of the date such written determination is made open or subject to inspection.

(2) *Necessary disclosure.* Whenever an action is brought pursuant to section 6110(d)(3), the court may order that the identity of any person to whom the written determination pertains be disclosed. Such disclosure may be ordered if the court determines that there is evidence in the record from which it could reasonably be concluded that an impropriety occurred or undue influence was exercised with respect to such written determination by or on behalf of the person to whom the written determination pertains. The court may, pursuant to section 6110(d)(3), also order the disclosure of any material deleted pursuant to section 6110(c) if such disclosure is in the public interest. The written determination or background file document with respect to which the disclosure was sought shall be revised to disclose the information which the court orders to be disclosed.

(3) *Required notice.* If a proceeding is commenced pursuant to section 6110(d)(3) and paragraph (c)(1) of this section with respect to any written determination, the Secretary shall send notice of the commencement of such proceeding to any person whose identity is subject to being disclosed and to the person about whom a third-party communication notation has been made pursuant to section 6110(d)(1). Such notice shall be sent, by registered or certified mail, to the last known address of the persons described in this (3) within 15 days after notice of the petition or complaint filed pursuant to section 6110(d)(3) is served on the Secretary.

(4) *Intervention.* Any person who is entitled to receive notice pursuant to paragraph (c)(3) of this section shall have the right to intervene in any action brought pursuant to section 6110(d)(3). If appropriate such person shall be permitted to intervene anonymously.

**§ 301.6110-5 Notice and time requirements; actions to restrain disclosure; actions to obtain additional disclosure.**

(a) *Notice.*—(1) *General rule.* Before a written determination is made open to public inspection or subject to inspection upon written request, or before a background file document is subject to inspection upon written request, the person to

whom the written determination pertains or background file document relates shall be notified by the Commissioner of intention to disclose such written determination or background file document. The notice with respect to a written determination, other than a written determination described in § 301.6110-1(b)(2) or (3) shall be mailed when such written determination is issued. The notice with respect to any written determination relating to accounting or funding periods and methods, any technical advice memoranda involving civil fraud and criminal investigations, and jeopardy and termination assessments, and any background file document shall be mailed within a reasonable time after the receipt of the first written request for inspection thereof.

(2) *Contents of notice.* The notice required by paragraph (a)(1) of this section shall—

(i) Include a copy of the text of the written determination or background file document, which the Commissioner proposes to make open to public inspection or subject to inspection pursuant to a written request, on which is indicated (A) the material that the Commissioner proposes to delete pursuant to section 6110(c), (B) any substitutions proposed to be made therefor, and (C) any third-party communication notations required to be placed pursuant to § 301.6110-4(a) on the face of the written determination,

(ii) State that the written determination or background file document is to be open to public inspection or subject to inspection pursuant to a written request pursuant to section 6110,

(iii) State that the recipient of the notice has the right to seek administrative remedies pursuant to paragraph (b)(1) of this section and to commence judicial proceedings pursuant to section 6110(f)(3) within indicated time periods, and

(iv) Prominently indicate the date on which the notice is mailed.

(b) *Actions to restrain disclosure*—(1) *Administrative remedies.* Any person to whom a written determination pertains or background file document relates, and any successor in interest, executor or authorized representative of such person may pursue the administrative remedies described in § 601.105(b)(5)(iii)(*i*) and (vi)(*f*) and § 601.201(e)(11) and (16) of this chapter. Any person who has a direct interest in maintaining the confidentiality of any written determination or background file document or portion thereof may pursue the administrative remedies described in § 601.105(b)(5)(vi)(*f*) and § 601.201(e)(16) of this chapter. No person about whom a third-party communication notation has been made pursuant to § 301.6110-4(a) may pursue any administrative remedy for the purpose of restraining disclosure of the identity of such person where such identity appears with respect to the making of such third-party communication.

(2) *Judicial remedy.* Except as provided in paragraph (b)(3) of this section, any person permitted to resort to administrative remedies pursuant to paragraph (b)(1) of this section may, if such person proposes any deletion not made pursuant to § 301.6110-3 by the Commissioner, file a petition in the United States Tax Court pursuant to section 6110(f)(3) for a determination with respect to such proposed deletion. If appropriate, such petition may be filed anonymously. Any petition filed pursuant to section 6110(f)(3) must be filed within 60 days after the date on which the Commissioner mails the notice of intention to disclose required by section 6110(f)(1).

(3) *Limitations on right to bring judicial actions.* No petition shall be filed pursuant to section 6110(f)(3) unless the administrative remedies provided by paragraph (b)(1) of this section have been exhausted. However, if the petitioner has responded within the prescribed time period to the notice pursuant to section 6110(f)(1) of intention to disclose, but has not received the final administrative conclusion of the Internal Revenue Service within 50 days after the date on which the Commissioner mails the notice of intention to disclose required by section 6110(f)(1), the petitioner may file a petition pursuant to section 6110(f)(3). No judicial action with respect to any written determination or background file document shall be commenced pursuant to section 6110(f)(3) by any person who has received a notice with respect to such written determination or background file document pursuant to paragraph (b)(4) of this section.

(4) *Required notice.* If a proceeding is commenced pursuant to section 6110(f)(3) with respect to any written determination or background file document, the Secretary shall send notice of the commencement of such proceeding to any person to whom such written determination pertains or to whom such background file document relates. No notice is required to be sent to persons who have filed the petition that commenced the proceeding pursuant to section 6110(f)(3) with respect to such written determination or background file document. The notice shall be sent, by registered or certified mail, to the last known address of the persons described in this (4) within 15 days after notice of the petition filed pursuant to section 6110(f)(3) is served on the Secretary.

(5) *Intervention.* Any person who is entitled to receive notice pursuant to paragraph (b)(4) of this section shall have the right to intervene in any action brought pursuant to this section. If appropriate, such person shall be permitted to intervene anonymously.

(c) *Time at which open to public inspection*—(1) *General rule.* Except as otherwise provided in paragraph (c)(2) of this section, the text of any written determination or background file document open to public inspection or available for inspection upon written request pursuant to section 6110 shall be made open to or available for inspection no earlier than 75 days and no later than 90 days after the date on which the Commissioner mails the notice required by paragraph (a)(1) of this section. However, if an action is brought pursuant to section 6110(f)(3) to restrain disclosure of any portion of such written determination or background file document the disputed portion of such written determination or background file document shall be made open to or available for inspection pursuant to paragraph (c)(2)(i) of this section.

(2) *Limitations*—(i) *Court order.* The portion of the text of any written determination or background file document that was subject to an action pursuant to section 6110(f)(3) to restrain disclosure in which the court determined that such disclosure should not be restrained shall be made open to or available for inspection within 30 days of the date that the court order becomes final. However, in no event shall such portion of the text of such written determination or background file document be made open to or available for inspection earlier than 75 days after the date on which the Commissioner mails the notice of intention to disclose required by section 6110(f)(1) and paragraph (a)(1) of this section. Such 30-day period may be extended for such time as the court finds necessary to allow the Commissioner to comply with its decision. Any portion of a written determination or background file document which a court orders open to public inspection or subject to inspection upon written request pursuant to section 6110(f)(4) or disclosed pursuant to section 6110(d)(3) shall be made open or subject to inspection or disclosed within such time as the court provides.

(ii) *Postponement based on incomplete status of underlying transaction*—(A) *Initial period not to exceed 90 days.* The time period set forth in paragraph (c)(1) of this section within which a written determination shall be made open to public inspection or available for inspection upon written request shall be extended, upon the written request of the person to whom such written determination pertains or the authorized representative of such person, until 15 days after the date on which the transaction set forth in the written determination is scheduled to be completed, but such day shall be no later than 180 days after the date on which the Commissioner mails the notice of intention to disclose.

(B) *Additional period.* The time period determined pursuant to paragraph (c)(2)(ii)(A) of this section shall be further extended upon an additional written request, if the Commissioner determines from the information contained in such request that good cause exists to warrant such extension. This further extension shall be until 15 days after the date on which the transaction set forth in the written determination is expected to be completed, but such day shall be no later than 360 days after the date on which the Commissioner mails the notice of intention to disclose. The good cause required by this (B) exists if the person requesting the delay in in-

spection demonstrates to the satisfaction of the Commissioner that it is likely that the lack of such extension will cause interference with consummation of the pending transaction.

(C) *Written request for extension.* The written request for extension of the time when a written determination is to be made open to public inspection or available for inspection upon written request shall set forth the date on which it is expected that the underlying transaction will be completed, and, with respect to the additional extension described in paragraph (c)(2)(ii)(B) of this section, set forth the reason for requesting such extension. A request for extension of time may not be submitted until the notice of intention to disclose is mailed and must be received by the Internal Revenue Service office which issued such written determination no later than—

(*1*) In the case of the initial extension, 60 days after the date on which the Commissioner mails the notice of intention to disclose, or

(2) In the case of the additional extension, 15 days before the day on which, for purposes of paragraph (c)(2)(ii)(A) of this section, the transaction set forth in the written determination was expected to have been completed.

(D) *Notice and determination of actual completion.* If an extension of time for inspection has been granted, and the transaction is completed prior to the day on which it was expected to have been completed, the Internal Revenue Service office which issued such written determination shall be so notified by the person who requested such extension. In such event, the written determination shall be made open to public inspection or available for inspection upon written request on the earlier of (*1*) 30 days after the day on which the Commissioner is notified that the transaction is completed, or (2) the day on which the written determination was scheduled to be made open to public inspection or available for inspection upon written request pursuant to paragraph (c)(2)(ii) of this section. Similarly, if the Commissioner determines that the transaction was completed prior to the day on which it was expected to have been completed, even if the person requesting such extension has not so notified the Internal Revenue Service, the written determination shall be made open to public inspection or available for inspection upon written request on the earlier of (*1*) the day which is 30 days after the Commissioner ascertains that the transaction is completed sooner than has been expected, or (2) the day on which the written determination was scheduled to be made open to public inspection or available for inspection upon written request pursuant to paragraph (c)(2)(ii) of this section.

(d) *Actions to obtain additional disclosure*—(1) *Administrative remedies.* Under section 6110(f)(4) any person may seek to obtain additional disclosure of information contained in any written determination or background file document that has been made open or subject to inspection. A request for such additional disclosure shall be submitted to the Internal Revenue Service office which issued such written determination, or to which the request for inspection of such background file document has been submitted pursuant to § 301.6110–1(c)(4); and must contain the file number of the written determination or a description of the background file document (including the file number of the related written determination), the deleted information which in the opinion of such person should be open or subject to inspection, and the basis for such opinion. If the Internal Revenue Service determines that the request constitutes a request for disclosure of the name, address, or the identifying numbers described in § 301.6110–3(a)(1)(i) of any person, it shall within a reasonable time notify the person requesting such disclosure that disclosure will not be made. If the Internal Revenue Service determines that the request or any portion thereof constitutes a request for disclosure of information other than the name, address, or the identifying numbers described in § 301.6110–3(a)(1)(i) of any person, it shall send a notice that such additional disclosure has been requested to any person to whom the written determination pertains or background file document relates, and to all persons who are identified by name and address in the written determination or background file document. Notice that such persons have been contacted shall be sent to the person requesting the additional disclosure. The notice that additional disclosure has been requested shall state that the Internal Revenue Service has determined that additional disclosure of information other than the name, address, or the identifying numbers described in § 301.6110–3(a)(1)(i) of any person has been requested, inform the recipient of the notice that the person seeking the additional disclosure has the right under section 6110(f)(4) to bring a judicial action to attempt to compel such disclosure, and request the recipient of the notice to reply within 20 days by submitting a statement of whether or not the recipient of the notice agrees to the requested disclosure or portion thereof. If all persons to whom a notice is sent pursuant to this (1) agree to disclose the requested information or any portion thereof, the person seeking such disclosure will be so informed; the written determination or background file document shall be accordingly revised to disclose the information with respect to which an agreement to disclose has been reached. If any of the persons to whom a notice is sent pursuant to this (1) do not agree to the additional disclosure or do not respond to such notice, the Internal Revenue Service shall within a reasonable time so notify the person requesting such disclosure, and deny the request for additional disclosure.

(2) *Judicial remedy.* Except as provided in paragraph (d)(3) of this section, any persons who seeks to obtain additional disclosure of information contained in any written determination or background file document may file a petition pursuant to section 6110(f)(4) in the United States Tax Court or a complaint in the United States District Court for the District of Columbia for an order requiring that such information be made open or subject to inspection. Nothing in this paragraph shall prevent the Commissioner from disposing of written determinations and related background file documents pursuant to § 301.6110–7(a).

(3) *Limitations on right to bring judicial action*—(i) *Exhaustion of administrative remedies.* No petition or complaint shall be filed pursuant to section 6110(f)(4) unless the administrative remedies provided by paragraph (d)(1) of this section have been exhausted.

(ii) *Actions to obtain identity.* No petition or complaint shall be filed pursuant to section 6110(f)(4) to obtain disclosure of the identity of any person to whom a written determination on which a third-party communication notation has been placed pursuant to § 301.6110–4(a) pertains. Such actions shall be brought pursuant to section 6110(d)(3).

(4) *Required notice.* If a proceeding is commenced pursuant to section 6110(f)(4) with respect to any written determination or background file document, the Secretary shall send notice of the commencement of such proceeding to any person to whom the written determination pertains or background file document relates, and to all persons who are identified by name and address in the written determination or background file document. The notice shall be sent, by registered or certified mail, to the last known address of the persons described in this (4) within 15 days after notice of the petition or complaint filed pursuant to section 6110(f)(4) is served on the Secretary.

(5) *Intervention.* Any person who is entitled to receive notice pursuant to paragraph (d)(4) of this section shall have the right to intervene in any action brought pursuant to this section. If appropriate, such person shall be permitted to intervene anonymously.

**§ 301.6110–6 Written determinations issued in response to requests received before November 1, 1976. [Reserved]**

**§ 301.6110–7 Miscellaneous provisions.**

(a) *Disposition of written determinations and background file documents*—(1) *Reference written determinations.* The Internal Revenue Service shall not dispose of any reference written determinations or related background file documents. The Commissioner may reclassify reference written determinations as general written determinations if the classification as reference was erroneous or if the Commissioner determines that such written determination no longer has any significant reference value. Notwithstanding the preceding sentence, the Commissioner shall not classify as a general written determina-

tion any written determination which is determined to be the basis for a published Revenue Ruling unless such Revenue Ruling is obsoleted, revoked, superseded or otherwise held to have no effect.

(2) *General written determinations.* The Internal Revenue Service may dispose of general written determinations and any background file document relating to such written determination pursuant to its established records disposition procedures. Disposition of a written determination shall not occur earlier than 3 years after the date on which such written determination is made open to public inspection or available for inspection upon written request. Disposition of a background file document shall not occur earlier than 3 years after the date on which the related written determination is made open to public inspection or available for inspection upon written request.

(b) *Precedential status of written determinations open to public inspection.* A written determination may not be used or cited as precedent, but the rule set forth in this paragraph shall not apply to change the precedential status, if any, of written determinations issued with respect to taxes imposed by subtitle D of the Internal Revenue Code of 1954.

(c) *Civil remedies*—(1) *Liability for failure to make deletions or to conform to time limitations*—(i) *Creation of remedy.* An exclusive remedy against the Commissioner shall exist in the Court of Claims for—

(A) The person to whom the written determination pertains whenever the Commissioner fails to act in accordance with the time requirements of section 6110(g), and

(B) The person to whom the written determination pertains and any person identified in such written determination whenever the Commissioner fails to make deletions required by section 6110(c) if as a consequence of such failure there is disclosed the identity of such person or other information with respect to such person that is required to be deleted pursuant to section 6110(c).

(ii) *Limitations.* The remedy provided in paragraph (c)(1)(i) of this section for failure to make deletions shall be available only if—

(A) The failure of the Commissioner to make the deletions required by section 6110(c) is intentional or willful.

(B) The Commissioner fails to make any deletion required by section 6110(c) which the Commissioner has agreed to make, or

(C) The Commissioner fails to make any deletion which a court has ordered to be made pursuant to section 6110(f)(3).

(iii) *Damages.* In any suit brought pursuant to paragraph (c)(1)(i) of this section in which the court determines that an employee of the Internal Revenue Service intentionally or willfully failed to make a deletion required by section 6110(c), or intentionally or willfully failed to act in accordance with the time requirements of section 6110(g), the United States shall be liable, to the person described in paragraph (c)(1)(i) of this section who brought the action, in an amount equal to the sum of—

(A) Actual damages sustained by such person but in no case shall such person be entitled to receive less than the sum of $1,000,

(B) The costs of the action, and

(C) Reasonable attorney's fees as determined by the court.

(2) *Liability for making additional disclosure of information.* The Commissioner shall not be liable for making any additional disclosure ordered pursuant to an action described in § 301.6110-5(d)(2) if the notice required by § 301.6110-5(d)(4) is sent.

(3) *Obligation to defend action for additional disclosure.* The Commissioner shall not be required to defend any action brought to obtain additional disclosure pursuant to section 6110(f)(4) if the notice required by § 301.6110-5(d)(4) is sent.

(4) *Obligation to make deletions.* The Commissioner shall be obligated to make only those deletions required by section 6110(c) which he has agreed to make, those which a court has ordered to be made pursuant to § 301.6110-5(b)(2) and those the omission of which would be intentional or willful.

(d) *Fees*—(1) *General rule*—(i) *Copies.* The Commissioner may prescribe fees pursuant to § 601.702(f)(4) of this chapter for the costs of furnishing copies of material open to public inspection or subject to inspection upon written request pursuant to section 6110.

(ii) *Preparation of information available upon request.* The Commissioner may prescribe fees pursuant to § 601.702(f) of this chapter for the costs of searching for and making deletions from any written determinations and background file documents that are subject to inspection only upon written request pursuant to § 301.6110-1(b).

(2) *Reduction or waiver of fees*—(i) *Public interest.* The Commissioner shall reduce or waive the fees described in paragraph (d)(1) of this section if the Commissioner determines that furnishing copies of, searching for, or making deletions to any written determination or background file document primarily benefits the general public, as described in § 601.702(f)(2)(ii)(B) of this chapter.

(ii) *Previous requests.* The Commissioner may waive the fees described in paragraph (d)(1) of this section for searching for any written determination or background file document if the search for such written determination or background file document was made pursuant to a previous request for inspection thereof. The Commissioner shall waive the fees described in paragraph (d)(1) of this section for making deletions from any written determination or background file document if the making of such deletions from such written determination or background file document was made pursuant to a previous request for inspection thereof. Nothing in this (d)(2)(ii) shall prevent the Commissioner from prescribing fees for making additional deletions from such written determination or background file document pursuant to § 301.6110-5(b).

WILLIAM E. WILLIAMS,
*Acting Commissioner of Internal Revenue.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[50 CFR Part 611]

### FOREIGN FISHING VENTURES WITHIN U.S. FISHERY CONSERVATION ZONE

### Advance Notice of Proposed Rulemaking

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: A series of public meetings will be conducted in the near future to consider the desirability of rulemaking and other possible courses of action under the Fishery Conservation and Management Act of 1976 ("the Act") for dealing with business arrangements involving the purchase of fish by foreign buyers from U.S. fishermen. These meetings will assist the Secretary of Commerce in establishing a national policy regarding such business arrangements, whose potential effects appear in some cases consistent and in other cases inconsistent with the purposes and policies of the Act.

DATES: Meeting dates will be published in the FEDERAL REGISTER.

LOCATIONS: The locations for the public meetings will be determined after consultation with the Regional Fishery Management Councils and will be published in the FEDERAL REGISTER.

FOR FURTHER INFORMATION CONTACT:

Richard Schaefer, Chief, Fisheries Management Division, National Marine Fisheries Service, Washington, D.C. 20235, 202-634-7454.

SUPPLEMENTARY INFORMATION: The Act, P.L. 94-265, 16 U.S.C. 1821 et. seq., establishes the procedures for foreign participation in fisheries under the exclusive fishery management authority of the United States. Consistent with those procedures, preliminary fishery management plans were prepared in response to foreign applications for specific fisheries.

The Act requires that each preliminary fishery management plan contain a preliminary determination of the optimum yield, which is defined as the maximum sustainable yield modified by any relevant economic, social, or ecological factors. A second requirement is a preliminary determination of the total allowable level of foreign fishing with respect to the fishery addressed by the preliminary plan. The total allowable level of foreign fishing is defined as that

portion of the optimum yield of a fishery which will not be harvested by vessels of the United States.

Inquiries and a permit application have now been received by the Secretary of Commerce from various entities which wish to use foreign processing and transport vessels to purchase, process and ship fish caught by U.S. fishermen, usually by transfer at sea. Some of those foreign processing and transport vessels are owned by joint U.S./foreign interests. Others are wholly owned by foreign interests. Some of these vessels presently hold permits which entitle them to operate in the U.S. fishery conservation zone; some do not at present.

Since most of the inquiries concern proposals developed after the respective preliminary management plans were completed, including the estimate of U.S. catch and the allocation to foreign nations, such proposals might cause U.S. fishermen to catch certain species of fish in an amount which could result in the total domestic and foreign catch exceeding the optimum yields established by preliminary management plans for those species. This could occur if existing foreign allocations are taken, and if the anticipated U.S. catches of those same species are exceeded by domestic fishermen already engagd in those fisheries, or in combination with additional domestic fishing effort. Other inquiries contemplate U.S. fishermen catching certain species and selling this catch to foreign processors within the estimated U.S. catch contained in preliminary management plans. In some cases, these activities were contemplated in the development of the preliminary management plans.

The Act does not provide for allocations to be made to U.S. fishermen under preliminary management plans, or limitations to be placed on the U.S. catch. Such limitations may be imposed only under permanent fishery management plans prepared by the Councils and implemented by the Secretary, which plans are not presently complete and will not be in the immediate future. Allocations, if any, under preliminary management plans are to be made only to foreign nations after all U.S. needs are satisfied. Thus, U.S. fishermen have priority. The net effect of some of the proposed transactions, however, would be to increase indirectly the quantity of certain species which foreign processors might otherwise obtain, to the possible detriment of the resource involved.

There are potential benefits to the U.S. industry from such proposals, and some aspects are consistent with the intent of the Act. Sales to foreign processing vessels represent a market for U.S.-caught fish which does not presently exist and which would provide substantial additional income to U.S. fishermen. Such sales may serve to develop U.S. capacity to take species not otherwise fished by U.S. fishermen. However, one Regional Fishery Management Council has already recommended that specific applications for permits for such activities be denied at this time pending further study of the problem. Processing vessels which already hold permits, and are fishing in conformity with U.S. regulations, are not presently prohibited from receiving and processing fish obtained from U.S. fishing vessels operating in the same fishery.

This is a matter of national significance. The Act imposes upon the Secretary the primary responsibility of protecting the fishery resources under U.S. management authority. As a related duty, the Secretary must take appropriate steps to promote the domestic commercial and recreational fisheries. Only after these primary responsibilities are met, may surplus fish be made available to foreign nations. Our responsibility to the domestic fisheries includes the development of fisheries currently underutilized by U.S. fishermen, the encouragement of a stable domestic market for U.S.-caught fish, and the conservation of fishery resources by preventing their being overfished.

Because of the importance and long-range consequences of these decisions, the Regional Fishery Management Councils and the interested public should have an ample opportunity to express comments. By following this course of action, the resources involved, the interests of the United States, and the intent of the Act will all be given adequate consideration. We do not believe that giving the Councils and others an opportunity to comment on this problem will cause serious harm to the resource, the U.S. industry, or foreign interests.

As a consequence of these factors, it is planned to take the following steps:

1. Issue a Notice of Proposed Rule-Making which would amend Sec. 611.3 of the Foreign Fishing Regulations pertaining to "Permits for foreign fishing vessels" so that the Director, National Marine Fisheries Service, could modify those portions of the permit relating to conditions and restrictions as may be necessary.

2. Conduct a series of public meetings in cooperation with the Fishery Management Councils, as appropriate, for the purpose of reviewing certain aspects of foreign business arrangements involving the purchase of fish from U.S. fishermen.

3. Issue such other Notices of Proposed Rule-Making as may be desirable to implement policy decisions reached on the matters described in Paragraph 2 above.

During the meetings we will seek to evaluate transactions at sea between foreign support vessels and U.S. fishing vessels, particularly the foreign purchase of U.S. caught fish. Possible courses of action would include, among other things:

(a) Modifying existing preliminary management plans and regulations during 1977;

(b) Changing optimum yield statements with, or without, new biological, social, or economic data;

(c) Adjusting existing foreign allocations;

(d) Modifying existing permits and issuing new ones;

(e) Establishing a long-range policy for U.S. and foreign joint participation in fishing ventures under both preliminary and fishery management plans; and

(f) Taking such other related steps as may be appropriate.

Dated this 15th day of June, 1977, at Washington, D.C.

ROBERT W. SCHONING,
*Director, National Marine Fisheries Service.*

[FR Doc.77-17502 Filed 6-16-77;8:45 am]

# notices

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

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### COMMITTEE ON LICENSES AND AUTHORIZATIONS

#### Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Licenses and Authorizations of the Administrative Conference of the United States, to be held at 10 a.m. July 15, 1977 in the Conference's library, 2120 L Street, NW Suite 500, Washington, DC.

The Committee will meet to consider (1) Professor Kenneth Scott's report on the dual banking system and (2) a preliminary outline of a project on waivers from the requirements of rules of general applicability.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify this office at least one day in advance. The Committee Chairman may, if he deems it appropriate, permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this Committee meeting contact Philip J. Harter, 202-254-7065. Minutes of the meeting will be available on request.

RICHARD K. BERG,
*Executive Secretary.*

JUNE 13, 1977.

[FR Doc.77-17401 Filed 6-16-77;8:45 am]

## ADMINISTRATOR EMERGENCY NATURAL GAS ACT OF 1977

[Docket No. E77-108]

### NATURAL GAS PIPELINE CO. OF AMERICA

#### Supplemental Emergency Order Pursuant To Section 6 of Pub. L. 95-2

On May 18, 1977, Natural Gas Pipeline Company of America (Natural) filed, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95-2 (91 Stat. 4 (1977)) a petition for authorization to make twenty-nine emergency purchases of natural gas. On June 1, 1977, a supplemental petition was filed pursuant to Section 6 of the Act again requesting authorization to make twelve of these emergency purchases. An emergency order was issued in Docket No. E77-108 on June 3, 1977 authorizing those twelve emergency purchases. On June 7, 1977, Natural filed a second supplemental petition pursuant to Section 6 of the Act requesting authorization to make five additional emergency purchases. For the reasons set forth below, I authoriz e these emergency purchases.

Natural has executed the following contract for the purchase of gas at $1.75 per MMBtu under Section 6 of the Act:

1. The Anschutz Corporation (Anschutz) has agreed to sell up to 0.168 Bcf of natural gas from production in Jefferson Davis Parish, Louisiana, through July 31, 1977.

Natural has executed the following contracts for the purchase of gas at $2.25 per MMBtu under Section 6 of the Act:

1. Coronado Transmission Company (Coronado) has agreed to sell up to 0.224 Bcf of natural gas from production in Orange County, Texas through July 31, 1977.

2. Coronado Transmission Company (Coronado) has agreed to sell up to 0.560 Bcf of natural gas from production in Wheeler County, Texas through July 31, 1977.

3. Energy Gathering (Energy) has agreed to sell up to 0.224 Bcf of natural gas from production in Wheeler County, Texas through July 31, 1977.

4. W. Howell Cocke, Jr., Hugh R. Goodrich, Priscilla Goodrich Rea, Thomas E. Berry c/o Roy Durst (Sellers, c/o Roy Durst) have agreed to sell up to 0.336 Bcf of natural gas from production in Iberia Parish and St. Martin Parish, Louisiana through July 31, 1977.

Natural will purchase these supplies from Anschutz at a rate of $1.75 per MMBtu. Further, Natural will purchase these supplies from Coronado, Energy and Sellers c/o Roy Durst at a rate of $2.25 per MMBtu inclusive of all state and local taxes and other adjustments. To the extent these prices do not exceed $2.25 per MMBtu, I find the price to be fair and equitable in accordance with Order No. 2.

Natural advises that a series of arrangements have been made for transportation of subject gas:

1. Gas sold to Natural by Anschutz will be delivered into facilities of Columbia Gulf Transmission Company (Columbia Gulf) at the outlet of Amoco's South Thornwell Processing Plant, Jefferson Davis Parish, Louisiana. Columbia Gulf will deliver an equivalent quantity of gas to Tennessee Gas Pipeline, which will deliver an equivalent quantity of gas to Natural, all at mutually agreeable points. Columbia Gulf will charge $500 per month for administrative handling and Tennessee will charge 1.084 cents per Mcf, which it represents is the average cost of transporting gas through its system.

2. The gas sold to Natural by Coronado from production located in Orange County, Texas will be transported from the wellhead by Fuel Marketing, Inc. (Fuel Marketing) to a point of delivery in Orange County on the facilities of Union Texas Petroleum (Union Texas). Union Texas will deliver an equivalent quantity of gas to Natural at an mutually agreeable point. Fuel Marketing will charge 14 cents per Mcf which it states is necessary to reimburse for costs associated with the installation of approximately 3½ miles of 2-inch pipeline and measurement facilities. Union Texas will charge 10 cents per Mcf.

3. The gas sold to Natural by Coronado from production located in Wheeler County, Texas will be transported by Fuel Marketing. The subject gas will be delivered into Natural's 26-inch line Section 2. AB&M survey, Wheeler County, Texas. Fuel Marketing will charge 10 cents per Mcf, which it states is necessary to reimburse for costs associated with installation of .3 miles of 3-inch pipeline and measurement facilities.

4. Gas sold to Natural by Energy will be transported by Fuel Marketing and will be delivered into Natural's 26-inch pipeline in Section 22, H&GN survey, Block A-5, Wheeler County, Texas. Fuel Marketing will charge 15 cents per Mcf, which it states is necessary to reimburse for costs associated with installation of 300 horsepower of compresison and measurement facilities.

5. Gas sold to Natural by Sellers c/o Roy Durst will be delivered into the facilities of Southern Natural Gas Company (Southern Natural) which will deliver an equivalent quantity of gas to Untied Gas Ppe Line Company (United for further transportation and redelivery (less 1½ percent fuel consumption) to Natural at Erath, Vermillion Parish, Louisiana. Southern Natural will charge ½ cent per Mcf for administrative handling. United will charge 17.92 cents per Mcf, which it states is the transportation rate applicable to its Southern rate zone.

Since the parties have agreed upon the transportation charges, I find no basis for prescribing other charges.

Natural shall submit weekly reports as required by Order No. 4.

Pursuant to Section 6(a) of the Act, I hereby authorize Anschutz, Coronado, Energy, Sellers c/o Roy Durst to sell said gas to Natural, on the terms and conditions set forth in Natural's filing in the proceeding. Pursuant to Section 6(c)(1) of the Act, I hereby authorize and order Columbia Gulf, Tennessee Gas Pipeline, Fuel Marketing, Union Texas, Southern Natural and United, to transport gas for Natural.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon Natural, Anschutz, Coronado, Energy, Sellers c/o Roy Durst, Columbia Gulf, Tennessee Gas Pipeline, Fuel Marketing, Union Texas, Southern Natural and United. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95–2 and the Rules and Regulations which may be issued thereunder.

RICHARD L. DUNHAM,
*Administrator.*

JUNE 10, 1977.

[FR Doc.77–17340 Filed 6–16–77;8:45 am]

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[Docket No. E77–83]

## TRANSCONTINENTAL GAS PIPE LINE CORP.

### Supplemental Emergency Order Pursuant to Section 6 of Pub. L. 95–2

By order issued April 4, 1977, pursuant to Section 6 of the Emergency Natural Gas Act of 1977 (Act), Pub. L. 95–2 (91 Stat. 4 (1977)), Transcontinental Gas Pipe Line Corporation (Transco) was authorized to collect, subject to refund, proposed transportation rates for the transportation of (i) gas purchased under the Act by Transco as agent for its customers and (ii) gas transported for others. The rates to be charged for such service will be determined in Transco's pending Federal Power Commission (FPC) rate proceedings.

On April 5, 1977, Public Service Company of North Carolina, Inc. (Public Service), Piedmont Natural Gas Company, Inc. (Piedmont), and North Carolina Natural Gas Corporation (NCNGC) [collectively the "North Carolina Companies"] protested the filing. The North Carolina Companies stated that (i) the charges would make most emergency gas unsalable in North Carolina, (ii) the charges are not necessary to recoup any costs associated with this transportation, and (iii) the filing is inconsistent with orders issued in Docket No. E77–58 and other proceedings under the Act.[1] On April 6, 1977, the North Carolina Companies petitioned for rehearing of the April 4 order on the grounds that Section 6(b)(2) (91 Stat. 4, 8) prohibits the FPC from causing Transco to suffer undercollections. Also, on April 11, 1977, United Cities Gas Company (United Cities) protested Transco's filing on the grounds that it results in a price level which is unfair and inequitable and requested that such charges not be permitted to become effective. Transco answered the above filings on May 9, 1977.

By letter order issued April 27, 1977, the FPC rejected Transco's filing in Docket No. RP77–48, which was the basis for Transco's April 1, 1977 filing in this proceeding.[2] On May 23, 1977, the FPC denied Transco's petition for rehearing of the April 27, 1977 order.[3]

On June 1, 1977, Transco proposed new transportation rates, effective April 1, 1977, equivalent to the rates in effect, subject to refund in FPC Docket No. RP 77–26. These rates are 28.2 cents, 29.8 cents and 31.5 cents per MMBtu for Rate Zones 1, 2 and 3, respectively.

On June 3, 1977, the North Carolina Companies opposed Transco's June 1 request on the grounds that (i) the imposition of transportation charges in addition to the incremental cost of emergency gas results in an unfair burden on the high priority customers of the North Carolina Companies; (ii) the transportation rates would yield revenues greatly in excess of Transco's claimed costs; (iii) Transco is protected from undercollections by Section 6(b)(2); (iv) there is no incremental transportation costs other than fuel; and (v) the North Carolina Companies have submitted expert testimony in FPC Docket No. RP76–136 demonstrating that incrementally priced gas should not be burdened with transportation costs where such costs affect the marketability of such gas.

On April 4 order accepted Transco's original rates "subject to refund pending the resolution of Transco's FPC rate proceedings in Docket Nos. RP76–136, RP77–26, and RP77–48 * * *" The rejection of Transco's filing in FPC Docket No. RP77–48 automatically rejected Transco's April 1, 1977 filing in this proceeding. Thus, the only pending matter is Transco's June 1, 1977 filing and the North Carolina Companies' June 3 opposition to that filing.

The first, second, fourth and fifth points raised by the North Carolina Companies are matters to be decided in the FPC rate proceedings. The FPC must determine whether emergency gas volumes transported through Transco's system should bear a part of the costs of such pipeline. According to the North Carolina Companies' June 3 opposition, testimony and evidence regarding these matters have been submitted in Transco's FPC rate proceedings in Docket No. RP76–136, et al. Therefore, I find no basis for considering such points a second time in this proceeding.

The third point raised by the North Carolina Companies requires an interpretation of Section 6(b)(2) of the Act which reads as follows:

In exercising its authority under the Natural Gas Act, the Federal Power Commission shall not disallow, in whole or in part, recovery by any interstate pipeline, through the rates and charges made, demanded, or received by such pipeline, the amounts actually paid by it for natural gas purchased, transported, or other costs incurred pursuant to subsection (a).

The North Carolina Companies assert that this section protects Transco from undercollections if the FPC allocates costs to the transportation of emergency gas. The North Carolina Companies' interpretation is erroneous.

Section 6(b)(2) applies to amounts incurred pursuant to Section 6(a). Section 6(a) relates to the purchase, not the transportation, of emergency supplies of natural gas. Matters relating to the transportation of emergency gas supplies are covered by Section 6(c)(1). The Act does not state how an interstate pipeline's own transportation costs are to be allocated in a rate proceeding under the Natural Gas Act (15 U.S.C. § 717 et seq.). As Administrator, I exercise that authority vested in the President by Section 6 of the Act; however, that authority does not include the allocation of transportation costs under the Natural Gas Act. The allocation of transportation costs is a matter to be considered by FPC, and the pleadings in this proceeding demonstrates that the FPC is considering the allocation of Transco's transportation costs including the question whether any of such costs should be allocated to the Section 6 gas transported by Transco.

Pursuant to § 6(c)(1) of the Act (91 Stat. 4, 8), I authorize Transco to collect the transportation rates proposed in its June 1, 1977 filing for all volumes purchased for others pursuant to § 6(a) of the Act (91 Stat. at 7–8) and transported by Transco. Such rates shall be collected subject to refund pending the resolution of Transco's FPC rate proceedings in Docket Nos. RP76–136 and RP77–26 and any other FPC rate proceeding applicable to the period during which these transportation services are rendered.

This order is issued pursuant to the authority delegated to me by the President in Executive Order No. 11969 (February 2, 1977), and shall be served upon all parties in Docket Nos. E77–14, E77–18, E77–20, E77–34, E77–40, E77–41, E77–42, E77–58, E77–63 and E77–72. This order shall also be published in the FEDERAL REGISTER.

This order and authorization granted herein are subject to the continuing authority of the Administrator under Pub. L. 95–2 and the rules and regulations which may be issued thereunder.

RICHARD L. DUNHAM,
*Administrator.*

JUNE 10, 1977.

[FR Doc.77–17341 Filed 6–16–77;8:45 am]

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[1] The North Carolina Companies amended this filing on April 19, 1977, and attached an order of the North Carolina Utilities Commission which authorized Public Service to price gas purchased under the Act on a rolled-in rather than incremental basis.

[2] The North Carolina Companies and United Cities urged rejection of Transco's filing on the basis of this order in filings submitted May 2 and May 3, 1977, respectively.

[3] On May 24 and May 27, 1977, the North Carolina Companies and United Cities urged rejection of Transco's filing on the basis of this order.

Agricultural Marketing Service

[Marketing Agreement 146]

## BUDGET OF EXPENSES OF ADMINISTRATIVE COMMITTEE AND RATE OF ASSESSMENT FOR THE 1977 CROP YEAR

Pursuant to Marketing Agreement 146, regulating the quality of domestically produced peanuts (30 F.R. 9402), and upon recommendation of the Peanut Administrative Committee established pursuant to such agreement and other information, it is hereby found and determined that the expenses of said Committee and the rate of assessment applicable to peanuts produced in 1977 and for the crop year beginning July 1, 1977, shall be as follows:

(a) *Administrative expenses.* The budget of expenses for the Committee for the crop year beginning July 1, 1977, shall be in the total amount of $437,500, such amount being reasonable and likely to be incurred for the maintenance and functioning of the Committee, and for such purposes as the Secretary may, pursuant to the provisions of the marketing agreement, determine to be appropriate.

(b) *Indemnification expenses.* Expenses of the Committee for indemnification payments, pursuant to the Terms and Conditions of Indemnification Applicable to 1977 Crop Peanuts, effective July 1, 1977, are estimated at, but may exceed $3.5 million, such amount being reasonable and likely to be incurred.

(c) *Rate of assessment.* Each handler shall pay to the Peanut Administrative Committee, in accordance with § 48 of the marketing agreement, an assessment of the rate of $1.35 per net ton of farmers stock peanuts received or acquired other than those described in § 31 (c) and (d) ($0.35 for administrative expenses and $1.00 for indemnification expenses).

(d) *Indemnification reserve.* Monetary additions to the indemnification reserve, established in the 1965 crop year pursuant to § 48 of the marketing agreement, shall continue. That portion of the total assessment funds accrued from the $1.00 rate and not expended in providing indemnification on the 1977 crop peanuts shall be placed in such reserve and shall be available to pay indemnification expenses on subsequent crops.

The expenses and rate of assessment are, under the agreement, on a crop year basis and will automatically be applicable to all assessable peanuts from the beginning of such crop year. The handlers of peanuts who will be affected hereby have signed the marketing agreement authorizing approval of expenses that may be incurred and the imposition of assessments, they are represented on the Committee which has submitted the recommendation with respect to such expenses and assessment for approval; and handlers have had knowledge of the foregoing in their recent industry-wide discussions and will be afforded maximum time to plan their operations accordingly.

Dated: June 14, 1977.

CHARLES R. BRADER,
*Director, Fruit and Vegetable Division.*

[FR Doc.77-17416 Filed 6-16-77;8:45 am]

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Office of the Secretary

## AGRICULTURAL RESEARCH POLICY ADVISORY COMMITTEE

### Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Agricultural Research Policy Advisory Committee (ARPAC) will be held at 8:30 a.m. on Friday, July 22, 1977 in the Broadway Arms Room of the Cosmopolitan Hotel, Denver, Colorado.

The Committee is jointly sponsored and chaired by the Department of Agriculture and the National Association of State Universities and Land Grant Colleges.

The matters to be considered at this meeting include activities and progress in national and regional planning for agricultural research, general relationships between USDA and university research agencies, activities by other organizations of interest to ARPAC, and future ARPAC plans and actions.

The meeting will be open to the public. Attendance will be limited to the space available. While no oral presentations will be entertained, anyone may file with the Committee, before or after the meeting a written statement concerning the matters to be discussed. Persons who wish to file written statements, may submit them to Dr. David J. Ward, Research Planning and Coordination, Office of the Secretary, Room 359-A, USDA, Washington, D.C., telephone 202-447-3854.

A record of the meeting will be available for public inspection at the above address 60 days after the meeting.

Dated: June 13, 1977.

JAMES NIELSON,
*Deputy Assistant Secretary for Conservation, Research and Education.*

[FR Doc.77-17415 Filed 6-16-77;8:45 am]

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# CIVIL AERONAUTICS BOARD

[Order 77-6-70]

## AIR-SIAM AIR CO. LTD.

### Statement of Tentative Findings and Conclusions and Order to Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 14th day of June, 1977.

In the matter of Air-Siam Air Co. Ltd., Cancellation of Foreign Air Carrier Permit; Docket 30986.

Application of Air-Siam Air Company Limited for amendment of its foreign air carrier permit pursuant to section 402 of the Federal Aviation Act of 1958; Docket 29701.

Air-Siam holds a foreign air carrier permit issued pursuant to Order 75-1-26, approved by the President on January 4, 1975, authorizing the foreign air transportation of persons, property and mail between Thailand; the intermediate points Hong Kong; Fukuoka and Tokyo, Japan; and Honolulu, Hawaii; and the terminal point Los Angeles, California. Moreover, the carrier is authorized to operate charter trips pursuant to Part 212 of the Board's Economic Regulations. Except for Fukuoka authority which was granted by Order 75-1-26 for a period of two years, the authority contained in the carrier's permit is for an indefinite period.

By application dated August 24, 1976, Air-Siam sought to renew and extend its authority to serve Fukuoka, Japan, as an additional intermediate point between Thailand and Honolulu, Hawaii, and the terminal point Los Angeles, California.

By Diplomatic Note dated April 8, 1977, the Government of Thailand advised the United States that it had canceled Air-Siam's operating license effective February 3, 1977. The government of Thailand on May 31, 1977, announced that it has withdrawn the designation of Air-Siam. Moreover, the Board understands that Air-Siam is without assets and aircraft.

In view of the foregoing, the Board tentatively finds that dismissal of Air-Siam's pending application for amendment of its foreign air carrier permit, Docket 29701, and cancellation of Air-Siam's foreign air carrier permit, would be in the public interest.

Accordingly, *it is ordered, That:* 1. All interested persons are hereby directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, and which would:

(a) dismiss Air-Siam's pending application for amendment of its foreign air carrier permit; [1]

(b) cancel the foreign air carrier permit issued to Air-Siam pursuant to Order 75-1-26, subject to the approval of the President;

2. Any interested person having objection to the issuance, without hearing, of an order making final the tentative findings and conclusions stated herein shall file a statement of objections supported by evidence within twenty-one days of the date of adoption of this order. If an evidentiary hearing is requested, the objector should state in detail why such hearing is considered necessary and what relevant and material facts he would expect to establish through such hearing

[1] The Board has taken no procedural action on the carrier's application.

which cannot be established in written pleadings;

3. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board; [2]

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. Copies of this order shall be served upon Air-Siam Air Company Limited and the Ambassador of Thailand.

This order will be published in the FEDERAL REGISTER and will be transmitted to the President.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
*Secretary.*

[FR Doc.77-17356 Filed 6-16-77;8:45 am]

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[Order 77-6-67]

## IATA

### Agreement on South Pacific Passenger Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of June 1977.

Agreement adopted by the Joint Traffic Conferences of the International Air Transport Association relating to South Pacific passenger fares and cargo rates; Dockets 27573, 29123; Agreement C.A.B. 26536 R-1 and R-2.

By Order 77-4-53, April 11, 1977, the Board established procedural dates for the receipt of carrier justification, comments and replies regarding a mail vote agreement among the carrier members of the International Air Transport Association (IATA). The agreement proposes to increase South Pacific passenger fares and cargo rates by various amounts to compensate for rising fuel prices. In general, all passenger fares will be increased by 1.5 percent of the currently applicable normal economy-class fare. With respect to Hawaii, the dollar amount of increase at Honolulu would apply to all other Hawaiian points. With respect to all other points within TC1 (North and South America, Greenland, Bermuda, and the Caribbean), the amount of increase at Los Angeles would apply. The overall increase would be approximately 1.8 percent.[1]

In support of the agreement, Pan American World Airways, Inc. (Pan American), the only U.S.-flag carrier serving the South Pacific route, has submitted a statement of financial results in international scheduled passenger service for a forecast year ending March 31, 1978. The carrier forecasts a return on investment (ROI) of 9.57 percent under present fares and 11.42 percent under proposed fares, annualizing the effect of the agreement.[2] Pan American states that forecast costs are based on historical levels experienced during the year ended June 30, 1976, increased in line with the Board's guidelines for contractual cost escalations. The carrier alleges that its forecast ROI is actually overstated, not only due to the fact that traffic elasticity has not been taken into account, but also due to the exclusion of future cost increases which can not be determined precisely at this time but which will nevertheless be experienced.[3]

Upon full consideration of the subject agreement and Pan American's justification, the Board has concluded to approve the agreement. As indicated, Pan American's forecast excludes the possible effect of demand elasticity and anticipatory cost escalation, and the result is an ROI of 11.42 percent under proposed fares, which is not inconsistent with the Board's guideline.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. It is not found that the following resolution, incorporated in Agreement C.A.B. 26536 as indicated, is adverse to the public interest or in violation of the Act:

| Agreement C.A.B. 26536: | *IATA resolution* |
|---|---|
| R-1 | JT31 (Mail 94) 003f. |

2. It is found that the following resolution, incorporated in Agreement C.A.B. 26536 as indicated, is adverse to the public interst and in violation of the Act:

| Agreement C.A.B. 26536: | *IATA resolution* |
|---|---|
| R-2 | JT31 (Mail 95) 003ff. |

Accordingly, *it is ordered*, That:

1. Agreement C.A.B. 26536, R-1, be and hereby is approved;

2. Agreement C.A.B. 26536, R-2, be and hereby is disapproved; and

3. Tariffs implementing Agreement C.A.B. 26536, R-1, shall be marked to expire not later than March 31, 1978.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
*Secretary.*

[FR Doc.77-17355 Filed 6-16-77;8:45 am]

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[Order 77-6-63; Docket No. 29123; Agreement C.A.B. 26434; R-1 through R-5; Agreement C.A.B. 26435; R-1 through R-3; Agreement C.A.B. 26436; Agreement C.A.B. 26489; R-1 and R-2; Agreement C.A.B. 26515]

## IATA, WESTERN HEMISPHERE PASSENGER FARES

### Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of June, 1977. Agreements adopted by Traffic Conference 1 of the International Air Transport Association relating to Western Hemisphere passenger fares.

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 Traffic Conference 1 (TC1) of the International Air Transport Association (IATA). Agreements designated as C.A.B. 26434, C.A.B. 26435 and C.A.B. 26436 were adopted at the Reconvened TC1 Passenger Conference held in Mexico City from January 10 to 12, 1977. Agreements C.A.B. 26489 and C.A.B. 26515 were adopted by mail vote.

Agreement C.A.B. 26434 proposes adjustments in west-coast long-haul fares to bring them to levels similar to those previously proposed for other United States-South/Central America long-haul markets which were approved in Order 77-3-62, March 11, 1977.[1] Agreement C.A.B. 26489 proposes specified excursion and GIT fares between Miami and San Andres, Colombia. The proposed fares are set at a level between the current IATA and non-IATA excursion and GIT fares in this market. Agreements C.A.B. 26435 and C.A.B. 26436 would increase first-class, economy and excursion fares within South America and between Mexico and Venezuela by approximately five percent, and have indirect application in air transportation in that they can be combined with fares to/from the United

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[2] Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

[1] Pan American has informally advised us that the cargo-rate increase will not become effective, in part because a new overall South Pacific cargo rate agreement is under discussion. Accordingly it has not submitted justification for this portion of the agreement. In these circumstances, and considering also Pan American's history of high earnings in South Pacific cargo operations, we will herein disapprove the cargo portion of the agreement.

[2] As requested in the procedural order, the forecast under the proposed fares does not reflect downward adjustment in traffic to account for elasticity of demand.

[3] Pan American cites fuel cost in particular, asserting that additional increases will occur in July due to further OPEC action, which will have an immediate impact on the carrier due to "buyer's risk" supply contracts. In Order 77-2-32, February 4, 1977, the Board disapproved a previous IATA agreement proposing larger fare increases after adjusting Pan American's forecast to exclude elasticity and apparently anticipatory cost escalations.

[1] The agreement would have also increased group excursion and group inclusive-tour (GIT) fares between the United States and Brazil, within South America, and between South America and the Caribbean. However, IATA has subsequently withdrawn these resolutions and therefore no action is required on them. (Resolutions R-3, R-4 and R-5 of Agreement C.A.B. 26434). Resolution R-2, which proposes that, for group excursion fares from Brazil to the United States, one half of a basic fare be combined with one-half of a peak fare for mixed-season trips, is approved herein.

States. Agreement C.A.B. 26515 would rescind the proposed $2 and $4 increases in one-way and round-trip fares to/from Brazil which had been proposed as a result of a Brazilian government plan to collect the passenger service charge, currently paid by the passenger, from the carriers. The Brazilian government has deferred action on its plan and consequently IATA proposes to withdraw these increases.

We will approve those resolutions adjusting long-haul fares to/from U.S. west-coast points with the exception of the proposed increases in normal economy fares upon which we will defer action pending further evaluation.[2] We will approve those resolutions dealing with excursion and GIT fares between the United States and Colombia as well as the reduction in fares to/from Brazil. We will also approve those resolutions establishing fares between foreign points which are combinable with fares to/from U.S. points and thus indirectly affect air transportation as defined by the Act.

The agreements at issue here cover long-haul fare matters which were not resolved at the Miami Conference and were therefore not covered in Order 77-3-62, March 11, 1977 which acted on the Miami resolutions. Both Braniff and Pan American were requested to supplement their previous justifications of the Miami agreements to account for the current proposal to increase west-coast fares. In response, Braniff indicates that its justification of the Miami agreements had assumed that west-coast points would take the same increase as other U.S. points and that, consequently, there would be no additional revenue impact from the instant agreement. Pan American forecasts that the adjustment of west-coast fares would add an additional $27,000 to the revenue estimate provided for the Miami agreement and would therefore have no measurable impact on its return on investment.

The Board, acting pursuant to sections 102, 204(a), and 412, of the Act, makes the following findings:

1. It is not found that the following resolutions, incorporated in the agreements indicated, and which directly affect 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 |
|---|---|---|---|
| 26434: | | | |
| R-2 | 075g | TC1 Group Excursion Fares from Brazil to the U.S.A. (Amending.) | 1 (longhaul). |
| | | IATA resolution | |
| 26515 | 100 (Mail 109) 005f. | | |
| 26489: | | | |
| R-1 | 100 (Mail 108) 070cc. | | |
| R-2 | 100 (Mail 108) 084m. | | |

2. It is not found that the following resolution, to the extent it would establish fares other than normal economy-class fares from/to U.S. west-coast points, and which is incorporated in Agreement C.A.B. 26434 as indicated, is adverse to the public interest or in violation of the Act:

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 26434: | | | |
| R-1 | 002s | Special Amending Resolution | 1 (longhaul). |

3. It is not found that the following resolutions, incorporated in the 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 |
|---|---|---|---|
| 26435: | | | |
| R-1 | 051d | Expedited—TC1 First Class Fares (Amending) | 1. |
| R-2 | 061d | Expedited—TC1 Economy Class Fares (Amending) | 1. |
| R-3 | 070j | Expedited—TC1 Excursion Fares—Within South America (Amending) | 1. |
| 26436 | 002v | Special Amending Resolution | 1. |

Accordingly, *It is ordered*, That: 1. Those portions of Agreements C.A.B. 26434, C.A.B. 26515, C.A.B. 26489, C.A.B. 26435 and C.A.B. 26436 set forth in finding paragraphs 1, 2, and 3 above, be and hereby are approved; and 2. Action be and hereby is deferred on that portion of Agreement C.A.B. 26434, R-1 which would establish normal economy-class fares to/from U.S. west-coast points.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
*Secretary*

[FR Doc.77-17288 Filed 6-16-77;8:45 am]

[2] At the present time the Board is equally divided as to approval of the proposed increases in the aforesaid normal economy fares. Vice Chairman O'Melia and Member Johnson would approve the increases, whereas Acting Chairman West and Member Minetti, would not, in line with their dissent from Order 77-3-62.

## COMMISSION ON CIVIL RIGHTS

### ILLINOIS ADVISORY COMMITTEE

#### Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Illinois Advisory Committee (SAC) of the Commission will convene at 10 a.m. and will end at 3:30 p.m. on July 11, 1977, at 230 South Dearborn Street, Conference Room, Chicago, Illinois 60604.

Persons wishing to attend this open meeting should contact the Committee Chairperson or the Midwestern Regional Office of the Commission, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this meeting is to discuss and adopt the Chicago School Desegregation Project Proposal, discuss with state officials the proposed rules and regulations for Special Education for Handicapped Children. Adopt the project proposal for a study of the implementations of the Special Education programs in selected cities.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., June 13, 1977.

JOHN I. BINKLEY,
*Advisory Committee Management Officer.*

[FR Doc.77-17318 Filed 6-16-77;8:45 am]

### LOUISIANA ADVISORY COMMITTEE

#### Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Louisiana Advisory Committee (SAC) of the Commission will convene at 9 a.m. and will end at 2 p.m. on July 9, 1977, at the Sheraton Crest, I-10 and College Drive, Rouge, Louisiana.

Persons wishing to attend this open meeting should contact the Committee Chairperson or the Southwestern Regional Office of the Commission, New Moore Building, Room 231, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting is that the SAC will discuss school desegregation, prison reform issues, and police community relations in New Orleans.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., June 13, 1977.

JOHN I. BINKLEY,
*Advisory Committee Management Officer.*

[FR Doc.77-17319 Filed 6-16-77;8:45 am]

### MISSOURI ADVISORY COMMITTEE

#### Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations

of the U.S. Commission on Civil Rights, that a planning meeting of the Missouri Advisory Committee (SAC) of the Commission will convene at 10 a.m. and will end at 4 p.m. on July 14, 1977, at the Hilton Airport Plaza Inn, I-29 and 112th Street, N.W., Kansas City, Missouri 64195.

Persons wishing to attend this open meeting should contact the Committee Chairperson or the Central States Regional Office of the Commission, Old Federal Office Building, Room 3103, 911 Walnut Street, Kansas City, Missouri 64106.

The purpose of this meeting is to receive reports on feasibility studies for a major SAC project and develop implementation plans.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., June 14, 1977.

JOHN I. BINKLEY,
*Advisory Committee Management Officer.*

[FR Doc.77-17320 Filed 6-16-77;8:45 am]

## CIVIL SERVICE COMMISSION

### ENVIRONMENTAL PROTECTION AGENCY

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Environmental Protection Agency to fill by noncareer executive assignment in the excepted service the position of Scientific Assistant to the Administrator, Office of the Administrator, Immediate Office.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77-17041 Filed 6-16-77;8:45 am]

### DEPARTMENT OF THE INTERIOR

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Director (Policy and Program Development), Office of Territorial Affairs, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77-17042 Filed 6-16-77;8:45 am]

### DEPARTMENT OF THE INTERIOR

#### Title Change in Noncareer Executive Assignment

By notice of January 10, 1975, FR Doc. 75-1031 the Civil Service Commission authorized the Department of the Interior to fill by noncareer executive assignment the position of Deputy Assistant Secretary-Energy and Minerals (Policy and Program Review), Office of the Assistant Secretary, Energy and Minerals. This is notice that the title of this position is now being changed to Deputy Assistant Secretary-Energy and Minerals (Policy).

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77-17043 Filed 6-16-77;8:45 am]

### DEPARTMENT OF JUSTICE

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Deputy Commissioner, Immigration and Naturalization Service.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77-17044 Filed 6-16-77;8:45 am]

### DEPARTMENT OF TRANSPORTATION

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Deputy Secretary, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.77-17045 Filed 6-16-77;8:45 am]

## DEPARTMENT OF COMMERCE

### Economic Development Administration

### SHAM-O-KIN SHOE CORP.

#### Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Sham-O-Kin Shoe Corporation, 515 North Franklin Street, Shamokin, Pennsylvania 17872, a producer of footwear, was accepted for filing on June 9, 1977, pursuant to Section 251 of the Trade Act of 1974 (Pub. L. 93-618) and Section 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR 315). Consequently, the United States Department of Commerce has initiated 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, no later than the close of business of the tenth calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
*Chief, Trade Act Certification Division, Office of Planning and Program Support.*

[FR Doc.77-17334 Filed 6-16-77;8:45 am]

## COMMITTEE FOR THE PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

### PROCUREMENT LIST 1977

#### Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to procurement list.

SUMMARY: This action adds to procurement list 1977 commodities to be produced by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: June 17, 1977.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT:

C. W. Fletcher (703-557-1145).

SUPPLEMENTARY INFORMATION: On April 18, 1977, the Committee for Purchase from the Blind and Other Severely Handicapped published a notice (42 FR 20170) of proposed additions to Procurement List 1977, November 18, 1976 (41 FR 50975).

After consideration of the relevant matter presented, the Committee has determined that the commodities listed below are suitable for procurement by the Government under 41 U.S.C. 46-48 (c), 85 Stat. 77.

Accordingly, the following commodities are hereby added to Procurement List 1977:

*Class 7530*

Tape, Paper, Computing Machine, 7530-00-9055, 7530-00-286-9052, 7530-00-222-3455, 7530-00-286-9053, 7530-00-286-9054, 7530-00-238-8352, 7530-00-222-3456 (GSA Regions 1, 4 (Savannah, Georgia supply distribution facility), 7, 8, 9 and 10 only).

E. R. ALLEY, Jr.,
*Acting Executive Director.*

[FR Doc. 77-17333 Filed 6-16-77;8:45 am]

## PROCUREMENT LIST 1977

### Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee has received proposals to add to procurement list 1977 commodities to be produced by and services to be provided by workshops for the blind or other severely handicapped.

COMMENTS: Must be received on or before July 20, 1977.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT:

C. W. Fletcher (703–557–1145).

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77.

If the Committee approves the proposed additions, all entities of the Government will be required to procure the commodities and services listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodities and services to Procurement List 1977, November 18, 1976 (41 FR 50975):

*Class 7105*

Mirror, Glass, 7105–00–260–1390.

*Class 7110*

Cabinet, Telephone, 7110–00–264–4561.
Table, Occasional, 7110–00–993–5073, 7110–00–926–6702.

*SIC 7349*

Janitorial/Custodial Services. U.S. Army Reserve Centers for the following areas: Brockton, Massachusetts (Belmont and Manley St); Brockton, Massachusetts (Chestnut Street); Hingham, Massachusetts; Attleboro, Mass.; Roslindale, Mass.; Taunton, Mass.; New Haven, Connecticut; Bangor, Maine; Manchester, New Hampshire; Grenier Field Bldgs. P1, P2, and P3; Manchester, New Hampshire.

*SIC 0782*

Grounds Maintenance. U.S. Army Reserve Centers for the following areas: Attleboro, Massachusetts; Roslindale, Mass.; Taunton, Mass.; New Haven, Connecticut; Bangor, Maine; Manchester, New Hampshire; Grenier Field Bldgs. P1, P2, and P3; Manchester, New Hampshire.

E. R. ALLEY, Jr.,
*Acting Executive Director.*

[FR Doc.77–17332 Filed 6–16–77;8:45 am]

## COUNCIL ON ENVIRONMENTAL QUALITY

### ENVIRONMENTAL IMPACT STATEMENTS

### Availability

The following is a list of environmental impact statements received by the Council on Environmental Quality from June 6 through June 10, 1977. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (August 1, 1977) 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 are also available at 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Mr. Errett Deck, Coordinator, Environmental Quality Activities, U.S. Department of Agriculture, Room 307A, Washington, D.C. 20250, (202–447–6827).

FARMERS HOME ADMINISTRATION

*Final*

Avon Water Project, Cape Hatteras, Dare County, N.C., June 6: Proposed is the extension of the existing water system of the Cape Hatteras Water Association from Buxton, N.C. to the community of Avon, N.C., in order to provide a safe, dependable source of treated, domestic water for the Village of Avon. Plans call for the construction of a water line extension, storage tank, and distribution system. This project is intended to relieve residents of their sole dependence upon individually owned shallow wells which are subject to septic tank contamination and salt water intrusion from flooding. No adverse effects are anticipated. Comments made by: EPA, DOC, USDA, DOI, State and local agencies, and interested parties. (ELR Order No. 70713.)

FOREST SERVICE

*Draft*

Row, South Umpqua, and North Umpqua Units, Umpqua National Forest, Douglas, Lane, and Jackson Counties, Oreg., June 6: Proposed is a land management plan for the Row, South Umpqua, and North Umpqua Planning Units, totalling approximately one million acres on the Umpqua National Forest. For each unit, five alternative land use allocations are displayed and analyzed. Each alternative offers a different combination of lands allocated for uses which yield wood, water, forage, wildlife habitat, and outdoor recreation experience opportunities. The range of environmental effects for each alternative is discussed. (ELR Order No. 70705.)

Ashley National Forest Timber Management Plan, Utah and Wyoming, June 6: Proposed is a timber management plan for the 1,377,000-acre Ashley National Forest located in Daggett, Duchesne, Summit, Uintah, and Wasatch Counties, Utah, and Sweetwater County, Wyoming. While the proposed plan is based on the 1969–72 multiple use plans, it is consistent with management decisions in two land use plans being developed, and the Vernal Land Use Plan approved in 1974. By component, the potential yield is: Standard, 15.78 million board feet; Special, 2.00 million board feet; and Marginal, 8.08 million board feet for a total of 25.86 million board feet. (ELR Order No. 70699.)

SOIL CONSERVATION SERVICE

*Draft*

South Branch Little Nemaha Watershed, Johnson, Lancaster, and Otoe Counties, Neb., June 10: Proposed is the South Branch Little Nemaha Watershed Projet, designed to provide watershed protection and flood prevention. The planned works of improvement include land treatment measures (on-going and accelerated), 14 floodwater retarding structures, 46 grade stabilization structures, and associated on-farm terrace systems. All structural measures and beneficiaries are located in Johnson, Lancaster, and Otoe Counties, Nebraska. Adverse effects include the loss of 588 acres of agricultural land, 80 acres of forest land, and 30 acres of roads and channel area to structural measures. (ELR Order No. 70726.)

Deposit Watershed, New York, Broome, Chenango, and Delaware Counties, N.Y., June 6: Proposed is a project for watershed protection and flood prevention in Broome, Chenango, and Delaware Counties, New York. The planned works of improvement include conservation land treatment, supplemented by two floodwater retarding structures, channel work, and dikes in residential and agricultural areas. Installation of structures will result in the commitment of 4 acres of pasture, 18 acres of open land formerly cropped, 3 acres of forest land, 2 acres of urban land, and 900 feet of intermittent stream. Short term increases in sediment and turbidity will also result. (ELR Order No. 70702.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202–377–2186.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

*Final*

Haddock, Cod, and Yellowtail Flounder M.P., June 9: Proposed is a management plan for the domestic harvesting of haddock (Melanogrammus aeglefinus), cod (Gadus Morhua), and yellowtail flounder (Limanda ferruginea) off the Northeastern United States. These fisheries were regulated under the terms of the 18-member International Commission for the Northwest Atlantic Fisheries (ICNAF), as amended until December 31, 1976, when the U.S. withdrew from the convention. This plan proposes regulatory measures, and restrictions regarding quotas, fishing areas, mesh size, and minimum size limits. Beneficial effects are anticipated. Comments made by: DOT, EPA, DOI, COE, DOC and interested parties. (ELR Order No. 70722.)

DEPARTMENT OF DEFENSE

ARMY

Contact: Mr. George A. Cunney, Jr., Acting Chief, Environmental Office, Directorate of Installations, Office of the Deputy Chief of Staff for Logistics, Washington, D.C. 20310, 202–OX 4–4269.

NOTE.—At the request of the Department of Defense, Army, CEQ wishes to correct the abstract that appeared in the FEDERAL REGISTER of Friday, May 27, 1977 regarding Ground Squirrel Control at the Fort Ord Complex in California. The corrected version is as follows. (The filing date is the same and the comment period is not altered by this correction.)

*Final*

Ground Squirrel Control, Fort Ord, San Luis Obispo, Monterey Counties, Calif., June 20: Proposed is the significant reduction

of ground squirrel populations occupying large areas of grassland and woodland-grassland on Fort Ord, Fort Hunter Liggett and Camp Roberts, located in Monterey and San Luis Obispo Counties. This action would treat the open range ground squirrel habitat at Fort Hunter Liggett and Camp Roberts. The EIS recommends the use of pesticide 1080; the Department of the Army, however, prefers the alternative that would substitute the use of zinc phosphide. Adverse effects include the reduction of non-target populations such as other seed-eating rodents like meadow voles, kangaroo rats, field mice, and seed-eating birds due to secondary poisoning. Comments received by: DOI, DOT, USDA, DOD, HEW, EPA State and local agencies, interested groups and persons. (ELR Order No. 70617.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Department, Attn: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, S.W., Washington, D.C. 20314, 202-693-6795.

*Draft*

Lakes Greeson, Quachita, and DeGray, O&M, several Counties, Ark., June 9: Proposed is the continuance of operation and maintenance activities at Lake Greeson, Lake Quachita, and DeGray Lake, Arkansas. The Lake Greeson and Lake Quachita Projects were authorized for the purposes of flood control and hydroelectric power generation. The DeGray Lake project was authorized for flood control, hydroelectric power generation, water supply, navigation, and recreation. Adverse effects resulting from continued O&M include cold water release from hydroelectric power generation at Lake Greeson and Lake Quachita, which has disrupted the once warmwater fishery downstream of each lake. (Vicksburg District) (ELR Order No. 70725.)

*Final*

Little River Inlet Navigation Project, N.C., S.C. (2), North and South Carolina, June 6: The proposed project pertains to the Little River Inlet Navigation Project, Brunswick County, North Carolina, and Horry County, South Carolina. The recommended plant of improvement calls for: dredging an entrance channel to the Atlantic Intracoastal Waterway, dredging upcoast and downcoast deposition basins, constructing north and south jetties, and constructing sand dunes on both sides of the inlet. Adverse effects include alteration of existing vegetation, and possible displacement of wildlife species. (Charleston District.) Comments made by: EPA, DOI, DOC, USDA, HEW, HUD, DOT, State and local agencies, concerned citizens. (ELR Order No. 70707.)

SUPPLEMENT

Aquatic Plant Control, Florida (S-1), Fla., June 10: This statement supplements a final EIS filed with CEQ in September, 1973 relating to the Aquatic Plant Control Program in Florida. It concerns the inclusion of hydrilla and water lettuce in the Corps' ongoing aquatic plant control program as authorized by Section 302 of Public Law 89-298. The proposed control program calls for the herbicidal maintenance of fishing trails and open water areas in water bodies seriously infested with hydrilla, and localized treatments of water lettuce only when it poses a serious threat to water resource activities. (Jacksonville District.) (ELR Order No. 70727.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Please refer to the separate notice published by EPA in this issue of the FEDERAL REGISTER for the appropriate EPA contact.

*Final*

Westside Trunk Wastewater Facilities Plan, Jackson County, Oreg., June 8: Proposed is the construction of a wastewater collection system to serve the 2,000 residents of the Westside Trunk District, Jackson County, Oregon. Wastewater from the 5400-acre District, located southwest of Central Point, would be transported to Lower Bear Creek Interceptor and then be treated at the Medford Regional Sewage Treatment Plant on Rogue River. Negative effects include short term losses of vegetation, disruption of wildlife, and increased air and noise pollution. (Region X). Comments made by: USDA, HUD, DOI, COE, AHP, State and local agencies, concerned citizens. (ELR Order No. 70721.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, 202-755-6308.

*Draft*

Nassau Woods Development, Somerset County, N.J., June 10: Proposed is the issuance of FHA Mortgage Insurance for the development of a 668 unit garden apartment development, located in Franklin Township, New Jersey. The project consists of 668 garden apartment units on 70 acres of land; a sewage treatment plant discharging to the Millstone River; and sewers and appurtenances connecting the apartment site to the treatment plant, and the treatment plant to its outfall. Parking will be provided for 1177 cars. (ELR Order No. 70729.)

Metropolis Development, Carolina, P.R., Puerto Rico, June 6: The proposed action involves the development of 365.14 cuerdas (1 cda.=0.97 acre), in the Martin Gonzalez Ward of Carolina, into a residential area, under plans already approved by all pertinent Commonwealth agencies. The project provides for the construction of approximately 2,970 residential units, of which 1,775 will be single family dwellings. Adverse effects include alteration of topography, elimination of existing flora, and increases in noise and fugitive dust levels. (ELR Order No. 70701.)

Atascocita Subdivision, Tex., Harris County, Tex., June 7: Proposed is the granting of HUD/FHA approval for the proposed Atascocita Subdivision for home mortgage insurance purposes. Johnson-Loggins, Inc. is developing the approximately 5,234 acre subdivision, and envisions the construction of approximately 16,255 dwelling units with additional acreage reserved for commercial, school, open space, and recreational use. Adverse effects include localized increases in air and noise pollution, and alternation of plant and animal communities in Atascocita. (ELR Order No. 70718.)

*Final*

Aliso Hills, Orange County, Calif., June 6: Proposed is the provision of mortgage insurance, if requested, on 791 acres of various residential sites including open sites in a south-central section of Orange County, California. Adverse effects include conversion of agricultural land to urban use, elimination of native wildlife and flora, modification of natural land forms through grading, increases in air and noise pollution, and increases in public service, energy, and facilities demand. Comments made by: GSA, DOC, DOT, USA, USDA, HEW, EPA, State and local agencies, concerned citizens. (ELR Order No. 70696.)

Estancias de Rio Hondo Development, San Juan, P.R., June 6: 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. Comments made by: AHP, ERDA, EPA, DOI, HEW, USDA, interested parties. (ELR Order No. 70694.)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD.)

SECTION 104(H)

*Draft*

Jefferson, La., Marrero to Lafitte Waterline, Jefferson County, La. Proposed is the construction of a water line from Marrero to Lafitte in Jefferson Parish, Louisiana, to provide improved water service to the people of Ward Six of the parish and to provide for the area's domestic, recreational, commercial, and industrial needs. The water line would originate as a 36-inch diameter pipe in Marrero and would terminate approximately seventeen miles south near the end of State Highway 45 Lafitte, as an 18-inch diameter pipe. Its size would be reduced sequentially as it moves south from Marrero. Construction of the pipeline will remove approximately 20.4 acres of land from future development. (ELR Order No. 70710.)

*Draft*

E. Baton Rouge, La., Beaver Bayou Project, East Baton Rouge County, La., June 7: Proposed is the improvement of the Beaver Bayou in East Baton Rouge Parish, Louisiana. The project involves the construction of an open trapezoidal section earth channel generally following the existing alignment. This channel will be of varying depth and bottom width with side slopes ranging from 2:1 to 3:1 depending on both design criteria and existing subsoil conditions. The project drains approximately 8640 acres of the northeastern portion of East Baton Rouge Parish. (ELR Order No. 70714.)

*Final*

Willowbrook, Calif., Willowbrook Development Project, Los Angeles County, Calif., June 10: Proposed is the implementation of the Willowbrook Neighborhood Development Program in Los Angeles, California. The project goals include: improvement of the range and quality of housing, orderly growth and development around the Martin Luther King Memorial Hospital/Drew Medical School complex, and provision of recreational, community educational, and commercial facilities and services to meet community needs. Construction and demolition associated impacts will occur. Comments made by: DOT, State and county agencies. (ELR Order No. 70728.)

Mason City, Iowa, S. Federal Ave., Cerro Gordo County, Iowa, June 6: The proposed project calls for redevelopment measures on South Federal Avenue, Mason City, Iowa. Project plans consist of clearance and redevelopment of approximately 15 acres of downtown property, provision of up to 450,000 square feet of central business type commercial development, and the provision of public improvements, amenities and parking. The project area is bounded by Delaware Avenue on the east, Washington Avenue on the west, 4th Street S.W. on the south, and its north boundary is approximately one-half block north of 1st Street south. Adverse effects include impacts on air quality and noise levels. Comments made by: DOT, EPA

and local groups, concerned citizens. (ELR Order No. 70698.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 5311, Department of the Interior, Washington, D.C. 20240, 202–343–3891.

BUREAU OF RECLAMATION

*Final*

S. Nevada Water Project, Second Stage, Clark County, Nev., June 7: Proposed is the second stage of the Southern Nevada Water Project, a water supply system for the Las Vegas area. (Stage One was completed in 1971). The second stage consists of five new pumping plants, modifications to four existing first stage pumping plants, a 2.5-mile long second barrel to the main aqueduct installed beside the first stage, and 30 miles of new aqueduct and pipelines with the capacity of 166,800 acre-feet per year. The State of Nevada plans a major expansion of the Alfred Merritt Smith Water Treatment Facility in conjunction with the second stage. A slight deterioration of the water quality is expected. Comments made by: DOI, AHP, USAF, HEW, DOT, COE, EPA, State and local agencies, concerned citizens. (ELR Order No. 70717.)

DEPARTMENT OF LABOR

Contact: Mr. David R. Bell, Chief, Technical Studies Branch, 200 Constitution Avenue, Room N3669, Washington, D.C. 20210, 202–523–7076.

*Draft*

Benzene, Occupational Exposure Standard; June 10: Proposed is the regulation of employee exposure to benzene by setting a permissable exposure limit of 1 part benzene per million parts of air (1 ppm) as an 8-hour time-weighted average. The proposal also provides for employee exposure measurements, methods of compliance, protective clothing and equipment, medical surveillance, training, signs and label, employee observation of monitoring, and record-keeping. Beneficial impact on the workplace environment is anticipated. (ELR Order No. 70730.)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. Voss A. Moore, Division of Reactor Licensing, P–722, NRC, Washington, D.C. 20555, 301–443–6965.

*Final*

Bear Creek Project, Rocky Mountain Energy Co., Converse County, Wyo., June 8: The proposed action is the issuance of approvals, permits, and licenses to the Rocky Mountain Energy Company for the implementation of the Bear Creek Project. This project consists of certain mining and milling operations involving uranium ore deposits located in Converse County, Wyoming. Mining of uranium from nine known ore bodies will take place over a period of ten years; a mill with a nominal capacity of 1,000 tons per day will be constructed and operated as long as ore is available. The waste material will be stored on site in an impoundment. Adverse effects include loss of 3,000 acres of grazig land and disturbance of 1,800 acres of vegetation. Comments made by: USA, USCG, NRC, HEW, USDA, AHP, EPA, DOT, DOI, and ERDA. (ELR Order No. 70719.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street SW., Washington, D.C. 20590, 202–426–4357.

FEDERAL HIGHWAY ADMINISTRATION

*Draft*

I–291, Greater Hartford Area, Hartford County, Conn., June 6: Proposed is the construction of a multi-lane, limited access, suburban highway in the Greater Hartford area. The alignment of I–291 would extend from an interchange with Interstate Route 84 in Farmington, Connecticut, southeasterly through the towns of New Britain, Newington, Wethersfield, and Rocky Hill, Connecticut to an interchange with Interstate Route 91 in the Town of Rock Hill, Connecticut. The proposed construction would necessitate the displacement of 190 parcels of land, 93 households, and 35 businesses. A 4(f) statement is included for Churchill Park and Eagle Lantern Village Open Space. (ELR Order No. 70703.)

I–93 & U.S. 1 Interchange, Boston and Cambridge, Suffolk County, Mass., June 6: Proposed is the reconstruction of the expressway interchange of Interstate 93 (I–93) with the Mystic River Bridge (Route 1) in the city of Boston (Charlestown section) and Cambridge, by either replacement of existing viaduct roadway, or total construction of the interchange in a new configuration. One "No-Build" and two "Build" alternatives are under consideration. Of the two "Build" alternatives, Alternative 2, replaces viaduct roadways and produces surface street improvements; Alternative 3 would realign approaches from I–93 to the Mystic River Bridge on a new right-of-way, improve local surface streets, and remove the existing overhead structures. (Region 1.) (ELR Order No. 70706.)

Tenth Street South Upgrade, St. Cloud, Stearns and Sherburne Counties, Minn., June 6: The proposed improvement calls for upgrading the Tenth Street Corridor, which is located in the south-central portion of the St. Cloud Metropolitan Area. The Tenth Street Corridor begins at 39th Avenue and extends approximately four miles to U.S. 10/52; the corridor spans the Mississippi River. About two-thirds of the proposed arterial follows existing street and the remainder is in undeveloped areas of the city. Four distinct alternates are under consideration, two providing for a two-lane bridge and roadway, one providing for a four-lane bridge and roadway, and one providing for no action. A 4(f) statement is included concerning Riverside Park. (Region 5.) (ELR Order No. 70709.)

S.R. 90, Hilltop Interchange and Frontage Roads, Grant County, Wash., June 6: The proposed action consists of the construction of: (1) an interchange at location M.P. 143.86, near the point locally known as "Hilltop", and (2) approximately 8.02 miles of two lane, north and south frontage roads. The frontage roads will begin in the vicinity of "Hilltop" and extend along and adjacent to Interstate Route 90. The north frontage road will terminate near section corner 11, 12, 14 and 13 on County road S-SW. The south frontage road will terminate near the Beverly-Burke Road Undercrossing on County road R-SW. This construction area ends approximately one mile southwest of the town of George. Adverse effects include loss of wetland, and disruption to wildlife. (ELR Order No. 70711.)

*Final*

Clay-Herron St. Extension, Ala., Montgomery County, Ala., June 6: Proposed is the extension of Clay-Herron Street from I–65 west to U.S. 31 near Maxwell Air Force Base in West Montgomery, Alabama. The preferred alternative begins in the center of existing four-lane U.S. 31 near west Montgomery city limits and near where U.S. 31 transitions to two lanes; then proceeds eastearly generally parallel to U.S. 31 to just east of Air Base Boulevard overpass entrance into Maxwell Air Force Base. The project ends just west of Oak Street. The most significant negative impact will be the disruption and relocation of 24 families, 2 individuals, and 9 businesses. A 4(f) statement is included for West End Park. (Region 4.) Comments made by: EPA, HUD, COE, DOC, USDA, DOI, HEW, DOT, and concerned citizens. (ELR Order No. 70704.)

Saticoy Street Extension, Los Angeles, Los Angeles County, Calif., June 7: The project consists of the construction of Saticoy Street from Woodman Avenue to Van Nuys Boulevard. A grade separation is also proposed where the Saticoy Street extension crosses the Southern Pacific Railroad tracks. The main impact will be the effect of right-of-way acquisition upon the Department of Water and Power's Valley General Service Headquarters. Right-of-way requirements will also necessitate the structural remodeling of five industrial buildings (with possible relocation of one tenant) and the removal of one single-family dwelling. Noise and air pollution for the area will increase. (Region 9.) Comments made by: DOI, HEW, State and local agencies, and concerned citizens. (ELR Order No. 70715.)

Connector Highway, Pensacola USN Sta. to I–10, Escambia County, Fla., June 9: Proposed is the completion of a four-lane highway approximately 11.3 miles in length, extending from the West Gate of the Pensacola Naval Air Station northward to Interstate 10. The termini of the preferred alternative are S.R. S–292 and Pine Forest Road. Adverse impacts include displacement of 14 households and 2 businesses, and creation of some additional runoff, noise, and air pollutants. (Region 4.) Comments made by: EPA, DOI, HEW, DOC, USN, State and local agencies, and concerned citizens. (ELR Order No. 70724.)

I–380, Cedar Rapids, Linn County, Iowa, June 6: The proposed project involves the construction of a 4 to 8 lane, divided-highway segment of I–380, beginning at I–80 and ending at Freeway Route 518. The total project length is 2.5 miles. Major adverse impacts would be the displacement of 37 homes and 110 people, increased noise and air pollution, and a temporary increase in sediment load in McCloud Run due to erosion during construction. (Region 7.) Comments made by: HUD, USDA, DOI, HEW, EPA, DOT, State and local agencies, and concerned citizens. (ELR Order No. 70708.)

Md. Route 51, Cumberland to N. Branch, Allegany County, Md., June 7: The proposed action consists of relocating Maryland Route 51 from the access road to the Pittsburgh Plate Glass Plant at North Branch to 0.32 miles south of Cumberland, a distance of approximately 2.89 miles. Project plans consist of two 24-foot roadways separated by a 16-foot median strip with partial control of access. Adverse effects include acquisition of 98 acres of varying land use types, displacement of 12 families, and increases in air and noise pollution. (Region 3.) Comments made by: DOI, USDA, EPA, COE, State and local agencies, and concerned citizens. (ELR Order No. 70716.)

U.S. 93, Polson to Kalispell, Montana, Lake County, Mont., June 6: The proposed action consists of the reconstruction of approximately 13.0 miles of U.S. 93 on the west side of Flathead Lake between Polson and Kalispell. The Elmo-Rollins project, which is the southernmost project, starts 2.5 miles north-

east of Elmo and proceeds 5.5 miles to just northeast of Dayton. The Flathead-County Line-South project begins at the end of the Elmo-Rollins project and proceeds northerly for 7.5 miles to 1 miles south of the Flathead-Lake County Line. Construction-related impacts are anticipated. (Region 8.) Comments made by: EPA, DOT, COE, HEW, State and local agencies, and concerned citizens. (ELR Order No. 70700.)

U.S. 74, West of Hallsboro to East of Bolton, Columbus County, N.C., June 6: Proposed is the improvement of the existing U.S. 74 highway in Columbus County from west of Hallsboro to east of Bolton. The improvement will be a divided four-lane facility with five-lane urbanized sections, and will extend a distance of approximately 17.0 to 18.6 miles. The project will require the taking of land for right-of-way and will displace 32 families, 4 businesses, and 2 churches. The highway location will affect, to a certain extent, the desirability of areas of Bogue Swamp and Friar Swamp as wildlife habitat. (Region 4.) Comments made by: USDA, COE, DOC, DOI, EPA, FPC, GSA, State and local agencies, and concerned citizens. (ELR Order No. 70712.)

Whipple Avenue (State Route 297), Ohio, Stark County, Ohio, June 9: Proposed is the widening of Whipple Avenue from Fullton Drive to I-77 at Everhard Road in Canton, Ohio. The southern section of the original proposal requires further study and will necessitate a separate environmental document. The construction of the northern section will widen Whipple Avenue to a four-lane arterial with a fifth turning lane, where necessary. Few adverse effects are anticipated. (Region 5.) Comments made by: DOT, EPA, HUD, State agencies, and interested parties. (ELR Order No. 70723.)

*Supplement*

I-40 and Mountain Road Interchange (S-2), Quay County, N. Mex., June 6: Proposed is the construction of a diamond interchange at the intersection of Mountain Road and Interstate 40 in Tucumcari, Quay County, New Mexico. The City of Tucumcari and Quay County will construct the Mountain Road connection from U.S. 66 to the Interchange. Approximately 155 acres of irrigated land and 5 acres of dry land will be acquired for the proposed interchange. (Region 6.) (ELR Order No. 70697.)

NICHOLAS C. YOST,
*Acting General Counsel.*

[FR Doc.77-17328 Filed 6-16-77;8:45 am]

## DEPARTMENT OF DEFENSE

### Department of the Air Force

### REQUIREMENT FOR FOREIGN CURRENCY BANKING ARRANGEMENT

#### Invitation for Bids

The U.S. Air Force has a requirement for a foreign currency banking arrangement to fulfill agreements for European coproduction of the F-16 aircraft. The agreement involves the countries of Belgium, Denmark, the Netherlands, and Norway. The currencies involved in the banking arrangement will be the respective currencies of these four countries and U.S. dollars. Central management and accounting will be in Brussels, Belgium; however, one account will be established for each foreign currency and maintained in the respective country. The foreign currency accounts will be used to accept deposits from the European governments and contractors and U.S. Government, to make disbursements to U.S. contractors for their payment of European subcontractors and vendors, and to make currency exchanges for European contractors. A qualified financial institution will have:

(a) Correspondent relationships to permit cable transactions among Belgium, Denmark, the Netherlands, Norway, and the U.S.;

(b) Capability for timely transfer of U.S. dollars from Europe to the designated Federal Reserve Bank or Branch in the U.S.;

(c) Capability to promptly record and confirm foreign currency deposits; and

(d) Capability of centrally accounting and providing magnetic tapes of all transactions.

Based on information presently available, it appears that deposits to the four accounts will total the equivalent of four billion U.S. dollars over the next 8-10 years. However, the amount and period could vary significantly from this estimate. Also, it is planned that bidding for maintaining the accounts will be reopened every two years.

Financial institutions, domestic or foreign, desiring a copy of the detail specification and requirement package on the banking arrangement may contact Mr. Charles M. Heflin, HQ USAF, Directorate of Accounting and Finance (AF/ACF), Washington, D.C. 20330, telephone 202-697-9223.

This invitation to bid has been extended to July 5, 1977. To be considered, all bids must be received at the above address by July 5, 1977. Financial institutions who have already submitted bids need not resubmit. However, changes, if any, will be accepted.

FRANKIE S. ESTEP,
*Air Force Federal Register Liaison, Directorate of Administration.*

[FR Doc.77-17402 Filed 6-16-77;8:45 am]

### Office of the Secretary

### DDR&E HIGH ENERGY LASER REVIEW GROUP (HELRG)

#### Closed Meeting

Pursuant to the provisions of Section 10 of Appendix I, Title 5, United States Code, notice is hereby given that a closed meeting of the DDR&E High Energy Laser Review Group will be held at 0830 on Monday, July 18, 1977, in San Diego, California. The purpose is to review matters pertaining to the Department of Defense high energy laser program.

The entire meeting will be devoted to a discussion of classified information as defined in subparagraph (1) of Section 552b(c) of Title 5 of the U.S. Code, and therefore will be closed to the public.

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

JUNE 9, 1977.

[FR Doc.77-17404 Filed 6-16-77;8:45 am]

### DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

#### Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Public Law 92-463, as amended by Section 5 of Public Law 94-409, notice is hereby given that a closed meeting of a Panel of the DIA Scientific Advisory Committee will be held as follows: Tuesday, 12 July 1977, Pomponio Plaza, Rosslyn, Va.

The entire meeting commencing at 0830 hours is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. The Panel will receive briefings and participate in discussions relative to the Defense Intelligence Agency's assessments of foreign military equipment, operations, and capabilities.

MAURICE W. ROCHE,
*Director, Correspondence and Directives, Office of the Assistant Secretary of Defense (Comptroller).*

JUNE 9, 1977.

[FR Doc.77-17403 Filed 6-16-77;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Center for Disease Control

### OCCUPATONAL SAFETY AND HEALTH

#### Applications for Certification of Certain Gas Detector Tube Units

In the FEDERAL REGISTER of May 8, 1973 (38 FR 11458), the Department adopted regulations which set forth the requirements and procedures for the evaluation and certification of gas detector tube units (42 CFR Part 84). In accordance with § 84.3(a) of the regulations, notice is hereby given that the National Institute for Occupational Safety and Health will accept applications for certification of gas detector tube units pursuant to the following schedule:

| Gas | Dates for submittal | Test standards |
|---|---|---|
| Benzene (CAS registry No. 000071432) | Immediately and until further notice | 1 p/m |
| Chloroprene (CAS registry No. 000126998) | Oct. 1 to Oct. 31, 1977 | 25 p/m |

All applications and any questions concerning the certification program should be submitted to the Institute's Testing and Certification Branch, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505.

Dated: June 11, 1977.

EDWARD J. BAIER,
*Acting Director, National Institute for Occupational Safety and Health.*

[FR Doc.77-17315 Filed 6-16-77;8:45 am]

## Food and Drug Administration

## ADVISORY COMMITTEES

### Meetings

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committees and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) (formerly Subpart D of Part 2, prior to recodification published in the FEDERAL REGISTER of March 22, 1977 (42 FR 15553)) relating to adivsory committees. The following advisory committee meetings are announced:

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 1. Ophthalmic device classification panel. | July 11 and 12, 1 p.m., room 503/507A, South Portal Bldg., 200 Independence Ave. SW., Washington, D.C. | Closed committee deliberations July 11, 9 a.m. to 1 p.m.; open public hearing July 11, 1 p.m. to 2 p.m.; open committee discussion July 11, 2 p.m. to 5 p.m.; open public hearing July 12, 9 a.m. to 10 a.m.; open committee discussion July 12, 10 a.m. to 5 p.m.; James G. Dillon, Ph. D. (HFK-470), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7228. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested parties are encouraged to present information pertinent to: (1) Rediscussion, based on new or additional information, of previously recommended classifications of ophthalmic devices; (2) extended wear contact lenses; and (3) Class I device exemptions (section 513 (c) (2) (B) of the Medical Device Amendments of 1976) to the executive secretary. Those desiring to make formal presentations should notify the executive secretary by July 1, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* The committee will review previous classifications in light of any new or additional information. The committee will also review extended wear contact lenses. Additionally a presentation relative to Class I device exemptions (section 513(c) (2) (B) of the Medical Device Amendments of 1976) will be made by a representative of the Division of Compliance, Bureau of Medical Devices. The panel will recommend Class I device exemptions for the appropriate devices.

*Closed committee deliberations.* The committee will review premarket approval applications for ophthalmic devices. This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552b(c) (4)).

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 2. Cardiovascular device classification panel. | July 29, 9 a.m., room 1813 FB-8, 200 C St. SW., Washington, D.C. | Open public hearing 9 a.m. to 10 a.m.; open committee discussion 10 a.m. to 4 p.m.; closed committee deliberations 4 p.m. to adjournment; Glenn Rahmoeller (HFK-450), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7226. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested parties are encouraged to present data relative to the tentative classification findings. Those desiring to make formal presentations should notify the executive secretary by July 8, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* The purpose of this meeting is to review the cardiovascular device panel's classification report and to provide industry and other members of the public an opportunity to comment on the panel's classification recommendations.

*Closed committee deliberations.* Discussion of premarket approval application for a new device. This portion of the meeting will be closed to protect trade secret data (5 U.S.C. 552b(c) (4)).

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Public Records and Documents Center (HFC-18), 5600 Fishers Lane, Rockville, Md. 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14 (formerly Subpart D of Part 2, prior to recodification published in the FEDERAL REGISTER of March 22, 1977 (42 FR 15553)).

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA), as amended by the Government in the Sunshine Act (Pub. L. 94-409), permit such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cited statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves

a trade secret; commercial or financial information that is privileged or confidential; information of a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy; investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action; and information in certain other instances not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, notably, deliberative sessions to formulate advice and recommendations to the agency on matters that do not independently justify closing.

Dated: June 10, 1977.

JOSEPH P HILE,
*Acting Commissioner of Food and Drugs.*

[FR Doc.77-17092 Filed 6-16-77;8:45 am]

## ADVISORY COMMITTEES

### Meetings

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committees and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) (formerly Subpart D of Part 2, prior to recodification published in the FEDERAL REGISTER of March 22, 1977 (42 FR 15553)) relating to advisory committees. The following advisory committee meetings are announced:

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 1. Miscellaneous Internal Drug Products Panel. | July 9, 10, and 11, 1 p.m., conference room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. | Open public hearing July 9, 1 p.m. to 2 p.m.; open committee discussion July 9, 2 p.m. to 4:30 p.m., July 10, 9 a.m. to 4:30 p.m., open public hearing July 11, 9 a.m. to 10:30 a.m.; open committee discussion July 11, 10:30 a.m. to 4:30 p.m., Armond M. Welch (HFD-510), 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4960. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

*Agenda—Open public hearing.* Any interested persons may present data, information or views, orally or in writing, on issues pending before the committee. Those who desire to make such a presentation should notify the contact person before July 6, 1977 and submit a brief statement of the general nature of the data, information or views they wish to present, the names and addresses of proposed participants, and an indication of the approximate time desired for their presentation.

*Open committee discussion.* The panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this panel (see also 21 CFR 330.10(a)(2))

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 2. Pathology Device Classification Panel. | July 11 and 12, 9 a.m., room 1409, FB-8, 200 C St. SW., Washington, D.C. | Open public hearing July 11, 9 a.m. to 10 a.m., open committee discussion July 11, 10 a.m. to 4:30 p.m.; July 12, 9 a.m. to 4:30 p.m., Thomas M. Tsakeris (HFK-440), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7234. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested persons are encouraged to present information pertinent to the classification of pathology diagnostic products to the executive secretary. Submission of data relative to tentative classification findings is also invited. Those desiring to make formal presentations should notify the executive secretary by June 27, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* Presentations will be made as follows: (1) Linda Horton, Office of General Counsel, FDA, will discuss the background of the Federal Food, Drug, and Cosmetic Act, the addition of the Medical Device Amendments of 1976 and its important features, and the panel's responsibilities; (2) Dr. Carl W. Bruch, Acting Director, Division of Classification and Scientific Evaluation, Bureau of Medical Devices will discuss the needs and importance of classification; and (3) Larry Pilot, Director, Division of Compliance, Bureau of Medical Devises, will discuss the responsibilities of the Division of Compliance.

Immediately following the presentations, the panel will begin classification of assigned devices from the pathology device classification list. The following product groups will be considered for classification: Cells and body fluid collection devices; storage specimen collection containers; decalcifiers; fixatives, preservatives and adhesives; microscopes and accessories; reagents; stains, tissue biopsy instruments; tissue processing equipment.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 3. Dentifrices and Dental Care Agents Panel. | July 13 and 14, 9 a.m., conference room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. | Open public hearing July 13, 9 a.m. to 10 a.m.; open committee discussion July 13, 10 a.m. to 4:30 p.m., July 14, 9 a.m. to 4:30 p.m., Michael D. Kennedy (HFD-510), 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4200. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

*Agenda—Open public hearing.* Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

*Open committee discussion.* The panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this panel (see also 21 CFR 330.10(a)(2)).

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 4. Orthopedic Device Classification Panel. | July 15, 9 a.m., room 503/507A, South Portal Bldg., 200 Independence Ave. SW., Washington, D.C. | Open public hearing 9 a.m. to 10 a.m.; open committee discussion 10 a.m. to 5 p.m., James G. Dillon, Ph. D. (HFK-470), 5757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7228. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested parties are encouraged to present information pertinent to classification of orthopedic devices to the executive secretary. Submission of data relative to tentative classification findings is also invited. Those desiring to make formal presentations should notify the executive secretary by July 1, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* The panel will rediscuss additional data concerning patellofemoral prostheses, total ankle prostheses, and total wrist prostheses; review of the available information and recommendations for classification of ultrasonic bone cutters, electronic bone growth stimulators, total shoulder prostheses and total hip prostheses with trunnion bearings; discuss exemptions for devices recommended for classification in Class I—General Controls (in accordance with section 513(c)(2)(B) of the Medical Device Amendments of 1976) as well as a general review of previous classification recommendations.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 5. General Hospital and Personal Use Device Classification Panel. | July 18 and 19, 9 a.m. room 1813, FB-8, 200 C St. SW., Washington, D.C. | Open public hearing July 18, 9 a.m. to 10 a.m.; open committee discussion July 18, 10 a.m. to 5 p.m.; July 19, 9 a.m. to 5 p.m.; William O. Dierksheide, Ph. D. (HFK-440), 5757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7234. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested parties are encouraged to present information pertinent to the classification of general hospital and personal use devices to the executive secretary. Submission of data relative to tentative classification findings is also invited. Those desiring to make formal presentations should notify the executive secretary by July 11, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* The panel will classify the following devices: Adult identification bracelet; infant identification bracelet; general hospital sylet; fiber absorbent; absorbent tipped applicator; newborn urine collection bag; formaldehyde cabinet; A–C powered examination and treatment chair; adjustable examination and treatment chair; fiber filled dressing; gauze dressing; forceps; plastic heat shield; neonatal eye pad; custom support hose; noncustom support hose; gauze stockinett; tape measure; umbilical cord ties, tapes, and clips; emesis basin; bedpan; cardiopulmonary resuscitation board; vacuum bottle; ice cap; ring cutter; medicine glass; Kelley pad; cardiopulmonary resuscitation pulsar; ring stand; urinal; special lambs nipple; foot board; warming cabinet; geriatric chair; mattress cover; pediatric top bed covers; footrest, with bed attachment; examination light; skin pressure protector; protective restraint; body weight scale; bed cover support; overbed table; pediatric aerosol tent; inhalater; wheeled stretcher; hand carried stretcher; chemical hotpack; chemical coldpack; electrically powered water flotation bed; surgical glove; operating room gown; overhead boom patient lift; mercury blood pressure manometer; electric heating pad; prophylactic (condom); A–C powered patient rollers; electrically powered operating room table; surgical patient isolation unit; ultrasonic cleaner; and general tubing for fluid delivery system.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 6. General and Plastic Surgery Device Classification Panel. | July 21, 8 a.m; room 1137, HEW-N, 330 Independence Ave. SW., Washington, D.C. | Open committee discussion 8 a.m. to 2:30 p.m.; open public hearing 2:30 p.m. to 4:30 p.m., Mark F. Parish, Ph. D. (HFK-470), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7238. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested parties are encouraged to present information pertinent to the classification of the devices listed below to the executive secretary. Submission of data relative to tentative classification findings is also invited. Those desiring to make formal presentations should notify the executive secretary by July 14, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* The following devices will be classified: Air-handling apparatus (bench, room-type, and enclosures), surgeons gloves; suture booster and retention bridge; burn and wound dressings; cardiac output monitor; continuous blood gas monitor. The panel will discuss and classify tissue adhesives and ultraviolet light cabinets. The panel will review electrosurgical device standards and the previous classification of surgical lasers. Criteria for long-term biocompatibility of implanted prosthetic devices will be discussed. Also, at the panel's February 24 meeting the following devices, which were not listed in the January 18, 1977 FEDERAL REGISTER notice (42 FR 3353) of that meeting, were reviewed. As the February meeting was adjourning ahead of schedule, the members agreed to review these remaining devices on their list: Measuring tapes, rulers, and calipers; mirrors; tongue blades; electrical safety apparatus—conductivity tester, explosion and nonexplosion proof connectors and outlets, conductive flooring, ground fault indicator, isolation transformer; jars; external prostheses—adhesive, aesthetic restoration material, brace (back, lower and upper extremity, and neck), cane, crutches, facial fracture appliance, inflatable and noninflatable extremity splints, nasal splint; skin marker. The panel will consider additional comments regarding the classification of these devices at the July 21 meeting.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 7. Subcommittee on Hypersensitivity and Immunotoxicity of the NCTR Science Advisory Board. | July 22, 8 a.m., Camelot Inn Little Rock, Ark. | Open public hearing 8 a.m. to 9 a.m.; open committee discussion 9 a.m. to 4 p.m., Ruth S. Magee, National Center for Toxicological Research, Jefferson, Ark. 72079, 501-541-4528. |

*General function of the committee.* Advises on establishment and implementation of a research program that will assist the Commissioner of Food and Drugs and the Administrator, Environmental Protection Agency, in fulfilling their regulatory responsibilities.

*Agenda—Open public hearing.* Any interested persons may present data, information, or views, orally or in writing, on issues pending before the board.

*Open committee discussion.* Discussion of hypersensitivity, immunosuppression, and ongoing experiments and proposed models for determining the effects of drugs and toxic agents in immunocompetence.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 8. Neurological Device Classification Panel. | July 22 and 23, 9 a.m. room 1813, FB-8, 200 C St. SW., Washington, D.C. on July 15; room 421, Crystal City Marriott Hotel, Arlington, Va. on July 16. | Open public hearing July 15, 9 a.m. to 10 a.m.; open committee discussion July 15, 10 a.m. to 4 p.m.; July 16, 9 a.m. to 4 p.m., James R. Veale (HFK-420), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7223. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

*Agenda—Open public hearing.* Interested parties are encouraged to present information pertinent to classification of devices listed in this notice to the executive secretary. Submission of data relative to tentative classification findings is also invited. Those desiring to make formal presentations should notify the executive secretary by July 1, 1977, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

*Open committee discussion.* The panel will review available literature concerning the following devices in order that a final panel recommendation for classification can be made: CSF shunts and components; aneurysm clips; burr hole covers; cranioplasty and skull plate fasteners; cranioplasty preformed plates (alterable); cranioplasty preformed plates (nonalterable); craniosynostosis strips (preformed); dura substitutes; vertebral replacements; vertebral struts; tissue adhesives for aneurysmorrhaphy; methyl methacrylate for aneurysmorrhaphy; induction coagulation lesion generators and implanted seeds; arterial clamps; implanted neurostimulators (cerebellar, phrenic nerve, intracerebral/subcortical for pain, spinal cord for bladder evacuation, spinal cord for pain, neuromuscular, peripheral nerve for pain); cerebral electrotherapy stimulators; nerve cuffs.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 9. Allergenic Extracts Panel. | July 22 and 23, 9 a.m., room 130, 6110 Executive Blvd., Rockville, Md. | Open public hearing July 22, 9 a.m. to 10 a.m.; open committee discussion July 22, 10 a.m. to 5:30 p.m.; July 23, 8:30 a.m. to adjournment; Clay Slick (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-443-3455. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of biological products.

*Agenda—Open public hearing.* Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

*Open committee discussion.* Discussion of manufacturing guidelines for epidermal and food extracts; indications for allergenic extracts in ophthalmic testing and inhalation challenge; review of 21 CFR 680.1, 680.2, and 680.3; microbial and endotoxin hazards in extracts; edit draft reviews on epidermal, insect, pollen, food and miscellaneous inhalant extracts; edit draft statements on testing recommendations, safety, standardization, and the introduction to the panel report.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 10. Contraceptive and Other Vaginal Drug Products Panel. | July 27 and 28, 9 a.m., conference room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. | Open public hearing July 27, 9 a.m. to 10 a.m.; open committee discussion July 27, 10 a.m. to 4:30 p.m.; July 28, 9 a.m. to 4:30 p.m.; Armond M. Welch (HFD-510), 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4960. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

*Agenda—Open public hearing.* Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those who desire to make such a presentation should notify the contact person before July 24, 1977 and submit a brief statement of the general nature of the

data, information or views they wish to present, the names and addresses of proposed participants, and an indication of the approximate time desired for their presentation.

*Open committee discussion.* The panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this panel (see also 21 CFR 330.10(a)(2)).

The panel will be reviewing, voting upon and modifying the content of summary minutes and categorization of ingredients and claims.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 11. Antimicrobial Panel..... | July 29 and 30, 9 a.m., conference room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. | Open public hearing July 29, 9 a.m. to 10 a.m., open committee discussion July 29, 10 a.m. to 4:30 p.m., July 30, 9 a.m. to 4:30 p.m., Armond M. Welch (HFD-510), 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4960. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

*Agenda—Open public hearing.* Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those who desire to make such a presentation should notify the contact person before July 26, 1977 and submit a brief statement of the general nature of the data, information or views they wish to present, the names and addresses of proposed participants, and an indication of the approximate time desired for their presentation.

*Open committee discussion.* The panel will review data submitted pursuant to the over-the-counter (OTC) review's call for data for this panel (see also 21 CFR 330.10(a)(2)).

The panel will be reviewing, voting upon and modifying the content of summary minutes and categorization of ingredients and claims.

| Committee name | Date, time, and place | Type of meeting and contact person |
|---|---|---|
| 12. Obstetrics and Gynecology Advisory Committee. | July 28 and 29, 9 a.m., conference rooms G and H, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. | Open public hearing July 28, 9 a.m. to 10 a.m., open committee discussion July 28, 10 a.m. to 5 p.m., July 29, 9 a.m. to 5 p.m., A. T. Gregoire, Ph. D. (HFD-130), 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3510. |

*General function of the committee.* Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in the practice of obstetrics and gynecology.

*Agenda—Open public hearing.* Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

*Open committee discussion.* Discussion of the review of estrogen product labeling; committee review of draft guidelines for the clinical study of systemic contraceptives; review of proposed study on intermittent estriol therapy in premenopausal women; oxytocic agents for induction of labor; and NDA 17,989 ((15s)-15 Methyl Prostin $F_2$ Alpha)

FDA public advisory committee meetings may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. There are no closed portions for the meetings announced in this notice. The dates and times reserved for the open portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Public Records and Documents Center (HFC-18), 5600 Fishers Lane, Rockville, MD 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14 (formerly Subpart D of Part 2, prior to recodification published in the FEDERAL REGISTER of March 22, 1977 (42 FR 15553))

The Commissioner approves the scheduling of meetings at locations outside of the Washington, DC, area on the basis of the criteria of 21 CFR 14.22 (formerly

21 CFR 2.307, prior to recodification published in the FEDERAL REGISTER of March 22, 1977 (42 FR 15553)) of FDA's regulations relating to public advisory committees.

Dated: June 9, 1977.

WILLIAM F RANDOLPH,
*Acting Associate Commissioner for Compliance.*

[FR Doc.77-16956 Filed 6-16-77;8:45 am]

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[Docket No. 77C-0153]

## COLOR ADDITIVE PETITIONS

### Amended Filing Notices

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This is a notice of amendment to petitions for color additives which proposed use of natural pearl essence, mica, chromium oxide green, chromium hydroxide green, graphite, and ferric ferrocyanide. The petitions are amended to include their use in externally applied drugs.

FOR FURTHER INFORMATION CONTACT:

Gerad L. McCowin, Bureau of Foods (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, D.C. 20204, (202-472-5740).

SUPPLEMENTARY INFORMATION: Notice was given in the FEDERAL REGISTER of August 6, 1973 (38 FR 21200) that the following petitions had been filed by the Cosmetic, Toiletry and Fragrance Association, Inc. (CTFA), 1133 15th St. NW., Washington, DC 20005 (formerly the Toilet Goods Association, Inc.), c/o Hazleton Laboratories, Inc., P.O. Box 30, Falls Church, VA 22046, proposing the issuance of color additive regulations for the safe use and exemption from certification of various color additives:

| Color additive | | Uses |
|---|---|---|
| CAP No. | | |
| 8C0074 | Natural pearl essence | In externally applied cosmetics, including lipsticks and those for use in the area of the eye. |
| 8C0076 | Mica | Do. |
| 8C0083 | Bronze powder | Do. |
| 8C0079 | Chromium oxide green and chromium hydroxide green. | In externally applied cosmetics, including those for use in the area of the eye. |
| 8C0080 | Graphite | Do. |
| 8C0082 | Ferric ferrocyanide | Do. |

By notice published March 5, 1976 (41 FR 9584) the proposed uses of natural pearl essence, mica, and bronze powder were amended to include their additional use in all types of cosmetics subject to ingestion.

Notice is hereby given that these petitions have been further amended to include the use of the above-listed color additives in externally applied drugs.

Dated: June 13, 1977.

HOWARD R. ROBERTS,
*Acting Director Bureau of Foods.*

[FR Doc.77-17095 Filed 6-16-77; 8:45 am]

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[Docket No. 76N-0311]

## DRUG PRODUCTS CONTAINING DIPYRONE

### Withdrawal of Approval of New Drug Applications

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice withdraws approval of the new drug applications (NDA's) for drug products containing dipyrone. The drug products have been used to reduce fever, but they are not shown to be safe for use.

DATE: Effective June 27, 1977.

ADDRESS: Requests for opinion of the applicability of this notice to a specific product should be directed to the Division of Drug Labeling Compliance (HFD-310), Bureau of Drugs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT:

Ronald L. Wilson, Bureau of Drugs (HFD-32), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, (301-443-3650).

SUPPLEMENTARY INFORMATION: In a notice (FDA Docket No. 76N-0311) published in the FEDERAL REGISTER of September 3, 1976 (41 FR 37386), the Director of the Bureau of Drugs offered an opportunity for a hearing on a proposal to issue an order withdrawing approval of the NDA's for the drug products described below. The basis of the proposed action was that the drugs are not shown to be safe for use.

| NDA No: | Drug name | Firm name |
|---|---|---|
| 16-134 | Narone (dipyrone) tablets | Ulmer Pharmacal Co., 1400 Harmon Pl., Minneapolis, Minn. 55403. |
| 16-142 | Pyrilgin (dipyrone) | Savage Laboratories, Inc., P.O. Box 1000, Missouri City, Tex. 77459. |
| 16-147 | Pyrilgin (dipyrone) injection | H. E. Maurry Biological Co., Inc., 6100 South Western Ave., Los Angeles, Calif. 90047. |
| 16-152 | do | Savage Laboratories, Inc. |
| 16-155 | Pyrilgin (dipyrone) tablets | Do. |
| 16-156 | do | Do. |
| 16-158 | Dimethone (dipyrone) injection | Phillips Roxanne Laboratories, Inc., Division Phillips Roxanne, Inc., 330 Oak St., Columbus, Ohio 43216. |
| 16-159 | Dimethone (dipyrone) tablets | Do. |
| 16-169 | Protemp (dipyrone) tablets | Table Rock Laboratories, Inc., P.O. Box 1968, Greenville, S.C. 29602. |
| 16-170 | Protemp (dipyrone) pediatric | Do. |
| 16-171 | Protemp (dipyrone) oral liquid | Do. |
| 16-179 | Novaldin (dipyrone) tablets | Winthrop Laboratories, 90 Park Ave., New York, N.Y. 10016. |
| 16-180 | Novaldin (dipyrone) injection | Do. |
| 16-184 | do | Gotham Pharmaceutical Co., Inc., 1840 McDonald Ave., Brooklyn, N.Y. 11223. |
| 16-187 | do | Myers-Carter Laboratories, Inc., subsidiary of Chromalloy American Corp., 5160 West Bethany Home Rd., Glendale, Ariz. 85301. |
| 16-189 | do | USV Pharmaceuticals Corp., 1 Scarsdale Rd., Tuckahoe, N.Y. 10707. |
| 16-263 | Narone (dipyrone) injection | Ulmer Pharmacal Co. |

All drug products that are identical, related, or similar to a drug product named above, not the subject of an approved new drug application, are covered by the NDA's reviewed and are subject to this notice (as specified in 21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write to the Division of Drug Labeling Compliance (HFD-310), Bureau of Drugs, at the address given above.

In response to the September 3, 1976 notice, two firms submitted requests for hearing and requests for an extension of time to file supporting data. The Food and Drug Administration denied both requests for an extension of time. One of the firms later withdrew its request for hearing. The other, Savage Laboratories, elected not to submit the supporting data and analyses that are required by 21 CFR 314.200 and, therefore, its request for hearing is denied.

No other person filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes election by such persons not to avail themselves of the opportunity for a hearing.

Winthrop Products, though not electing to request a hearing for its products, did request an extension of time to file a hearing request and submitted a published study to demonstrate the safety of dipyrone. The request for an extension of time was denied, and the study was reviewed and found not to be relevant to the safety issue on the basis of which the drug products containing dipyrone are being withdrawn.

On the basis of new evidence, not contained in the applications or not available until after the applications were approved, evaluated together with the evidence available when the applications were approved, the Commissioner of Food and Drugs finds that such drugs have not been shown to be safe for use upon the basis of which the applications were approved. Furthermore, he has determined that Savage Laboratories has failed to meet the requirements of 21 CFR 314.200 by not submitting data and analyses in support of its hearing request showing there is a genuine and substantial issue of fact requiring a hearing.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended (21 U.S.C. 355(e)) and under authority delegated to the Commissioner (21 CFR 5.1), the request for a hearing is denied, and approval of the NDA's providing for the drug products named above, and all amendments and supplements applying thereto, is withdrawn effective June 27, 1977.

Shipment in interstate commerce of the above-listed products or of any identical, related, or similar product, not the subject of an approved NDA, will then be unlawful.

Dated: June 7, 1977.

SHERWIN GARDNER,
*Acting Commissioner of Food and Drugs.*

[FR Doc.77-16779 Filed 6-16-77;8:45 am]

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[Docket No. 77N-0130]

## FOOD ADDITIVES

### Survey and Availability of Questionnaire

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces the availability of a questionnaire and invites the participation of all interested parties relative to a comprehensive industry survey of the ingredients used in food. Included in this survey, which the Commissioner of Food and Drugs has contracted with the National Academy of Sciences to conduct, will be direct food additives, food colors, and certain selected items generally recognized as safe (GRAS).

FOR FURTHER INFORMATION CONTACT:

Mary Lee Metscher, Bureau of Foods (HFF-330), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, (202-472-5676).

SUPPLEMENTAL INFORMATION: The Commissioner is conducting a comprehensive industry survey on the use of food ingredients so that an estimate of consumer exposure to these ingredients can be made. Items to be covered in the survey include the following: direct food additives, color additives used in food, certain flavors and spices not previously surveyed in the National Academy of Sciences 1971-1972 Phase II GRAS Survey, and miscellaneous ingredients comprised principally of GRAS and/or prior-sanctioned substances for which more specific information is needed. A complete listing of all ingredients to be surveyed is on file with the Hearing Clerk (HFC-20), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857.

The Commissioner has contracted with the National Academy of Sciences to administer the survey by providing a questionnaire to all known manufacturers and users of these ingredients. The names and addresses of these firms were located through various trade associations and other sources.

There is no intent to overlook anyone who can supply information on the use of these substances. This notice is published for the purpose of announcing this survey and informing the public that the questionnaires were sent out during the period of April 25-May 6, 1977. If anyone wishing to respond has not received a questionnaire within a reasonable time thereafter, that person should request a questionnaire from the Food and Nutrition Board, GRAS/Food Additives Survey Office (JH 224), National Academy of Sciences, 2101 Constitution Ave. NW., Washington, DC 20418, attention Mr. Durward F. Dodgen (202-389-6537) or Robert B. Bennett (202-389-6757).

The Academy will receive and process the information and provide the Commissioner with a summary of the total amounts of the specific ingredients used in food. Individual responses will be retained by the Academy and will not be provided to the FDA.

Dated: June 9, 1977.

WILLIAM F. RANDOLPH,
*Acting Associate Commissioner for Compliance.*

[FR Doc.77-17093 Filed 6-16-77;8:45 am]

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[Docket No. 75N-0304]

## ORAL CONTRACEPTIVE DRUG PRODUCT

### Revision of Physical and Patient Labeling

*Correction*

In FR Doc. 77-14967, appearing at page 27303 in the issue of Friday, May 27, 1977, the second line of the second full paragraph on page 27304 should read, "drug) (insert number of) patients com-".

[Docket No. 77N-0107; DESI 8278]

## PHENTOLAMINE MESYLATE FOR INJECTABLE USE AND PHENTOLAMINE HYDROCHLORIDE FOR ORAL USE

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

*Correction*

In FR Doc. 77-14963, appearing at page 27301 in the issue of May 27, 1977, make the following changes:

1. On page 27301, column two, the word "and" should be inserted between the words "injection" and "phentolamine" on page 27301.

2. On page 27302, column one, the figure at the beginning of the ninth line in the second paragraph should read, "310.6".

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Health Care Financing Administration

## OKLAHOMA HOSPITALS MEDICARE UTILIZATION REVIEW OPTION NOTICE

Oklahoma Hospitals Participation in Medicare and in a Section 1115 Utilization Review Demonstration Project Under Medicaid

*Correction*

In FR Doc. 77-15428 appearing at page 28002 in the issue for Wednesday, June 1, 1977, the reference to "title XVII (Medicare)" in the 12th line of the first paragraph should have been "title XVIII (Medicare)".

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# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Assistant Secretary for Health

## NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Council meeting:

NAME: National Professional Standards Review Council.

DATE AND TIME: July 18, 1977 (10 a.m. to 5 p.m.), July 19, 1977 (9 a.m. to 1 p.m.).

PLACE: Auditorium (first floor), DHEW North Building, 330 Independence Avenue SW., Washington, D.C.

PURPOSE OF MEETING: The Council was established to advise the Secretary of Health, Education, and Welfare on the administration of Professional Standards Review (Title XI, Part B, Social Security Act). Professional Standards Review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality health care. The Council's agenda will include discussion of a variety of issues relevant to the implementation of the PSRO program.

Meeting of the Council is open to the public. Public attendance is limited to space available.

Any member of the public may file a written statement with the Council before, during, or after the meeting. To the extent that time permits, the Council Chairman will allow public presentation of oral statements at the meeting.

All communications regarding this Council should be addressed to William D. Coughlan, Staff Director, National Professional Standards Review Council, Office of Quality Standards, Room 16A-09, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, 301-443-4990.

Dated: June 10, 1977.

WILLIAM B. MUNIER,
*Executive Secretary, National Professional Standards Review Council.*

[FR Doc.77-17405 Filed 6-16-77;8:45 am]

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# ENVIRONMENTAL PROTECTION AGENCY

[FRL 748-4]

## WESTSIDE TRUNK DISTRICT FACILITIES PLAN FOR BEAR CREEK VALLEY SANITATION AUTHORITY

Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Environmental Protection Agency has prepared a final environmental impact statement (FEIS) for the Westside Trunk District Facilities Plan for the Bear Creek Valley Sanitary Authority, Jackson County, Oregon.

The subject action is the awarding of grant funds to Jackson County for the construction of a wastewater collection system in the Westside Trunk District. The objective of this project is to provide wastewater collection to residents of the Westside Trunk District, which is located southwest of the City of Central Point.

This FEIS was transmitted to the Council on Environmental Quality (CEQ) on June 8, 1977. In accordance with CEQ's Guidelines (40 CFR 1500.11), no administrative action will be taken until thirty days after receipt of this FEIS by the Council. Copies of the FEIS are available for review and comment from: Environmental Impact Section, Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101, telephone 206-422-1595 or FTS 8-399-1595.

Copies of the FEIS are available for public inspection at the following locations:

Environmental Protection Agency, Region X, Library, 1200 Sixth Avenue, Seattle, Washington.

Environmental Protection Agency, Public Information Reference Unit, Room 2922, Waterside Mall, 401 M. Street SW., Washington, D.C.

Information copies of the FEIS are available at cost (10 cents/page) from the Environmental Law Institute, 1346 Connecticut Avenue NW., Washington, D.C. 20036. Please reference ELR No. 70721.

Copies of the FEIS have been sent to various Federal, State, and local agencies, and interested individuals as outlined in CEQ's Guidelines.

Dated: June 13, 1977.

REBECCA W. HANMER,
*Director, Office of Federal Activities.*

[FR Doc.77-17579 Filed 6-16-77;8:45 am]

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# FEDERAL COMMUNICATION COMMISSION

[FCC 77-362, Docket No. 21262, CSC-167 MO0121]

## JACKSON CABLE TV

Order To Show Cause

Adopted: May 26, 1977.

Released: June 8, 1977.

In re: Jackson Cable TV, Jackson, Missouri, petition for order to show cause.

1. A petition (CSC-167) has been filed by three television broadcast stations requesting that the Commission issue an order to show cause requiring that Jackson Cable TV cease and desist unauthorized carriage of three distant St. Louis network-affiliated television signals on its cable television system at Jackson, Missouri. Petitioners are Paducah Newspapers Inc., licensee of Station WPSD-TV (NBC, Channel 6), Paducah, Kentucky; Hirsch Broadcasting Company, licensee of Station KFVS-TV (CBS, Channel 12), Cape Girardeau, Missouri; and Turner-Farrar Association, licensee of Station WSIL-TV (ABC, Channel 3), Harrisburg, Illinois. An opposition has been filed by Jackson Cable TV. Petitioners have replied.

2. Petitioners are local television stations in the Cape Girardeau, Missouri, Paducah, Kentucky, Harrisburg, Illinois, major television market (No. 69). Jackson, Missouri, is located in that market. Petitoners state that Jackson is ten miles from Cape Girardeau, within the Grade A contour of WPSD-TV, and just slightly beyond the Grade A contour of WSIL-TV. Petitioners allege that Jackson Cable TV carries, without authorization and otherwise unlawfully, the signals of three network television stations from St. Louis: Television Broadcast Station KTVI (ABC, Channel 2), Station KMOX-TV (CBS, Channel 4), and Station KSD-TV (NBC, Channel 5). Moreover, petitioners allege that the carriage commenced and continues in knowing and willful violation of the Rules. Petitioners urge that carriage in such gross disregard for the Rules not only be terminated but also be punished by a reduction in the number of independent signals authorized for carriage. In conclusion, petitioners urge immediate Commission action to terminate such carriage.

3. In a subsequently filed pleading, WPSD-TV and WSIL-TV state that the cable system had acknowledged carriage of the subject signals and had been requested to remove them. Moreover, it is stated that during the weeks preceding the filing of the instant request, the cable operator made assurances that consideration was being given to dropping the

signals and asked petitioners to delay the filing of the instant request. Yet, since a petition for special relief (CSR–1093) was filed the day after the instant request was filed and such petition included a survey of subscriber preferences, it is argued that the cable system engaged in misrepresentation and deceit against petitioners to delay compliance with the Rules.

4. In its opposition, Jackson Cable TV urges that the public interest would not be served by issuance of an order to show cause. It notes that it has filed a petition for special relief (CSR–1093) and summarizes the arguments made therein. It states that, if ordered to show cause, the cable system will invoke its hearing rights.

5. In reply, WPSD–TV and WSIL–TV stress that Jackson Cable TV does not deny its unauthorized carriage of the signals. Its subsequent request for special relief is no defense. It is argued that the cable system's reasons for special relief are insufficient.

6. Hirsch Broadcasting Company, licensee of KFVS–TV, in its reply to the opposition, argues that Jackson Cable TV's petition for special relief, even if it had merit, provides no basis for past and present unlawful activity. Were the Commission to consider the pendency of a special relief proceeding to be a defense for such activity, it would, KFVS–TV urges, tacitly sanction violations of the Rules. KFVS–TV argues that the cable system is aware of the signal carriage rules, as evidenced by its application for a certificate of compliance to add a signal (CAC–4830). Disagreement with the substantive provisions of the Rules is no excuse for violation of the Rules, it argues.

7. Thereafter, KFVS–TV supplemented its reply to present a copy of a newspaper advertisement published subsequent to its reply. The newspaper advertisement is said to have appeared in the March 9, 1977, edition of "The Cash-Book Journal," a newspaper circulated in Jackson, Missouri. The advertisement urges the public to subscribe to the cable system and lists, among the signals carried, the three St. Louis network-affiliated television stations.

8. The Commission's signal carriage rules specify the television signals which may be carried by a cable television system and provide that a cable system receive a certificate of compliance prior to commencing operations or adding a television signal. Jackson Cable TV apparently commenced operations after receiving its first certificate of compliance on June 30, 1975. There appears to be reason to believe that Jackson Cable TV is carrying the signals of KTVI, KMOX–TV, and KSD–TV on its cable television at Jackson, Missouri. Moreover, it appears that Jackson Cable TV has not obtained authorization for carriage of those signals prior to commencing such carriage.[1] In view of the foregoing, a grant of the petition requesting issuance of an order to show cause would be consistent with the public interest.

Accordingly, *it is ordered*, That the petition (CSC–167) filed by Stations WPSD–TV, KFVS–TV, and WSIL–TV is granted.

*It is further ordered*, That pursuant to Section 312(b) and (c) of the Communications Act of 1934, as amended, 47 U.S.C. § 312(b) and (c), Jackson Cable TV is directed to show cause why it should not be ordered to cease and desist from further violation of Part 76 of the Commission's Rules and Regulations on its cable television system at Jackson, Missouri.

*It is further ordered*, That Jackson Cable TV is directed to appear and give evidence at a hearing to be held before an Administrative Law Judge at a time and place to be specified by a subsequent order with regard to the matters described above and with regard to (1) whether it knowingly and/or willfully violated the Commission's Rules, and, if so, (2) what sanctions, if any, may be appropriate. If the hearing is waived, a written statement may be submitted.

*It is further ordered*, That Paducah Newspapers Inc., Hirsch Broadcasting Company, and Turner-Farrar Association are made parties to this proceeding.

*It is further ordered*, That the Secretary, Federal Communications Commission, shall send a copy of this Order by certified mail to Jackson Cable TV.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

[FR Doc.77–17348 Filed 6–16–77;8:45 am]

[1] Indeed, in a decision recently adopted (FCC 77–340), we denied special relief to carry the signals (CSR–1093).

## FEDERAL COMMUNICATIONS COMMISSION

### AMENDMENT OF TABLE A OF THE CANADA-U.S.A. TELEVISION AGREEMENT OF 1952 (TIAS–2594)

### Supplement No. 4 (To the Table of Canadian Television Channel Assignments and Allocations Within 250 Miles of the Canada-U.S.A. Border, Dated June 3, 1977, as Revised to April 12, 1977)

JUNE 7, 1977.

Pursuant to exchange of correspondence between the Department of Communications of Canada and the Federal Communications Commission, Table A of the Canada-U.S.A. Television Agreement has been amended as set forth in the attached list. It is to be noted that those representing assignments will indicate call signs plus parameters.

The allocation below has been deleted from Table A:

| Location: | *Channel No.* |
|---|---|
| Pine Falls, Manitoba | 11 |

Further additions, changes, and deletions will be issued as reported to the Commission by the Canadian Department of Communications.

Copies of the basic Table of Allocations may be obtained from Downtown Copy Center, 1730 K Street NW., Washington, D.C. 20036, telephone 202–452–1422.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
*Chief, Broadcast Bureau.*

TV ENGINEERING DATA BASE LISTING - INDEX KEY STATE,CITY,CHAN JUN 03, 1977 PAGE 1
FEDERAL COMMUNICATIONS COMMISSION - BROADCAST BUREAU
***NOTICE*** UNOFFICIAL SECONDARY SOURCE. USE PRIMARY SOURCES FOR OFFICIAL INFORMATION ***NOTICE***

| | | | | | | |
|---|---|---|---|---|---|---|
| CBUT19 | CO LIC | PORT HARDY | BC | 50-42-37.0 06 Z .085(KW) 343(FT) | | 770602 |
| | | ZONE 2 **USA BORDER** | | 127-26-25.0 DA | | |
| CBUT13 | CO LIC | MOSS CAMP | BC | 50-10-10.0 12 Z .34(KW) 1297(FT) | | 770602 |
| | | ZONE 2 **USA BORDER** | | 126-34-08.0 DA | | |
| | CO | MANIGOTAGAN | MB | 51-06-00.0 22 Z | | 770602 |
| | | ZONE 2 **USA BORDER** | | 96-18-00.0 | | |
| | CO | PINE FALLS | MB | 50-36-58.0 11 - | | 770602 |
| | | ZONE 2 **USA BORDER** | | 96-22-48.0 | | |

[FR Doc.77-17260 Filed 6-16-77;8:45 am]

## FEDERAL ELECTION COMMISSION

[Notice 1977-33, AOR 1977-24]

### ADVISORY OPINION REQUESTS

Pursuant to 2 U.S.C. section 437f(c) and the procedures reflected in Part 112 of the Commission's regulations, published on August 25, 1976 (41 FR 35954), Advisory Opinion Request 1977-24 has been made public at the Commission. Copies of AOR 1977-24 were made available on June 13, 1977. These copies of the advisory opinion request were made available for public inspection and purchase at the Federal Election Commission, Public Records Division, at 1325 K Street NW., Washington, D.C. 20463.

Interested persons may submit written comments on any advisory opinion request within ten days after the date the request was made public at the Commission. These comments should be directed to the Office of the General Counsel, Advisory Opinion Section, at the Commission. Persons requiring additional time in which to respond to any advisory opinion requests will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered before the Commission issues an advisory opinion. Comments on pending requests should refer to the specific AOR number of the requests and statutory references should be to the United States Code citations rather than to the Public Law citations.

A description of the request recently made public as well as the identification of the requesting party follows hereafter:

AOR 1977-24: May a candidate's campaign committee from the 1976 campaign transfer surplus monies to a 1978 campaign committee for the same candidate, terminate the 1976 committee, and thereafter report only for the 1978 committee? How much may contributors who "used-up" their 1976 contribution limits contribute to the 1978 campaign committee during 1977?

Requested by Representative John J. Duncan, House of Representatives, Washington, D.C.

Dated: June 13, 1977.

THOMAS E. HARRIS,
*Chairman for the*
*Federal Election Commission.*

[FR Doc.77-17330 Filed 6-16-77;8:45 am]

## FEDERAL ENERGY ADMINISTRATION

### ANTHRACITE COAL CONFERENCE

#### Conference

Notice is hereby given that an anthracite coal conference will be held Monday, June 20, 1977, at 10 a.m., Room 3000A, FEA Headquarters, 12th and Pennsylvania Avenue, NW., Washington, D.C.

The objectives of the anthracite coal conference are to make recommendations to the FEA with respect to the increased utilization of anthracite coal as a readily-available energy source and the maintenance of fair and reasonable consumer prices for such supplies.

The urgency of convening the June 20 conference stems from a priority commitment made by the President to find ways of improving coal production and utilization. In support of this commitment, Dr. Schlesinger has charged the FEA with the responsibility for studying ways to improve the production of anthracite coal. This is an essential part of meeting the proposed National Energy Plan of increasing coal production by 2/3 (over one billion tons) by 1985. It is the first important step in identifying specific measures for increasing our reliance on coal and as a result of this prototype study similar efforts concerning other types of coal can commence.

The study of the utilization of anthracite coal must be completed and presented to Dr. Schlesinger by October 1, 1977, closely coinciding with the formation of the proposed Department of Energy. As a result and in order to adequately address all of the important issues facing anthracite improvement in such a short time period, it is essential to call the conference immediately and as a result the customary advance period of notice normally given in such instances has not been provided.

The agenda for the meeting is as follows:

1. Discussion of Significant Issues of Anthracite Production and the Component Objectives of the Conference.

2. Enumeration of Proposed Working Group Alignment of Conference Participants.

3. Organizational and Operational Aspects of Conference Activities.

4. Comments from the Floor (10 minute rule).

The Conference will address itself to the policy options, but it will not be responsible for implementing programs which manifest those policies under consideration. Therefore, subsequent analysis will be required to determine the viability of programs which incorporate the concepts developed by it. If programs are eventually implemented which are designed to stimulate anthracite production the desired effect of these actions will be critically sensitive in terms of policy evaluation, program implementation, and in determining the lead time necessary to increase actual production in light of our national need to expand production of domestic energy resources.

The meeting will be open to the public. The Chairman of the conference is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the conference will be permitted to do so, either before or after the meeting.

Further information concerning this meeting may be obtained from Steven T. Minihan, Room 3524, FEA Headquarters, 12th and Pennsylvania Avenue N.W., Washington, D.C. 20461 (202) 566-7575.

Transcripts of the meeting will be available for public review and copying at the Freedom of Information Public Reading Room, Room 2107, FEA, Federal Building, 12th and Pennsylvania Avenue N.W., Washington, D.C. between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Any person may purchase a copy of the transcript from the reporter.

Issued at Washington, D.C. on June 15, 1977.

ERIC J. FYGI,
*Acting General Counsel.*

[FR Doc.77-17578 Filed 6-16-77;8:45 am]

## GUAM OIL AND REFINING CO.

### Amended Notice of Proposed Consent Order

On May 25, 1977 FEA published in the FEDERAL REGISTER at 42 FR 26693 a "Notice of Proposed Consent Order" with the Guam Oil and Refining Company. Inadvertently, FEA omitted a key date until which comments on the Notice would be accepted by FEA. Pursuant to CFR 205.197(c), FEA must accept comments on proposed Consent Orders for 30 days after publication in the FEDERAL REGISTER. The Notice that appeared on May 25, 1977 failed to state that FEA would accept comments on the Guam Consent Order for the 30 days period following publication in the FEDERAL REGISTER ending on 4:30 p.m. CDT, on June 24, 1977.

Because of that omission, FEA will now accept comments on the Guam Consent Order submitted on or before 4:30 p.m., CDT on the thirtieth calendar day following the publication of this Amended Notice of Consent Order.

Issued in Washington, D.C., June 11, 1977.

ERIC J. FYGI,
*Acting General Counsel.*

[FR Doc.77-17461 Filed 6-16-77;8:45 am]

## STATE ENERGY CONSERVATION PLANS

### Negative Determination of Environmental Impact Re the New Jersey Energy Conservation Plan (Correction)

With regard to the above titled FEDERAL REGISTER document numbered 77-16858, published on (date) at (page), issued by the Federal Energy Administration on Thursday, June 9, 1977, delete all text in the notice following the signature block.

The text following the signature block was erroneously appended to the notice and is unrelated to the negative determination of environmental impact regarding the New Jersey energy conservation plan.

Issued in Washington, D.C., June 14, 1977.

ERIC J. FYGI,
*Acting General Counsel,*
*Federal Energy Administration.*

[FR Doc.77-17460 Filed 6-16-77;8:45 am]

## WISCONSIN PUBLIC SERVICE CO.

### Issuance of Notice of Effectiveness To Make Effective Previously Issued Prohibition Order

Pursuant to 10 CFR 303.37(d), the Federal Energy Administration (FEA) hereby givse notice that on June 13, 1977, it issued a Notice of Effectiveness making effective the Prohibition Order previously issued on June 30, 1975, (40 FR 28430, July 3, 1975) to the below listed powerplant. The Notice of Effectiveness was issued under the authorities granted to FEA by Section 2 of the Energy Supply and Environmental Coordination Act of 1974, as amended, and pursuant to 10 CFR Parts 303 and 305.

| Docket No. | Owner | Powerplant No. | Generating station | Location |
|---|---|---|---|---|
| OFU-043 | Wisconsin Public Service Co | 2 | Weston | Rothschild, Wis |

The Prohibition Order issued by FEA on June 30, 1975, to the above listed powerplant prohibits the powerplant from burning natural gas or petroleum products as its primary energy source. In accordance with the requirements of 10 CFR Parts 303 and 305, however, the order provided it would not become effective until FEA had considered the environmental impact of the order and until FEA had served the affected powerplant with a Notice of Effectiveness.

Subsequent to issuance of the Prohibition Order, FEA performed an analysis pursuant to 10 CFR 305.9 and 208.3, of the environmental impact of the issuance of this Notice of Effectiveness including an assessment of the EPA Notification dated April 7, 1976, pursuant to Section 119(d)(1)(B) of the Clean Air Act, that January 27, 1976, was the earliest date that this powerplant could burn coal and comply with all applicable air pollution control requirements. That analysis resulted in a determination that it is clear that issuance of this Notice of Effectiveness making this Prohibition Order effective is not a "major Federal action significantly affecting the quality of the human environment" within the meaning of Section 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4332(2)(C). Public notice of the negative determination and of the availability for inspection of this analysis was given in the FEDERAL REGISTER published May 5, 1977, in accordance with 10 CFR 208.4(c) and 208.15(a).

Upon completion of this environmental analysis, FEA issued this Notice of Effectiveness of the June 30, 1975, Prohibition Order to the above listed powerplant and served the Notice on the powerplant by registered mail on the same day. The Notice makes effective the Prohibition Order, prohibiting the powerplant from burning natural gas or petroleum products as its primary energy source.

Any person aggrieved by the now effective Prohibition Order may file an appeal with the FEA Office of Exceptions and Appeals in accordance with 10 CFR Part 303, Subpart H. The appeal shall be filed within 30 days after June 13, 1977. There has not been an exhaustion of administrative remedies until an appeal has been filed pursuant to Subpart H of Part 303, and the appellate proceeding is completed by the issuance of an order granting or denying the appeal.

Application may be made for modification or rescission of the Prohibition Order in accordance with the provisions of 10 CFR Part 303, Subpart J. An application for modification or rescission of a Prohibition Order based on "significantly changed circumstances," which circumstances occurred during the interval between issuance of the order and service of the Notice of Effectiveness, shall be filed within 30 days of June 13, 1977. An application for modification or rescission of a Prohibition Order based on significantly changed circumstances occurring after that interval may be filed at any time after June 13, 1977.

All terms and conditions of the Prohibition Order and the Notice of Effectiveness may be the subject of either an appeal or an application for modification or rescission.

The order made effective by this Notice of Effectiveness is effective against any

persons that, as of June 13, 1977, own, lease, operate, or control the above listed power-plant and against any successors-in-interest or assignees of such persons.

The above listed powerplant has been served this Notice of Effectiveness by registered mail. In addition, copies of this document will be available for inspection by any interested members of the public at the FEA public docket room located in Room B-120, 2000 M Street, N.W., Washington, D.C., from 1-5 p.m., Monday-Friday. Copies will also be available in the appropriate FEA regional office. The negative determination and environmental analyses are available upon request from the FEA National Energy Information Center, Room 1404, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461. Copies of the documents are also available for public review in the FEA Freedom of Information Reading Room, Room 2107, 12th and Pennsylvania Avenue, N.W., Washington, D.C.

Any questions regarding this notice should be directed to the Director, Office of Coal Utilization, Federal Energy Administration, 12th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20461 (202-566-7941).

Issued in Washington, D.C., June 13, 1977.

ERIC J. FYGI,
*Acting General Counsel,*
*Federal Energy Administration.*

[FR Doc.77-17322 Filed 6-14-77; 11:27 am]

## FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 1424]

### ATLANTIC EXPORT CO.

Reinstatement of License

By Federal Maritime Commission Order served May 31, 1977, Atlantic Export Company's Independent Ocean Freight Forwarder License No. 1424 was revoked, effective May 27,1977, for failure to maintain a valid surety bond on file with the Commission. The Order of Revocation was published on June 3, 1977 in 42 FR 28624.

An appropriate surety bond has been received in favor of Atlantic Export Company and compliance pursuant to Section 44, Shipping Act, 1916 and § 510.9 of the General Order 4 has been achieved.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised) Section 7.04(a), dated September 15, 1973, Independent Ocean Freight Forwarder License No. 1424 shall be reissued to Atlantic Export Company, effective May 27, 1977. A copy of this Notice of Reinstatement shall be published in the FEDERAL REGISTER and served upon Atlantic Export Company.

FRANCIS C. HURNEY,
*Acting Managing Director.*

[FR Doc.77-17349 Filed 6-16-77;8:45 am]

## CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and Section 311 (p)(1) of the Federal Water Pollution Control Act, as amended.

| *Certificate No.* | *Owner/operator and vessels* |
|---|---|
| 01151 | Overseas Tankship Corp.: *Chevron Venice.* |
| 01189 | A/S Haanes Rederi: *Gimlekollen.* |
| 01196 | Vaboens Rederi A/S: *Herborg.* |
| 01318 | Aug. Bolten, Wm. Miller's Nachfolger: *Christiane Bloten.* |
| 01323 | Manchester Liners Ltd.: *Cargo Zeal, Cargo Vigour.* |
| 01422 | Booth Steamship Co. Ltd.: *Cuthbert.* |
| 01443 | Denholm Line Steamers Ltd.: *Mountpark.* |
| 01641 | The Bank Line Ltd.: *Firbank.* |
| 01761 | Union Steam Ship Co. of New Zealand, Ltd.: *Union Sidney.* |
| 01816 | The Bowater Steamship Co. Ltd.: *Nina Bowater.* |
| 01819 | King Line Ltd.: *Clan Graham.* |
| 01841 | Chas. Kurz & Co., Inc.: *Birch Coulie.* |
| 01874 | A/S Sobral: *Nopal Tellus.* |
| 01890 | A/S Billabong: *Star Dover, Star Asahi.* |
| 01910 | Deutsche Dampfschifffahrts-Gesellschaft "Hansa": *Ockenfels* |
| 01913 | Compagnie Fabre/Societe Generale de Transports Maritimes: *Atlantica Marseille.* |
| 01942 | National Iranian Tanker Co. (Nederland) N.V.: *Mohamed Reza Shaw.* |
| 01951 | Astromandato cia Naviera S.A. of Panama: *Leader Colocotronis.* |
| 02302 | First Steamship Co. Ltd.: *Ever Wealth.* |
| 02353 | F.A. Vinnen & Co.: *Magdalene Vinnen, Adolf Vinnen, Christel Vinnen.* |
| 02492 | Interstate and Ocean Transport Co.: *Offshore No. 2401.* |
| 02766 | Avondale Shipping Co. Panama S.A.: *Olympic Gulf.* |
| 02863 | Naviera Aznar S.A.: *Monte Almanzor.* |
| 02876 | Kabushiki Kaisha Hokkaido Gyogyo Kosha: *Kohoku Maru No. 11.* |
| 03215 | Rederiaktiebolaget Salenia: *Sea Spirit.* |
| 03353 | Cosmo Transports Ltd.: *Eastern Diamond.* |
| 03358 | St. Thomas Shipping Co., Inc.: *Amenity.* |
| 03462 | Mitsubishi Kiseki Yuso K.K.: *Santa Cruz Maru* |
| 03468 | Nihonkai Kisen Kabushiki Kaisha: *Shunkai Maru.* |
| 03482 | Ryutsu Kaiun K.K.: *Ryuko Maru.* |
| 03508 | Taiyo Gyogyo K.K.: *Shoyo Maru.* |
| 03539 | Herlofson Shipping Co. A/S: *Bulk Pioneer.* |
| 03582 | Crowley Launch & Tugboat Co.: *Barge C-44, Barge 7, Barge 21, Barge 10.* |
| 03692 | Marmac Corp.: *M-609, B-11.* |
| 03712 | Far Eastern Marine Transport Co., Ltd.: *Korea.* |
| 03837 | N.M. Paterson & Sons Ltd.: *Sarniadoc.* |
| 03934 | Avondale Navigation Co. Ltd.: *Eriboll.* |
| 03968 | Zim Israel Navigation Co. Ltd.: *Hadar.* |
| 04004 | Koninklijke Java-China-Jaketvaart Lijnen N.V.: *Straat Mozambique.* |
| 04136 | Thomas Marine Co.: *T-100 SL, T-150 SL, T-200 SL, T-250 SL.* |
| 04254 | Transoceanic Tankers Inc.: *Nepco Advance.* |
| 04299 | Erie Navigation Co.: *Atlas Traveler.* |
| 04347 | Maroceano Compania Naviera S.A.: *Pentelikon.* |
| 04357 | Koninklijke Nedlloyd B.V.: *Wonosari.* |
| 04358 | Holland Bulk Transport B.V.: *Doelwidk, Voorne, Walcheren, Putten, Hollands Burcht, Hollands Brink.* |
| 04408 | Compania De Navegacion Golfo Azul S.A. of Panama: *Vasilios R.* |
| 04410 | Tenneco Oil Co.: *CTCO-302-6.* |
| 04422 | Hai Shang Navigation Corp.: *Grand Corco.* |
| 04463 | Lloret Lopez Sociedad Anonima: *L. Lopez II, L. Lopez III.* |
| 04466 | Hiwasacho Gyogyo Kyodo Kumiai: *Kyoshin Maru No. 2, Kyoshin Maru No. 3.* |
| 04471 | Chiyo Maru Gyogyo Kabushiki Kaisha: *Chiyomaru No. 18.* |
| 04482 | Kabushiki Kaisha Teizomaru: *Eiko Maru No. 8.* |
| 04494 | Matsutomi Gyogyo Kaushiki Kaisha: *Choku Maru No. 3.* |
| 04505 | Kabushiki Kaisha Toyamaken Gyogyo Kousha: *Kurehamaru No. 2.* |
| 04522 | Nakamaru Gyogyo Kabushiki Kaisha: *Naka Maru No. 1.* |
| 04530 | Mr. Seitaro Futagawa: *Isemaru No. 18.* |
| 04531 | Mr. Eikichi Shirator: *Kyoei Maru No. 18.* |
| 04558 | Daiei Gyogyo K.K.: *No. 51 Daiei Maru, Takuyo Maru.* |
| 04565 | Consolidated Navigation Corp.: *New Trust.* |
| 04621 | Lunmar, S.A.: *Mt Spes.* |
| 04794 | Sea King Corp.: *Grand Unity, Grand Justice, Grand Navigator.* |
| 05098 | Esso Tankers Inc.: *Esso Geneva, Esso Nurnberg.* |
| 05195 | Pacific-Reederi Hans Beiklken KG: *Pacific.* |
| 05401 | Tractor Marine Inc.: *F. V. Hunt.* |
| 05437 | The Dow Chemical Co.: *NMS-1402, KS-101, KS-102, NMS-1200, NMS-1302.* |
| 05834 | Koyo Suisan Kabushiki Kaisha: *Seikomaru No. 8.* |
| 05965 | Marepica Neptunea S.A.: *Odysseis.* |
| 06034 | Sincere Industrial Corp.: *Tsen Hsing.* |
| 06228 | Nanyo Kaiun K.K.: *Nichiyu Maru.* |
| 06311 | Kanai Gyogyo Kabushiki Kaisha: *Tomi Maru No. 58.* |
| 06483 | Strathpark Shipping Co.: *Glenpark.* |
| 06631 | *Anglomar Chemicals Shipping,* Ltd.: *Stolt Lion.* |
| 06773 | Kaga Gyogyo: *Kaijin Maru No. 28.* |
| 06829 | Shinsei Suisan Kabushiki Kaisha: *Shinsei Maru No. 7, Shinsei Maru No. 5, Shinsei Maru No. 3, Shinsei Maru No. 2.* |
| 07132 | Rising Sun Shipping S.A.: *Tayabas Bay.* |
| 07264 | Reederei D. Oltmann KG: *Tendo, Lindo.* |
| 07386 | Majestic Carriers Inc.: *Eastern Saga.* |

| Certificate No. | Owner/Operator and Vessels |
|---|---|
| 07416___ | Marperfecta Armadora S.A.: *Lilly.* |
| 07419___ | Naviera Mercurio S.A.: *Crystal Cherry, Crystal Gardenia.* |
| 07459___ | Compania Maritima Lexaco Ltd.: *Spartan Lord.* |
| 07490___ | Lindinger Diamond K/S: *Lindinger Diamond.* |
| 07574___ | Georgian Shipping Co.: *Klaipeda, Poti.* |
| 07766___ | Transworld Shipping & Trading Co. Ltd.: *Sun Emerald, Trans Onyx.* |
| 07821___ | Everbright Line, S.A.: *Ever Bright.* |
| 07904___ | Kabushiki Kaisha Koyo Gyogyo: *Koyo Maru No. 23.* |
| 08021___ | Maekatsu Gyogyo Kabushiki Kaisha: *Katsu Maru No. 31.* |
| 08174___ | Sanyo Senpaku Shoji Kabushiki Kaisha: *Mitsufuji Maru.* |
| 08288___ | Sumande Shipping Corp. (Liberia): *Janill.* |
| 08317___ | South East Asia Shipping Co. Ltd.: *Mahabir.* |
| 08319___ | Captain Hans Beiiken: *Nautic.* |
| 08387___ | Sure Hope Towing Co., Inc.; *MMS 106, MMS 103, MV 282, S-8502.* |
| 08609___ | Koraes Shipping Co., Inc.: *Koraes.* |
| 08622___ | Compania Naviera Impluvio S.A.: *Sophie B.* |
| 08643___ | Cape Navigation S.A.: *Cape Esau, Cape Soya.* |
| 08690___ | Compania de navigacion Resi S.A. Panama: *Confiance.* |
| 08843___ | Antilles Marine Co., Ltd.: *Ocean Chemist.* |
| 08875___ | Ogino Gyogyo Seisan Kumiai: *Koryo Maru No. 7.* |
| 08984___ | Western Gulf Shipping Establishment Vaduz: *Hagensee.* |
| 09140___ | Theriot Overseas Service Inc.: *Theriot Offshore II, Theriot Offshore III, Theriot Offshore VI, Theriot Offshore V, Theriot Offshore IV, Theriot Offshore I.* |
| 09359___ | Ilkon Shipping Co. S.A.: *Ilkon Dalio.* |
| 09433___ | Hinode Gyogyo Kabushiki Kaisha: *Hinode Maru No. 53.* |
| 09515___ | Ta Chi Navigation (Panama) Corp. S.A.: *Eurytion, Eurybates, Eurylochus, Eurymachus.* |
| 09539___ | Raymond-Klewit-Tidewater, a Joint Venture: *JK-12, Mohawk, Placing Barge.* |
| 09583___ | Central Island Navigation Corp.: *Carina 1.* |
| 09661___ | Chieh Sheng Maritime S.A.: *Chieh Sheng, Euryshunli, Eurytehli.* |
| 09685___ | Koyu Gyogyo Seisan Kumiai: *Koyo Maru No. 18.* |
| 09821___ | Kohoku Gyogyo K.K.: *Kohoku Maru No. 31.* |
| 09951___ | Addax Tanker Corp.: *Arabian Addax.* |
| 09992___ | Amer-Sea Oy: *Finn-Amer.* |
| 10095___ | Escobal Naviera Co., S.A.: *Ohtori.* |
| 10249___ | Lindinger Agro Co. A/S: *Ano Lindinger.* |
| 10272___ | Kinori Uematsu: *Otori Maru.* |
| 10482___ | Princeton Shipping, Inc.: *Lord D'Orleans.* |
| 10483___ | Amherst Shipping Inc.: *Lord d'Epee.* |
| 11045___ | Euro Shipping Corp.; *Euro Priority, Euro Pride.* |
| 11080___ | Kumazawa Kaiun Kabushiki Kaisha: *Zao.* |
| 11157___ | Sea Place Inc.: *Seaking I.* |
| 11194___ | Septimaris Martime Corp.: *Elenma.* |
| 11215___ | High Pool S.A.: *Newham.* |
| 11261___ | Sexta Shipping Ltd.: *Sunny State.* |
| 11403___ | Morfou Shipping Co. S.A.: *Gianis Martos.* |
| 11412___ | Khalidia Marine Ltd.: *Mohamedia.* |
| 11505___ | Tokuei Kaiun Yugen Kaisha: *Tokuei Maru No. 27.* |
| 11703___ | Aichi Ken: *Aichi Maru.* |
| 11801___ | Galapagos Tourist Corp. S.A.: *Bucanneer.* |
| 11830___ | World Trade Shipping Corp.: *Don Quixote.* |
| 11869___ | Great Universe Navigation Co., S.A.: *Great Universe.* |
| 11930___ | Leitch Transport (a Division of Port Weller Dry Docks Ltd.): *Cape Breton Highlander, Canadian Transport, St. Lawrence Prospector, St. Lawrence Navigator.* |
| 11958___ | Taurus Shipping Co. N.V.: *Straat Amsterdam, Safocean Adelaide.* |
| 12076___ | Fair World Tanker Co. S.A.: *Permina Samudra XII.* |
| 12209___ | Seatrade Inc.: *Trado.* |
| 12212___ | Pontones Machos S.A.: *Bold Turtle.* |
| 12221___ | Kirkconnell Marine Shipping Inc.: *Reubens.* |
| 12303___ | Pontones Vigorosos S.A.: *Eager Turtle.* |
| 12304___ | Pontones Robustos S.A.: *Funny Turtle.* |
| 12339___ | Gulf Water Fueling, Inc.: *GDM-60.* |

By the Commission.

JOSEPH C. POLKING,
*Acting Secretary.*

[FR Doc.77-17351 Filed 6-16-77;8:45 am]

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[Docket No. 11-4; Agreements Nos. 9902-3, 9902-4, 9902-5 and 9902-6]

## MODIFICATIONS OF EURO-PACIFIC JOINT SERVICE AGREEMENT

### Intent To Make an Energy and Environmental Assessment

The above-referenced proceeding is an investigation to determine (1) the continued approvability of Agreement No. 9902-3, and (2) whether Agreements Nos. 9902-4, 9902-5 and 9902-6 should be approved, disapproved or modified pursuant to Section 15 of the Shipping Act, 1916.

The Commission believes that its final resolution of the issues in this proceeding may constitute a major Federal action significantly affecting the quality of the human environment as well as energy efficiency and conservation. Consequently, the energy and environmental factors involved warrant consideration and evaluation before decision making is completed.

Therefore, Notice is hereby given that the Federal Maritime Commission intends to make an energy and environmental assessment to determine whether its final decision in this proceeding will constitute a major regulatory action within the meaning of the Energy Policy and Conservation Act of 1975 or a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. Written comments regarding possible environmental and energy effects which may occur from the eventual resolution of the proceeding are invited. Such comments should be submitted within thirty days of this Order to the Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573.

Copies of discovery materials, all exhibits and all future correspondence and pleadings exchanged or filed in this proceeding shall be served on Chief, Office of Environmental Analysis, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573.

By the Commission.

JOSEPH C. POLKING,
*Acting Secretary.*

[FR Doc.77-17321 Filed 6-16-77;8:45 am]

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[Docket No. 77-25]

## AGREEMENT NO. 7540-28

### Modification of the Leeward and Windward Islands and Guianas Conference Agreement; Investigation and Hearing

Agreement 7540-28 was filed for approval pursuant to Section 15, Shipping Act, 1916, on November 12, 1976. Notice of filing was published in the FEDERAL REGISTER on November 23, 1976.

The agreement modifies the basic agreement of the Leeward and Windward Islands and Guianas Conference which covers the trade between the United States Atlantic and Gulf ports and ports in Leeward and Windward Islands (excluding the Virgin Islands), Trinidad, Barbados, French Guiana, Surinam, and Guyana.

The conference, for ratemaking purposes, is divided into two sections: the Atlantic Section, covering the range of ports from Eastport, Maine, to and including Key West, Florida; and the Gulf Section, covering the range of ports west of Key West to and including Brownsville, Texas.

Agreement No. 7540-28 amends the basic conference agreement by providing for (1) the division of the present Atlantic Section into two separate sections, namely, the North Atlantic Section, covering the range of ports from Eastport, Maine, to and including Cape Hatteras, North Carolina, and the South Atlantic Section, covering the range of ports from Cape Hatteras southward to and including Key West, Florida; and (2) the establishment of an Executive Committee which shall consider matters affecting the entire trade of the conference.

The conference chairman states that the intent of the modification is to deal with serious differences in transportation conditions existing between the North and South Atlantic range ports, as well as to benefit shippers through rate structures which may more accurately reflect underlying conditions in the different port ranges.

In response to the notice of the filing of this agreement in the FEDERAL REGISTER, protests and requests for investigation and hearing were filed by the North Atlantic Ports Association, the Port Organizations in the Port of Philadelphia and the Virginia Port Authority.

The port interests allege that the division of the Atlantic Coast ports into

two separate ranges, as contemplated under the proposed agreement, would contravene Section 205 of the Merchant Marine Act, 1936, and would also weaken their position in pursuing action under Sections 16 and 17 of the Shipping Act, 1916. They request that an investigation and hearing be instituted to determine whether the proposed agreement is violative of Section 205 of the Merchant Marine Act, and whether it is unjustly discriminatory or unfair as between ports, or as between shippers, exporters or importers in violation of Sections 16 and 17 of the Shipping Act.

The Commission is of the opinion that the issues raised by the protests should be made the subject of a formal investigation to determine whether Agreement No. 7540–28 should be approved, disapproved, or modified pursuant to Section 15, Shipping Act, 1916.

*Therefore, it is ordered,* That, pursuant to Sections 15 and 22, Shipping Act, 1916, an investigation and hearing is hereby commenced to determine whether Agreement No. 7540–28 between the members of the Leeward and Windward Islands and Guianas Conference is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers or ports, or between exporters from the United States and their foreign competitors, or detrimental to the commerce of the United States, or is contrary to the public interest, or is otherwise in violation of the Shipping Act, 1916, or is in violation of Section 205, Merchant Marine Act, 1936, and whether the agreement should be approved, modified, or disapproved pursuant to Section 15, Shipping Act, 1916.

*It is further ordered,* That the Proponents and Protestants listed in the appendix hereto are hereby made parties to this proceeding.

*It is further ordered,* That in accordance with the Rules of Practice and Procedure of this Commission (46 CFR 502.42), Hearing Counsel shall be a party to this proceeding.

*It is further ordered,* That this proceeding be referred for public hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges and that the hearing be held at a date and place to be determined and announced by the Presiding Administrative Law Judge, but no later than December 9, 1977.

*It is further ordered,* That the hearing shall include oral testimony and cross-examination in the discretion of the Presiding Officer only upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

*It is further ordered,* That a notice of the Order be published in the FEDERAL REGISTER and that a copy thereof be served upon proponents and protestants as listed in the Appendix hereto.

*It is further ordered,* That persons other than those already parties to this proceeding who desire to become parties to this proceeding and to participate therein shall file a petition to intervene pursuant to Rule 72 of the Commission's Rules of Practice and Procedure (46 CFR 502.72).

*It is further ordered,* That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573 in an original and 15 copies as well as being mailed directly to all parties of record.

By the Commission.

JOSEPH C. POLKING
*Acting Secretary.*

APPENDIX

PROPONENTS

The Leeward and Windward Islands and Guianas Conference, E. W. Norberg, Chairman, 11 Broadway, New York, New York 10004.

Atlantic Lines, Ltd., Chester, Blackburn & Roder, Inc., Agents, One World Trade Center, New York, New York 10048.

Booth Lamport (J/S), Barber Steamship Lines, Inc., Agents, 17 Battery Place, New York, New York 10004.

Pan American Mail Lines, Chester, Blackburn & Roder, Inc., Agents, 1175 Northwest 70th Avenue, Miami, Florida 33126.

Royal Netherlands Steamship Co., 5 World Trade Center, New York, New York 10048.

Sea-Land Service, Inc., P.O. Box 900, Edison, New Jersey 08817.

PROTESTANTS

North Atlantic Port Association, c/o George F. Mohr, Delaware River Port Authority, Camden, New Jersey 08101.

Port of Philadelphia Marine Terminal Association, Philadelphia Marine Trade Association, The District Council of the International Longshoremens Association, AFL–CIO, Philadelphia Port Corporation, Delaware River Port Authority, City of Philadelphia, Greater Philadelphia Chamber of Commerce, c/o Francis A. Scanlan, Esquire, Deasey, Scanlan & Bender, Ltd., Two Girard Plaza, Suite 2900, Philadelphia, Pennsylvania 19102.

The Virginia Port Authority, J. Robert Bray, Counsel, Norfolk, Virginia 23510.

[FR Doc.77-17291 Filed 6-16-77;8:45 am]

## TULSA PORT OF CATOOSA AND TULOMA STEVEDORING, INC.

### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act; 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before July 11, 1977. 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:

Harley W. Ladd, Port Director, Tulsa Port of Catoosa, 5301 West Channel Road, Catoosa, Oklahoma 74015.

Agreement No. T-3478, between Tulsa Port of Catoosa (Port) and Tuloma Stevedoring, Inc., (Tuloma), grants Tuloma the nonexclusive right to provide loading, unloading, storage, transfer, and transportation services for cargo at Port's terminal facilities. Tuloma shall provide the above services in accordance with the Port's currently published tariff. In return, Port shall receive wharfage assessments and tollage fees. The wharfage portion of this compensation is subject to a minimum annual guarantee as further provided for in the agreement. Agreement No. T-3478 is to supersede Agreement No. T-3455, between the same parties, which was noted in the FEDERAL REGISTER on April 27, 1977. The term of Agreement No. T-3478 will be for a period of eight years inclusive of the time that the parties operated under Agreement No. T-3455. Tuloma may elect to renew Agreement No. T-3478 for three additional terms of five years each.

By Order of the Federal Maritime Commission.

Dated: June 14, 1977.

JOSEPH C. POLKING,
*Acting Secretary.*

[FR Doc.77-17350 Filed 6-16-77;8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. CP77-413]

### ALGONQUIN LNG, INC., ALGONQUIN GAS TRANSMISSION CO.

### Application

JUNE 9, 1977.

Take notice that on May 25, 1977, Algonquin LNG, Inc. (Algonquin LNG) and Algonquin Gas Transmission Company (Algonquin Gas) 1284 Soldiers Field Road, Boston, Massachusetts 02135, filed in Docket No. CP77-413 a joint application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the receipt, storage and redelivery of approximately 419,000 bbls. of liquefied nat-

ural gas (LNG) at Algonquin LNG's Province, Rhode Island, intrastate storage facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Algonquin LNG states that it has a 600,000 bbl. capacity LNG storage tank at Providence, Rhode Island, which is currently being used, and would continue to be used, in part, for the benefit of Providence Gas Company (Providence Gas). It is further stated that the tank is in the intrastate phase, or Phase I of Algonquin LNG's terminal facilities, and an application to construct and operate the Phase II or interstate phase is pending in Docket No. CP73–139.

Algonquin LNG asserts that during the 1977–78 heating season, in would have approximately 419,000 bbls. (after allowance for tank heel) of available capacity in its LNG storage tank over and above the 174,000 bbls. of capacity which has been dedicated to Providence Gas. It is further asserted that there is liquefaction capacity and supplies of LNG in excess of LNG storage capacity during the 1977 summer season; and consequently, certain additional resale companies, including regular distributor customers of Algonquin Gas, would be able to use the available capacity in Algonquin LNG's tank to store gas for use during the 1977–78 winter. The application states that the additional storage service would permit participating resale customers to forego interruptible sales this summer and convert this gas into a supply for high priority requirements next winter.

It is stated that Algonquin LNG has entered into an agreement with The Connecticut Gas Company dated April 22, 1977, to store 90,000 bbls. of LNG, and has had discussions with several other companies which have expressed a desire to participate in the storage service but have not yet finalized the extent of their participation.

Algonquin LNG asserts that customers subscribing to the LNG storage service herein proposed would be charged a rate of $1.30 per million Btu's ($4.50 per barrel) to be paid in equal monthly installments over the period of service. It is further asserted that the term of such service would be through May 31, 1978, and that no new facilities are required to effectuate the proposal.

The application states that deliveries by a customer to the Algonquin LNG Providence storage facility would be made by truck, and redelivery would be made either in liquid form, by truck, or in gaseous phase, by pipeline.

It is further stated that redeliveries would also be accomplished in gaseous phase by displacement and Algonquin LNG would gasify the LNG and physically deliver it to Providence Gas, and Algonquin Gas, in turn, would deliver equivalent volumes on a basis which would not impair service to Algonquin Gas' other customers, to said customer by displacement. Algonquin Gas states that it proposes to charge 15.0 cents per million Btu's of gas so delivered to the customers. It is further stated that such deliveries are not expected to exceed an aggregate volume of approximately 50,000 million Btu's per day. Such redelivery of gasified LNG by Algonquin Gas, it is stated, has been agreed upon with The Connecticut Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1977, 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 applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77–17434 Filed 6–16–77;8:45 am]

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[Docket No. ER77–403]

## ARKANSAS-MISSOURI POWER CO.

### Filing

JUNE 10, 1977.

Take notice that on May 27, 1977, Arkansas-Missouri Power Company (Ark-Mo) tendered for filing an unexecuted Letter of Agreement between the Arkansas-Electric Cooperative (Arkco) and Ark-Mo. Ark-Mo states that the agreement extends the term of its contract with Arkco dated February 15, 1963 (Ark-Mo Rate Schedule FPC No. 31) until May 31, 1978. In addition, Ark-Mo states that the Letter of Agreement provides for the sale by Ark-Mo of short-term firm power for the period between June 1, 1977 and May 31, 1978, and that revenues therefrom should be about $3,764,680. Ark-Mo requests waiver of the Commission's notice requirements so that the Letter of Agreement may be effective as of June 1, 1977.

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 §§ 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 June 17, 1977. 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.77–17437 Filed 6–16–77;8:45 am]

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[Docket No. CP77–404]

## COLORADO INTERSTATE GAS CO.

### Application

JUNE 9, 1977.

Take notice that on May 23, 1977, Colorado Interstate Gas Company (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP77–404 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing a revision in its annual volumetric obligations to its customers and to make revisions to service agreements with certain of its jurisdictional customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to:

1. Revise its total annual volumetric obligations to jurisdictional and non-jurisdictional transmission system and jurisdictional field system customers from the present level of 379,389,500 Mcf to 358,414,500 Mcf.

2. Provide seasonal service under Rate Schedule S–1 to Raton Natural Gas Company with an annual capacity volume of 44,000 Mcf and a maximum daily volume of 3,700 Mcf, and

3. Revise the maximum daily volume obligations for deliveries to Public Service Company of Colorado (Public Service) at the North Pueblo and South Pueblo delivery points.

Applicant states that since 1971 it has been working in cooperation with its customers to husband its peak day and annual supplies. Aplicant further states that with a stabilized or declining supply of gas available to it, Applicant determined that the most practical means of continuing to meet its customers' high priority residential and commercial needs is to reduce the natural gas service rendered directly or by its customers for lower priority requirements, which

are in large part capable of being satisfied with alternate fuels. It is stated that in the past Applicant has been able to increase its peak day commitments to its resale customers for high priority uses by negotiating reductions in the peak day commitments to its lower priority, nonjurisdictional customers.

Applicant indicates that it advised its customers early in 1977 that its projected peak day supply availability would not permit it to increase its firm peak day commitments to any of its customers in Fiscal Year 1978. However, four of Applicant's jurisdictional transmission system customers requested increases, aggregating 3,318,000 Mcf, in Applicant's annual volumetric obligations to them to enable them to meet their residential and commercial requirements in existing service areas, it is asserted. Consequently, Applicant proposes to increase it annual volumetric obligations to four jurisdictional transmission system customers by 3,318,000 Mcf as follows:

*Present and proposed annual volumetric obligations*

[Volumes in million cubic feet]

| Customer | Fiscal years 1976 and 1977 obligation | Increase | Fiscal year 1978 obligation |
|---|---|---|---|
| Public Service Co. of Colorado (Public Service) | 117,076 | 2,012 | 119,088 |
| Cheyenne Light, Fuel & Power Co. (Cheyenne) | 12,953 | 698 | 13,651 |
| Western Slope Gas Co. (Western Slope) | 59,278 | 20 | 59,298 |
| Northern Natural Gas Co.—Peoples Division (Peoples) | 6,237 | 588 | 6,825 |
| Total | 195,544 | 3,318 | 198,862 |

Applicant states that its ability to increase its annual commitments to the four jurisdictional customers at this time results from (1) voluntary and negotiated reductions in Applicant's commitments to its nonjurisdictional transmission system customers which have previously taken place and (2) the reductions in the nonjurisdictional customers' natural gas requirements which have resulted from the operation of normal market mechanisms. Applicant indicates that it also proposes to decrease its annual volumetric obligation to its nonjurisdictional transmission system customers by 24,293,000 Mcf, and that this reduction recognizes the lower contractual commitments to which both Applicant and those customers have agreed as a direct result to the decline in their annual requirements. The net effect of the proposed decrease is a reduction of 20,975,000 Mcf in Applicant's total annual volumetric obligations to jurisdictional and nonjurisdictional transmission system and jurisdictional field system customers.

Applicant states that Raton Natural Gas Company (Raton), another jurisdictional customer of Applicant, has requested seasonal service under Applicant Rate Schedule S–1 with a daily demand volume of 3,700 Mcf and an annual capacity volume of 44,000 Mcf. It is stated that no increased annual volume would be required, as the requested capacity of volume would be included as part of Raton's existing annual volumetric entitlement, and that because any seasonal service volumes delivered outside the seasonal period defined in Rate Schedule S–1 (May 1–September 30) are interruptible, no additional peak day volumes would be required as a result of this proposed change, it is said. Applicant indicates that Raton's peaking service capacity volume under Applicant's Rate Schedule PS–1 is insufficient to meet the heating season's requirements, and that during the last several years, Raton has overrun its peaking service capacity volume. Applicant states that Raton is eligible for seasonal service volumes under Rate Schedule P–1. The requested demand and capacity volumes would enable Raton to take seasonal service gas at certain times, especially during the periods of the heating season, when Applicant can make such gas available on an interruptible basis because Applicant's other customers' requirements are below their contract demand level, it is said. Applicant states that by taking seasonal service gas from time to time during the heating season when Applicant can make it available on an interruptible basis, Raton could defer taking peaking service gas at those times and, in essence, conserve some of its peaking service capacity volume for periods when peak demands are generally being experienced throughout Applicant's system.

It is stated that Public Service has requested small increases in the Maximum Daily Volume obligations for deliveries at two of the seven existing delivery points on its Pueblo, Colorado, system, and that gradual shifts in the load concentration in the Pueblo area have adversely affected Public Service's operations, and the requested changes would give them more flexibility. The requested increase at the North Pueblo delivery point is from 29,000 Mcf to 31,000 Mcf and, at the South Pueblo delivery point, from 50,000 to 52,500 Mcf, it is said. Applicant states that the increased maximum delivery obligations would not enable Public Service to take more gas on any day, as its total takes are limited by its contract demand, and that no facility changes would be required.

Applicant summarizes the end use data provided by the customers as follows:

*End use of additional annual entitlements*

[Volumes in million cubic feet]

| Customer | FPC priority 1 | FPC priority 2 | Total |
|---|---|---|---|
| Public Service | 1,728 | 284 | 2,012 |
| Cheyenne | 406 | 292 | 698 |
| Western Slope | 20 | | 20 |
| Peoples | | 588 | 588 |
| Total | 2,154 | 1,164 | 3,318 |

It is stated that Public Service has requested an additional 2,012,000 Mcf to meet the annual requirements of residential and commercial customers added within its existing service areas. Expansion of Public Service's Leyden storage facility would provide the necessary additional peak day volume to meet these customers' projected needs, it is said.

Cheyenne has experienced substantial growth in its franchised market area, which is centered in the city of Cheyenne, Wyoming, and an additional annual volumetric entitlement of 698,000 Mcf is required to continue to serve the residential and commercial needs of this area, it is indicated. It is stated that operational and design adjustments would enable Cheyenne to meet its peak day requirements with its existing contract demand volume.

Applicant states that Western Slope has requested a minor increase of 20,000 Mcf in its annual entitlement in order to meet the residential and small commercial needs of an existing distribution customer, and that the distribution company would provide the necessary additional peak day volumes to serve its customers with its own propane-air injection plant.

Applicant indicates that Peoples' major market in the Texas Panhandle and northeastern New Mexico is made up of irrigation customers, and that Peoples has not added any new irrigation customers on that system, which is supplied by Applicant, in the last four years. Applicant further states that the existing customers are now irrigating more acreage over a longer period of time, and that as a consequence, Peoples requires an increase of 598,000 Mcf in its annual entitlement in order to continue to serve its existing customers' needs. Peoples' existing contract demand volume, which is based upon a summer peak, is sufficient to continue to meet these customers' maximum daily requirements, it is said.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1977, 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.77-17426 Filed 6-16-77;8:45 am]

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[Docket No. CP77-406]

## COLORADO INTERSTATE GAS CO.

### Application

JUNE 9, 1977.

Take notice that on May 23, 1977, Colorado Interstate Gas Company (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP77-406 an application pursuant to Section 7 of the Natural Gas Act for permission and approval to abandon two 1,320-horsepower compressors currently located at its Fourway Compressor Station and for a certificate of public convenience and necessity authorizing the relocation and operation of these compressors for air injection service at its Watkins Junction Regulator Station, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant indicates that its Fourway Compressor Station was constructed with eleven 1,320-horsepower compressors (14,520-horsepower) pursuant to the Commission's orders issued in Docket Nos. G-1326, G-1677, and G-2120 during the period 1950 through 1953, and that air injection facilities with a capability of 8,000 Mcf per day were installed at Watkins Junction under authority granted in an amending order dated August 6, 1973, in Docket No. CP-73-44. Applicant states that air injection is required to maintain input factor control and that air injection was authorized for thermal control of the high-Btu gas delivered by Panhandle Eastern Pipe Line Company under Applicant's Rate Schedule X-42.

It is stated that five of the eleven 1,320-horsepower compressor units at Fourway Compressor Station are dedicated to compressing field supplies connected directly to Fourway, five units are dedicated to compressing the gas stream from Applicant's Bivings Compressor Station, and one unit is used as a swing unit which can compress Fourway field supplies or the gas stream from Bivins. Applicant states that its supplies in the Fourway area of the Texas Panhandle are continually declining, and that current designs indicate that three engines can more than adequately handle the compression requirements of the field supplies connected directly to Fourway. Consequently, Applicant proposes to abandon two of the five 1,320-horsepower compressor units at the said location and relocate these units to Watkins Junction for utilization in air injection service. No abandonment or change in existing service to Applicant's customers would result because of the removal of the two compresor units, it is said.

It is stated that Applicant's gas supplies from producers in Wyoming and Northeast Colorado have a heat content of up to 1,064 Btu, with a specific gravity of about 0.64 at the inlet to Watkins Junction Regulator Station, and these parameters are not expected to change in the foreseeable future. Applicant indicates that its gas tariff requires that the input factor be maintained at plus or minus 6 percent from the specified input factor level of 1,200 in the Denver and Pueblo, Colorado, area. Applicant states that air injection capability at Watkins Junction must be increased to maintain the input factor within tariff limits and to ensure that Applicant is able to accept project supplies on its Wyoming Line. Applicant indicates that its maximum daily design overfire of 4.5 percent (1,254 input factor) is exceeded if the proposed air injection facilities are not installed, and that with the proposed air injection facilities, input factors are within design limits. Applicant states that without additional air injection it estimates that it would be necessary to reduce the relatively high-Btu Wyoming and Northeast Colorado gas delivered at Watkins Junction by approximately 3,700,000 Mcf in fiscal year 1978. To enable Applicant to control input factors, Applicant proposes to add approximately 2,640 horsepower of air compression capability at said location by relocating existing equipment.

The cost of modifying, relocating, and installing the two compressors at the Watkins Junction is $2,108,138 and modifications to existing dehydration facilities is $268,893 with the total estimated cost of facilities to be installed at said location being $2,377,031, it is said. Applicant states that the capital required for the abandonment and construction of facilities as proposed would be obtained from current funds on hand, funds from operations, short-term borrowings, or long-term financing.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1977, 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 and permission and approval for the proposed abandonment 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 be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17430 Filed 6-16-77;8:45 am]

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[Docket No. RP77-101]

## COLUMBIA GAS TRANSMISSION CORP.

### Intention Filed by Columbia Gas Transmission Corporation To Initiate Transportation Service Utilizing Jurisdictional Facilities Without Prior Commission Approval

JUNE 10, 1977.

Take Notice that by letter dated June 1, 1977, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue SE., Charleston, West Virginia 25314, has advised that as a result of the decline in available gas supply commencing in 1972, it has not been able to supply the full requirements of the industrial and commercial customers of its wholesale customers. Curtailment of such consumers became particularly acute during the 1976-1977 winter heating season due to colder than normal weather.

Columbia further advises that as gas supply available to industrial and commercial consumers declined in recent years, Columbia has cooperated with various Ohio industrial and commercial

consumers in so-called "self-help programs." Under the latter program, Ohio consumers that either develop or purchase Ohio produced gas are to utilize the jurisdictional facilities of Columbia for moving such gas within Ohio to the Ohio facilities of these consumers. As a result of the substantial curtailment imposed by Columbia's distributors this past winter, Columbia states that Governor James A. Rhodes has encouraged the expansion of the aforementioned "self-help programs." Such expansion would involve the movement within Ohio of Ohio produced gas to the Ohio facilities of the industrial or commercial consumers through the existing facilities of Columbia located in the State of Ohio and its distribution customers.

Columbia in its June 1, 1977, letter notified the Commission that it would commence transporting on June 2, 1977, in its jurisdictional facilities natural gas produced in the State of Ohio for an industrial customer (Marion Power Shovel Company, Inc.) located in the state without first obtaining authorization to commence and continue such service from this Commission. In adition, Columbia further expressed its intention to initiate other such transportation service of Ohio produced gas developed and/or purchased by industrial and commercial consumers in Ohio.

Columbia contends that the transactions contemplated in its June 1, 1977, letter falls within the purview of *Colorado Interstate Gas Company* in Docket Nos. CP75-323 and CP75-300 (Opinion No. 777), issued on September 30, 1976, and an order issued by the Commission in *Colmbia Gas Transmission Corporation*, in Docket No. RP73-65 (PGA 75-5), issued on April 18, 1977.

Columbia contends that any such transportation undertaken by it will only be undertaken within the constraint of the following parameters:

First, any self-help transportation commitment will be on a 'best efforts" basis and subject to all existing obligations to Columbia's jurisdictional wholesale customers.

Second, Columbia will only accept into its pipeline system in the State of Ohio molecules of gas which, in Columbia's judgment, cannot leave the State of Ohio.

Third, Columbia will charge a transportation rate based on its system-wide average transportation and storage costs as reflected in its filed cost-of-service underlying its current effective FPC tariff rates.

Fourth, Columbia will retain 3.1 percent of all self-help gas delivered into its facilities for company-use purposes.

The facts tendered by Columbia are scant even with respect to the specific transportation service it has initiated for Marion Shovel on June 2, 1977. Facts relating to prospective transportation services of the nature related to herein are non-existent and provide the Commission with insufficient basis upon which to make appropriate determinations of the propriety of Columbia's proposed operations under the Natural Gas Act. The Commission further is apprehensive about affording any blanket authorization of the scope that might be necessary to enable a pipeline to undertake the transportation and operation of jurisdictional facilities contemplated herein. The proposal tendered by Columbia in its June 1, 1977, letter undoubtedly presents other factors and problems that are worthy of comment and Commission consideration. The Commission will accordingly make provisions for the submittal of comments on this matter.

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, not later than July 6, 1977, data, views, and comments or suggestions in writing concerning the aforementioned matters. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, 825 North Capitol Street NE., Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submissions to the Commission should indicate the name, title, and mailing address of the person to whom correspondence with regard to the proposal should be addressed.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17443 Filed 6-16-77;8:45 am]

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[Docket Nos. RP74-87, RP74-82]

## COLUMBIA GULF TRANSMISSION CO., COLUMBIA GAS TRANSMISSION CORP.

### Notice of Certification of Settlement Agreement on Cost Classification and Rate Design

JUNE 10, 1977.

Take notice that on May 31, 1977, the Presiding Administrative Law Judge certified to the Commission a supplemental stipulation and agreement which purports to settle the cost classification and rate design issues in the above-captioned proceeding.

Any person desiring to be heard or to protest said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before July 8, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17449 Filed 6-16-77;8:45 am]

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[Docket No. CP77-325]

## CONSOLIDATED GAS SUPPLY CORP.

### Amendment to Application

JUNE 10, 1977.

Take notice that on May 27, 1977, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP77-325 an amendment to its application filed in said docket pursuant to Section 7 of the Natural Gas Act so as to expand the request for certificate authorization to cover additional storage service to Texas Eastern Transmission Corporation (Texas Eastern), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Applicant indicates that on March 31, 1977, it filed for a limited term certificate authorizing the rendition of a three-year (beginning in 1977 and ending in 1980) storage service to Texas Eastern, and that on April 21, 1977, the Commission issued a temporary certificate to render the storage service to Texas Eastern as proposed, beginning as of April 16, 1977, consisting of a storage capacity volume of 30,000,000 Mcf and a daily demand volume of 221,400 Mcf (volume in Mcf at 14.73 psia). On the same date, Texas Eastern was issued a temporary certificate in Docket No. CP77-313 to provide 14 of its customers with a limited-term storage service of up to the capacity volume obtained from Applicant, and Algonquin Gas Transmission Company (Algonquin) received a temporary certificate in Docket No. CP77-337 to provide 14 of its customers with a limited-term storage service of up to capacity volume to be made available by Texas Eastern from the storage space obtained from Applicant, it is said.

By this amendment, Applicant proposes to expand its request for certificate authorization to cover additional storage service to Texas Eastern whereby Applicant would provide, upon a best-effort basis, an additional storage capacity volume, of 2,000,000 Mcf (volumes in Mcf at 14.73 psia) for South Jersey Gas Company (South Jersey), a customer of Transcontinental Gas Pipe Line Corporation (Transco). Applicant states that this additional storage service proposed by this amendment to Texas Eastern for South Jersey is pursuant to an additional Texas Eastern-Consolidated agreement dated April 19, 1977. These combined services consist of a storage capacity volume of 32,000,000 Mcf and a daily demand volume of 234,600 Mcf, to be rendered by Applicant upon a best-efforts basis, beginning with the 1977 summer injection period and ending with the 1979-1980 withdrawal period, and to be charged for at rates contained in its GSS Rate Schedule, it is stated.

It is stated that under the storage program as expanded, the natural gas to be delivered to Applicant by Texas Eastern and the natural gas to be returned by Applicant to Texas Eastern would be de-

livered at existing points of interconnection between the facilities of Texas Eastern and Applicant in the states of Ohio and Pennsylvania as operating conditions permit or require, and as mutually agreed to from time to time by their dispatchers. No new facilities are required to render the services proposed under the enlarged program, it is said. Applicant states that the gas to be injected into storage for South Jersey would first be delivered by Transco to Texas Eastern at an existing interconnection near Norristown, Pennsylvania, and the volumes withdrawn from storage for South Jersey would be returned to Transco by Texas Eastern at the Linden, New Jersey, interchange.

It is stated that during each of the 1977, 1978, 1979 injection periods, Texas Eastern would deliver to Applicant and Applicant would inject into storage such quantities of gas as are mutually agreed to and scheduled, on each day, by the dispatchers of Texas Eastern and Applicant, and that Applicant would use its best efforts to inject into storage the quantities of gas requested by Texas Eastern on behalf of its 14 customers involved and on behalf of South Jersey. Any carried-over inventory and the injections would not exceed at any time the combined contracted storage capacity, it is said.

It is further stated that during each of the 1977–1978, 1978–1979, and 1979–1980 withdrawal periods, Applicant would, on a best-efforts basis, deliver to Texas Eastern the contracted storage gas of the Texas Eastern customers and South Jersey, or any lessor portion desired by Texas Eastern at reasonably-constant daily rates not to exceed 234,600 Mcf; *Provided, however,* That such daily volumes may be adjusted as operating conditions permit and as mutually agreed to by the dispatcher of Applicant and Texas Eastern.

Applicant indicates that redeliveries from storage would occur ordinarily during the winter season next following the summer injection season. However, the customers may defer their withdrawals; and, in such event, the carried-over inventory and succeeding summer injection cannot exceed the contracted storage volume, it is stated.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before June 30, 1977, 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. Persons who have heretofore filed need not file again.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17446 Filed 6-16-77;8:45 am]

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[Docket No. ER76-45]

## CONSUMER POWER CO.

### Filing

JUNE 10, 1977.

Take notice that Consumers Power Company (Consumers) on May 31, 1977, tendered for filing Standard Service Agreements for wholesale for resale electric service between Consumers Power and the City of Harbor Springs, City of Marshall, City of Petoskey, Village of Chelsea, City of Portland, City of St. Louis, and the City of Coldwater, each service agreement effective on and after March 10, 1977, and with the Wolverine Electric Cooperative, Inc., effective on and after September 30, 1975. Consumers states that, on their effective dates, the above service agreements cancelled and superseded the following prior contracts: FPC Nos. 5, 7, 40, 9, 32, 17, 29, and 30 respectively and that the tariff applicable to each of the above service agreements incorporates the rates approved by the Commission in its Order Approving Settlement dated March 7, 1977, in Docket No. ER76-45.

Consumers states that the execution of each of the above Standard Service Agreements (with the exception of the agreement with Wolverine Electric Cooperative, Inc.) was performed pursuant to the terms of the Settlement Agreement approved by the Commission Order of March 7, 1977.

Consumers states that copies of the filing were served on the affected customers, their counsel and on the Michigan Public Service Commission.

Any person desiring to be heard or to protest said agreements 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 and 1.10). All such petitions or protests should be filed on or before June 24, 1977. 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 the agreements are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17452 Filed 6-16-77;8:45 am]

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[Docket No. CP75-96, et al.]

## EL PASO ALASKA CO.

### Availability of El Paso Computerized Financial Documentation

JUNE 9, 1977.

The Federal Power Commission, Bureau of Natural Gas, Systems Analysis Branch has made available in the FPC's Office of Public Information, 825 North Capitol Street NE., Washington, D.C. 20426, the computerized financial documentation for El Paso under El Paso Alaska Company, Docket No. CP75-96, et al. This documentation is a systematic analysis of accounting data for cost-of-service determination and specific input to specified computer runs used as a basis for the financial data shown in the Federal Power Commission's Recommendation to the President.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17440 Filed 6-16-77;8:45 am]

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[Docket No. CP75-96, et al.]

## EL PASO ALASKA CO.

### Availability of Arctic Computerized Financial Documentation

JUNE 9, 1977.

The Federal Power Commission, Bureau of Natural Gas, System Analysis Branch has made available in the FPC's Office of Public Information, 825 North Capitol Street NE., Washington, D.C. 20426, the computerized financial documentation for Arctic Gas under El Paso Alaska Company, Docket No. CP75-96, et al. This documentation is a systematic analysis of accounting data for cost-of-service determination and specific input to specified computer runs used as a basis for the financial data shown in the Federal Power Commission's Recommendation to the President.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17441 Filed 6-16-77;8:45 am]

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[Docket No. CP77-407]

## EL PASO NATURAL GAS CO.

### Application

JUNE 9, 1977.

Take notice that on May 23, 1977, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP77-407 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 for Pacific Interstate Transmission Company (Pacific), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport and deliver a daily quantity of natural gas

equivalent to 200,000 million BTU's for Pacific on a best efforts basis utilizing such idle capacity as may otherwise exist from time to time in Applicant's interstate pipeline system facilities pursuant to a gas transmission agreement dated May 3, 1977, between Applicant and Pacific.

Applicant indicates that the gas it proposes to transport for Pacific would be bought from Northwest Pipeline Corporation (Northwest) by Pacific. It is stated that Northwest's total gas supply available to its transmission system may be greater than its total system requirements at times during the months of May through October 1977, and that such potential surplus gas supply is attributable primarily to the fact that Westcoast Transmission Company, Limited, (Westcoast) expects to have quantities of gas available for export to the United States from the Province of British Columbia during the summer months equal to its daily export authorization, as established by the National Energy Board of Canada, i.e., 809,000 Mcf per day at the Sumas import point. Since Northwest is not able to utilize the full 809,000 Mcf per day due to the summertime load distribution on its transmission system, Northwest may have available at times during the 1977 summer months more gas from Westcoast at the Sumas import point than it requires under normal operating conditions, it is said. Applicant states that Northwest intends to maximize its purchases from Westcoast at the Sumas import point and would tender any excess gas not required for system requirements, up to 200,000 million Btu's per day, for sale and delivery on a best efforts basis to Pacific. It is stated that Northwest would deliver such volumes of gas sold to Pacific to Applicant, for Pacific's account, at the point of interconnection of Applicant's and Northwest's existing facilities in La Plata County, Colorado. Applicant indicates that to the extent Northwest has volumes of natural gas available for sale to Pacific, Applicant proposes to transport and deliver such volumes received from Northwest, for Pacific's account, to Southern California Gas Company (SoCal) for a term extending from the date of initial deliveries through October 31, 1977.

Applicant states that it would accept from Northwest a daily quantity of natural gas equivalent to 200,000 million Btu's for transportation for the account of Pacific, at the interconnection of Northwest's and Applicant's existing facilities located in La Plata County, Colorado, referred to as the Ignacio receipt point. Applicant further states that it would transport, on a best efforts basis, the gas so received for Northwest from the Ignacio receipt point by means of idle capacity in its system and deliver to SoCal, at Applicant's existing delivery points to SoCal on the Arizona-California boundary near Topock, Arizona and Blythe, California, referred to as El Paso delivery points, for Pacific's account, a quantity of gas equivalent to 95 percent of the heating value contained in the transportation quantities tendered by Northwest. The 5 percent reduction represents shrinkage as a result of compressor fuel usage and gas lost or unaccounted for in the mainline transportation of said natural gas by Applicant for Pacific's account, it is said.

It is stated that Pacific would pay Applicant an initial transportation charge equivalent to the rate then in effect and reflected during the term under Applicant's Rate Schedule G sales rate schedule (or rate for comparable service) of Applicant's FPC Gas Tariff, Original Volume No. 1, less the rate in effect and reflected during the term under Rate Schedule X-1 of Applicant's FPC Gas Tariff, Original Volume No. 1, for each Mcf of natural gas delivered by Applicant to SoCal for Pacific's account. Applicant states that based upon the rates proposed to be placed into effect on June 1, 1977, under Rate Schedules G (118.54 cents per Mcf) and X-1 (98.00 cents per Mcf), the initial transportation charge would be 20.54 cents per Mcf.

It is indicated that there are conditions precedent, set forth in Article VIII, Paragraph 8.2 of the subject transportation agreement, which provide for, inter alia, tariff changes necessary to exclude the quantities of SoCal's gas supply to be transported by Applicant for Pacific's account from the operation of Applicant's curtailment provisions in effect from time to time as a part of Applicant's FPC gas tariff. It is stated that Applicant's currently effective curtailment procedures, priorities and curtailment, of the general terms and conditions of Applicant's FPC gas tariff, Original Volume No. 1, do not specifically provide for the exclusion of any new supply sources acquired by a customer when determining the quantities of natural gas each customer is entitled to receive from Applicant each day. Applicant indicates that its revised curtailment plan submitted to the Commission on November 22, 1976, in compliance with Commission Opinion Nos. 697 and 697-A, as modified by orders issued December 24, 1975, and October 15, 1976, at Docket No. RP72-6, contains curtailment procedures, to its FPC gas tariff, Original Volume No. 1, which provide for the exclusion from the curtailment provisions of any new supply sources attached by a customer after October 31, 1974. It is further indicated that said order of October 15, 1976, inter alia, affirmed such Section 11.3(c)(1), provision thus satisfying the requirement. Applicant requests that the authorization requested in the instant proceeding when issued specifically exempt the subject gas supply from the operation of Applicant's curtailment procedures.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1977, 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 of 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.77-17432 Filed 6-16-77;8:45 am]

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[Docket No. CP77-415]

## EL PASO NATURAL GAS CO.

### Application

JUNE 10, 1977.

Take notice that on May 27, 1977, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP77-415 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the retention in place of certain tap and related facilities located in Roger Mills County, Oklahoma, installed as an emergency interconnection between the systems of Applicant and Michigan Wisconsin Pipe Line Company (Mich-Wis), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that Mich-Wis notified the Commission by letter dated April 25, 1977, of the commencement of a 60-day emergency exchange of up to 30,000 Mcf per day between Mich-Wis and Columbia Gas Transmission Corporation (Columbia) and the emergency transportation of such exchange gas volumes by Applicant for Mich-Wis. Applicant states that such emergency arrangements were initiated April 1, 1977, in accordance with the terms and conditions set forth in a letter agreement dated April 21, 1977, between Applicant, Mich-Wis and Columbia, and that Mich-Wis contracted for emergency natural gas supplies of up to

30,000 Mcf per day in the western Oklahoma area. Applicant indicates that Mich-Wis advised it that due to insufficient capacity in its existing southwest gathering system facilities it was unable to receive deliveries of such emergency supplies for its system requirement, and that Mich-Wis requested that Columbia and Applicant assist it in effectuating Mich-Wis' receipt of such emergency natural gas supplies. Applicant states that it would assist Mich-Wis by accepting deliveries of emergency natural gas supplies, on a best efforts basis, of up to 30,000 Mcf per day at a point of interconnection to be installed between the facilities of Applicant and Mich-Wis in Roger Mills County, Oklahoma, and to deliver such gas for Mich-Wis' account. Such emergency gas volumes have been transported by Applicant through its interstate system pipeline facilities as payback gas to Columbia for gas received by Mich-Wis from Columbia under the provisions of the Emergency Natural Gas Act of 1977, it is said.

It is stated that Applicant and Mich-Wis mutually desire to retain in place the existing interconnection facilities so that in the event that an emergency condition should occur, the immediate operational availability of the existing interconnecting facilities could provide an expeditious means of preventing a loss of gas service and possible harm to Applicant's and Mich-Wis' interstate customers as well as provide a means by which deliveries may be made to accommodate the needs of other pipeline companies entering into arrangements with Mich-Wis or Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 30, 1977, 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.77-17447 Filed 6-16-77;8:45 am]

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[Docket Nos. G-3113, et al.]

## EXXON CORPORATION, ET AL.

### Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates[1]

JUNE 9, 1977.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before July 1, 1977, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

KENNETH F. PLUMB,
*Secretary.*

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Filing Code:

A - Initial Service
B - Abandonment
C - Amendment to add acreage
D - Amendment to delete acreage
E - Total Succession
F - Partial Succession

| Docket No. and Date Filed | Applicant | Purchaser and Location | Price Per Mcf | Pressure Base |
|---|---|---|---|---|
| G-3113<br>5-9-77<br>B | Exxon Corporation<br>P.O. Box 2180<br>Houston, Texas 77001 | El Paso Natural Gas Company<br>(Coper Jal Field, Lea County, New Mexico) | Well reclassified from gas well to oil well. | |
| CI61-780<br>5-23-77<br>C | Sohio Petroleum Company<br>50 Penn Place<br>Suite 1100<br>Oklahoma City, Oklahoma 73118 | Cities Service Gas Company<br>(Woods County, Oklahoma) | | |
| CI65-121<br>5-23-77<br>C | Sohio Petroleum Company | Cities Service Gas Company<br>(Woods County, Oklahoma) | | |
| CI72-809<br>5-25-77<br>C | Energy Reserves Group, Inc.<br>P.O. Box 1201<br>Wichita, Kansas 67201 | Northwest Pipeline Corporation<br>(Rio Arriba County, New Mexico) | 158.15224¢ 1/ | 15.025 |
| CI73-164<br>4-22-77<br>C | Shell Oil Company<br>Two Shell Plaza<br>P.O. Box 2099<br>Houston, Texas 77001 | Natural Gas Pipeline Company of America<br>(West Cameron Block 565, Offshore Louisiana) | 47.385¢ 1/ | 15.025 |
| CI77-502<br>(G-7393)<br>5-20-77<br>B | Colorado Oil Company, Inc.<br>P.O. Box 1087<br>Colorado Springs, Colorado 80944 | Colorado Interstate Gas Company<br>(Keyes Field, Cimarron County, Oklahoma) | Production ceased. | |
| CI77-508<br>5-20-77<br>A | The Offshore Company<br>3411 Richmond Avenue<br>Houston, Texas 77046 | Southern Natural Gas Company<br>(East Cameron Area, Block 231, Offshore Louisiana) | $1.90 1/ | 14.73 |
| CI77-509<br>5-20-77<br>A | SONAT Exploration Company<br>3411 Richmond Avenue<br>Houston, Texas 77046 | Sea Robin Pipeline Company<br>(East Cameron Area, Block 231, Offshore Louisiana). | $1.90 1/ | 14.73 |
| CI77-511<br>5-20-77<br>A | Napeco Inc.<br>122 South Michigan Avenue<br>Chicago, Illinois 60603 | Natural Gas Pipeline Company of America<br>(B.J. Luker No. 2 Well, Bi-Centennial Field, Goliad County, Texas) | $1.45 1/ | 14.73 |
| CI77-512<br>5-23-77<br>A | Cities Service Oil Company<br>P.O. Box 300<br>Tulsa, Oklahoma 74102 | El Paso Natural Gas Company<br>(Eddy County, New Mexico) | $1.45 1/ | 14.73 |
| CI77-513<br>5-25-77<br>A | Petroleum, Inc., Operator<br>R.H. Garvey Building<br>300 West Douglas<br>Wichita, Kansas 67202 | Phillips Petroleum Company<br>(Certain Acreage in Hemphill County, Texas) | $1.45 1/ | 14.73 |
| CI77-514<br>5-25-77<br>A | Napeco Inc. | Natural Gas Pipeline Company of America<br>(Napeco No. 1 Morris Bowen Well, Panola County, Texas) | $1.45 1/ | 14.73 |
| CI77-515<br>5-23-77<br>A | Transco Exploration Company<br>P.O. Box 1396<br>Houston, Texas 77001 | Transcontinental Gas Pipe Line Corporation<br>(North Vacherie Field, St. James Parish, Louisiana) | $1.45 1/ 2/ | 14.73 |
| CI77-516<br>5-23-77<br>A | Anadarko Production Company<br>P.O. Box 1330<br>Houston, Texas 77001 | Panhandle Eastern Pipe Line Company<br>(Certain acreage in Panoma Council Grove Field, Stevens County, Kansas) | 94¢ 1/ 2/ | 14.65 |

FPC Form 973
Rev (6-70)

Filing Code:

A - Initial Service
B - Abandonment
C - Amendment to add acreage
D - Amendment to delete acreage
E - Total Succession
F - Partial Succession

| Docket No. and Date Filed | Applicant | Purchaser and Location | Price Per Mcf | Pressure Base |
|---|---|---|---|---|
| CI77-517<br>5-23-77<br>A | Exxon Corporation | Mid Louisiana Gas Company<br>(East Cameron Block 335, Offshore Louisiana) | 190.0¢ 1/ | 15.025 |
| CI77-518<br>5-23-77<br>A | Exxon Corporation | Northern Natural Gas Company<br>(East Cameron Block 335, Offshore Louisiana) | 190.0¢ 1/ | 15.025 |
| CI77-519<br>5-23-77<br>A | Exxon Corporation | Columbia Gas Transmission Corporation<br>(East Cameron Block 335, Offshore Louisiana) | 190.0¢ 1/ | 15.025 |
| CI77-520<br>5-25-77<br>A | Exxon Corporation | El Paso Natural Gas Company<br>(Turkey Track Field, Eddy County, New Mexico) | 156.41¢ 1/ | 14.73 |
| CI77-521<br>(CI75-209)<br>5-25-77<br>B | Texas Gas Exploration Corporation<br>P.O. Box 52310<br>Houston, Texas 77052 | Transcontinental Gas Pipe Line Corporation<br>(North Vinton Field Area, Calcasieu Parish, Louisiana) | Reserves depleted. | |
| CI77-523<br>5-25-77<br>A | Transco Exploration Company | Transcontinental Gas Pipe Line Corporation<br>(Southwest Gibson Field, Terrebonne Parish, Louisiana) | $1.45 1/ 2/ | 15.025 |
| CI77-524<br>5-26-77<br>A | Monsanto Company<br>1300 Post Oak Tower<br>5051 Westheimer<br>Houston, Texas 77056 | El Paso Natural Gas Company<br>(Lone Tree No. 1 Well (Wolfcamp Formation) Eddy County, New Mexico) | $1.5768 1/ | 14.73 |

FPC Form 973
Rev (6-70)

[1] Applicant proposes to collect the applicable national rate as prescribed in Opinion No. 770-A, subject to adjustments contained therein.
[2] Applicant and Purchaser are affiliated.

[FR Doc.77-17216 Filed 6-16-77;8:45 am]

[Docket No. ER77-409]

## IDAHO POWER CO.

### Rate Schedule Change

JUNE 10, 1977.

Take notice that Idaho Power Company (Idaho) on May 31, 1977, tendered for filing a proposed increase in rates in Idaho's contract for sales of electric power and energy to California-Pacific Utilities Company, as filed with the Commission and designated as Idaho's Surcharge A to Supplement No. 1 to FPC Rate Schedule No. 57. According to Idaho the proposed changes would increase revenues from sales and service by approximately $334,000, based on the 12-month test period ending December 31, 1976.

Idaho indicates that the proposed rate increase is requested on an emergency basis in order to pay for extremely high priced purchase power and to track the costs of extraordinary fuel expense to permit base loading of Idaho's gas turbine. Idaho further indicates that these emergency purchases of power and fuel are caused by an extreme drought in the Company's service territory which has depleted the dependable generating capacity of Applicant's hydro system to below critical water levels. It is requested that the surcharge be placed into effect on a temporary basis with all billings on and after June 1, 1977.

Idaho states that copies of the filing were served California-Pacific Utilities 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, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 20, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties in 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.77-17435 Filed 6-16-77;8:45 am]

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[Docket No. ER77-408]

## IDAHO POWER CO.

### Rate Schedule Change

JUNE 10, 1977.

Take notice that Idaho Power Company ("Idaho") on May 31, 1977, tendered for filing a proposed increase in rates in Idaho's contract for sales of electric power and energy to the City of Weiser, Idaho, as filed with the Commission and designated as Idaho's Surcharge A to Supplement No. 2 to FPC Rate Schedule No. 42. Idaho states that the proposed changes would increase revenues from sales and service by approximately $23,000 based on the 12-month test period ending December 31, 1976.

According to Idaho the proposed rate increase is requested on an emergency basis in order to pay for extremely high priced purchase power and to track the costs of extraordinary fuel expense to permit base loading of Applicant's gas turbine. Idaho indicates that these emergency purchases of power and fuel are caused by an extreme drought in the Company's service territory which has depleted the dependable generating capacity of Applicant's hydro system to below critical water levels. It is requested by Idaho that the surcharge be placed into effect on a temporary basis with all billings on and after June 1, 1977.

According to Idaho copies of the filing were served upon the City of Weiser.

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 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before June 20, 1977. 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.77-17436 Filed 6-16-77;8:45 am]

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[Docket No. ER77-410]

## IDAHO POWER CO.

### Rate Schedule Change

JUNE 10, 1977.

Take notice that Idaho Power Company (Idaho) on May 13, 1977, tendered for filing a proposed increase in rates in Idaho's contract for sales of electric power and energy to Nevada Power Company, as filed with the Commission and designated as Idaho's Surcharge A to Supplement No. 2 to FPC Rate Schedule No. 30. According to Idaho the proposed changes would increase revenues from sales and service by approximately $59,000, based on the 12-month test period ending December 31, 1976.

Idaho indicates that the proposed rate increase is requested on an emergency basis in order to pay for extremely high priced purchase power and to track the costs of extraordinary fuel expense to permit base loading of Applicant's gas turbine. Idaho further indicates that these emergency purchases of power and fuel are caused by an extreme drought in the Company's service territory which has depleted the dependable generating capacity of Applicant's hydro system to below critical water levels. It is requested by Idaho that the surcharge be placed into effect on a temporary basis with a billings on and after June 1, 1977.

Idaho states that copies of the filing were served upon Nevada 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, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 20, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties in 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.77-17448 Filed 6-16-77;8:45 am]

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[Docket No. ER77-420]

## IOWA-ILLINOIS GAS AND ELECTRIC CO.

### Tariff Change

JUNE 10, 1977.

Take notice that Iowa-Illinois Gas and Electric Company (Applicant) on June 1, 1977, tendered for filing pursuant to § 35.13 of the Regulations under the Federal Power Act, a proposed change in its Rate Schedule WES (applicable only to Sherrard Power System, Orion, Illinois), FPC Wholesale Electric Tariff, Original Volume No. 1. Applicant indicates that the change, proposed to be effective July 1, 1977, would increase revenues from jurisdictional sales and service by $448,091 based on the 1976 test period.

Applicant alleges that the reason for the proposed increased revenues is because its operating income has declined to a level which provides an inadequate return. It further alleges that it is essential in the interest of preserving its financial integrity that its revenues and operating income be restored to a level to adequately meet the operating expenses necessary to provide good electric service and to attract the additional capital required.

According to Applicant, copies of the filing were served upon Sherrard Power System, and the Illinois Commerce Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street 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 peti-

tions or protests should be filed on or before June 22, 1977. 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.77-17450 Filed 6-16-77;8:45 am]

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[Docket No. RP73-91 (PGA77-2a)]

## McCULLOCH INTERSTATE GAS CORP.

### Order Accepting For Filing and Suspending Proposed PGA Rate Increase, Initiating Hearing, and Establishing Procedures

JUNE 8, 1977.

On May 9, 1977, McCulloch Interstate Gas Corporation (McCulloch) tendered for filing a proposed PGA rate increase of 25.51 cents per Mcf to be effective April 1, 1977. The subject filing[1] is in substitution for a similar increase filed by McCulloch on February 15, 1977, and which was rejected by the Commission on March 31, 1977.

McCulloch's filing of February 15, 1977, included (1) an increase of 8.2 cents per MMBtu or $53,392 annually in its current cost of gas, and (2) a surcharge of 17.31 cents per MMBtu to recover $132,766 in deferred purchased gas costs. This filing included in the deferred account a purchase from Champlin Petroleum Company (Champlin), a large producer, at rates in excess of those on file with the Commission. The filing also included a purchase from Chinook Pipeline Company (Chinook), a small producer, at a rate in excess of the levels established in Opinion No. 770-A. As a result, the filing was rejected.

The filing of May 9, 1977, proposed the same increase, 25.51 cents per MMBtu, as that proposed in the filing of February 15th. The filing reflects both upward and downward adjustments to the rates from both Champlin and Chinook. In addition, McCulloch has made certain volume adjustments for the purchases from Chinook. Nevertheless, the overall volumes and deferred costs remain exactly the same as those claimed in the February 15th filing.

The Commission is unable to verify the adjustments proposed by McCulloch, and therefore finds that the proposed PGA rate increase has not been shown to be just and reasonable. The Commission shall suspend the increase for one day, until April 2, 1977, and shall order that a conference be held to resolve the discrepancies contained in McCulloch's filing. Further procedures as may be required following the conference shall be prescribed by the Presiding Law Judge.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, 8, 14, 15, and 16 thereof, and the Commission's rules and regulations, a hearing shall be held in this proceeding to determine the justness and reasonableness of the PGA rate increase proposed herein by McCulloch.

(B) Pending hearing and decision thereon, McCulloch's proposed PGA rate increase shall be suspended for one day, until April 2, 1977, when it shall be permitted to become effective, subject to refund.

(C) An informal conference shall be convened by the Commission staff within 30 days from the date of this order for the purpose of resolving the issues in this proceeding. Further procedures, if any, as may be required following conclusion of the conference shall be prescribed by the Presiding Law Judge upon motion by the parties to the proceeding, including the staff.

(D) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge pursuant to 18 CFR 3.5(d), shall be assigned to this proceeding for the purposes set forth in this order and to preside over any hearings which ultimately maye be required.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17439 Filed 6-16-77;8:45 am]

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[Docket No. ER77-369]

## MISSOURI EDISON CO.

### Tariff and Rate Schedule Changes

JUNE 10, 1977.

Take notice that Missouri Edison Company (Company) on June 1, 1977, tendered for filing a new increased FPC Electric Service Tariff to increase revenues from its Wholesale Municipal Customer by $9,673 based on the twelve-month period ended January 31, 1977.

According to the Company the proposed increase in rates is due primarily to wholesale power costs increases incurred by the Company plus increased costs of construction, capital, wages, property and payroll taxes and other similar increases in costs. The Company further states that the primary purpose of this filing is to modify its existing fuel cost adjustment clause to conform with Section 35.14 of the Commission's Regulations.

It is requested by the Company that the increased rate schedule be placed into effect on July 3, 1977, or 60 days beyond the date that the cost of service study is filed.

The Company states that a copy of the filing was served upon the City of Clarksville and the Missouri Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, 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 June 22, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17453 Filed 6-16-77;8:45 am]

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[Docket No. ER77-421]

## MONTANA POWER CO.

### Filing

JUNE 10, 1977.

Take notice that on June 2, 1977, The Montana Power Company (Company) tendered for filing a revised Exhibit A (Points of Delivery) dated October 27, 1976, and Exhibits B (Maximum Demands) dated January 3, 1975, February 13, 1976, and October 27, 1976, to its Agreement for Electric Service with Central Montana Electric Generation & Transmission Cooperative Inc. dated January 30, 1974 (Rate Schedule FPC No. 39). The Company has requested waiver of the Commission's notice requirements so that revised Exhibit B dated February 13, 1976 be made effective as of September 1, 1975, and that each of the other revised exhibits be made effective as of the date on which it was revised.

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 June 22, 1977. 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. 77-17451 Filed 6-16-77;8:45 am]

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[Docket No. CP77-414]

## MOUNTAIN FUEL SUPPLY CO.

### Application

JUNE 10, 1977.

Take notice that on May 27, 1977, Mountain Fuel Supply Company (Appli-

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[1] Tenth Revised Sheet No. 32 to FPC Gas Tariff, Original Volume No. 1. The substitute filing does not include a revised tariff sheet, but includes revised supporting data.

cant), 180 East First South Street, Salt Lake City, Utah 84139, filed in Docket No. CP77–414 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 15.5 miles of 10-inch pipeline and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the facilities it proposes to be constructed, installed and operated are necessary to bring into Applicant's system new and additional supplies of natural gas needed to offset the continuing decline in deliveries from existing fields dedicated to Applicant's market area and curtailment of deliveries by Applicant's principal pipeline supplier, Northwest Pipeline Corporation. Applicant further states that at present there is one well completed in the Yellow Creek area, with the prospect of several additional productive wells being drilled in the area, and that initial deliverability from the one completed well is estimated to be in excess of 2,000 Mcf per day, with an estimated proven reserve attributable to said well of approximately 3 million Mcf. The proposed pipeline would be entering and traversing one of the most active wildcat areas in the Rocky Mountains, and pipeline routing by Applicant has been designed to give pipeline access to the substantial volume of discoverable reserves along the southern portion of the overthrust belt, while making maximum use of existing pipeline right-of-way, it is said.

Applicant proposes to construct and install approximately 15.5 miles of 10-inch diameter pipeline, together with the necessary valves, meters and ancillary facilities, extending from the Yellow Creek field area in Uinta County, Wyoming, to a tap to be constructed on Applicant's main transmission facilities in Summit County, Utah. Applicant states that for 13.7 miles of its length the proposed pipeline would parallel an existing oil pipeline and that only on the terminal ends of the pipeline route would there be minor deviations from the existing oil pipeline route in order to connect with the field and Applicant's transmission pipeline. It is stated that the estimated cost of the proposed facilities is $1,210,000, which would be financed by Applicant out of funds obtained from internal sources such as depreciation and retained earnings from treasury funds presently on hand and from short-term bank borrowings and may be required.

Applicant states that the one completed well in the Yellow Creek area is owned 75 percent by Gulf Oil Corporation (Gulf), and that Applicant has reached agreement with Gulf for the purchase of Gulf's share of the natural gas production, and is currently negotiating with Amoco and other further interest owners for the purchase of their respective shares of production on substantially the same terms. Pursuant to the gas purchase agreement dated April 30, 1977 between Applicant and Gulf rate of delivery for the take-or-pay provision of the agreement would be based on seven-day tests of deliverability to be made annually or more frequently if required by circumstances, and the price that Applicant would pay for the gas would be determined in accordance with the provisions of applicable Commission rate opinions and orders.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 30, 1977, 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.77–17444 Filed 6–16–77;8:45 am]

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[Docket No. CP76–511]

## NATURAL GAS PIPELINE CO. OF AMERICA

### Notice of Certification of Proposed Stipulation and Agreement

JUNE 10, 1977.

Take Notice that on June 1, 1977, the Presiding Administrative Law Judge Curtis L. Wagner, Jr., certified the record in Docket No. CP76–511 and a proposed stipulation and agreement to the Commission. The proposed Stipulation and Agreement, presented by the Natural Gas Pipeline Company of America (Natural), provides for transportation, by displacement, for one year, up to 50,000 Mcf per day of natural gas for United Pipe Line Company (United) with Natural receiving the gas for United's account in Dewey and Woodward Counties, Oklahoma, and delivery of the gas to United in Vermilion Parish, Louisiana. Natural will charge 15¢ per Mcf for such service. The proposed Stipulation and Agreement further provides that Natural will refund to its customers with interest all revenues it collects from United and is permitted to retain by final order.

Copies of the subject proposed Stipulation and Agreement are on file with the Commission and available for public inspection. Any person including the parties, desiring to comment on the matters contained therein should file and comment with the F.P.C., 825 North Capitol Street, NE., Washington, D.C. 20426, on or before July 1, 1977.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77–17445 Filed 6–16–77;8:45 am]

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## NATURAL GAS PIPELINE CO. OF AMERICA

[Docket Nos. R–380, et al.]

### Petition

JUNE 10, 1977.

Take notice that on May 23, 1977, Natural Gas Pipeline Company of America, 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket Nos. R–380, RP72–132, RP73–110, RP74–96, RP75–108 and RP76–106 a Petition for Continued Rate Base Treatment of Advance, requesting that the unrecovered portion of an advance payment made, pursuant to Order No. 410, 44 FPC 1142 and 410–A, 45 FPC 135, to Chevron Oil Company under an agreement dated December 12, 1970 be retained in rate base until repayment is completed but no later than March 1, 1978.

Any person desiring to be heard or to make any protest with reference to said petition should on or before June 17, 1977, 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 and 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.77–17455 Filed 6–16–77;8:45 am]

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[Docket No. CP77–412]

## NATURAL GAS PIPELINE CO. OF AMERICA AND INTERSTATE POWER CO.

### Application

JUNE 8, 1977.

Take notice that on May 25, 1977, Natural Gas Pipeline Company of Amer-

ica (Natural), 122 South Michigan Avenue, Chicago, Illinois 60603, and Interstate Power Company (Interstate), 1000 Main Street, Dubuque, Iowa 52003, filed in Docket No. CP77-412 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing the transportation of up to 3,000 Mcf of natural gas per day for Hawkeye Chemical Company (Hawkeye), for two years, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that Hawkeye has purchased from Getty Oil Company (Getty) a quantity of natural gas estimated to be 3,000 Mcf a day to be produced from Getty's Murrell No. 1 well, Wheeler County, Texas. It is further stated that Natural would receive the subject gas for the account of Hawkeye at an existing tap connection on Natural's pipeline located in Wheeler County, Texas, and would transport and redeliver the gas on a best efforts basis to Interstate for Hawkeye's account at the existing point of interconnection between Natural and Interstate. Applicants state that no additional facilities are required to effectuate the proposed transportation service.

It is stated that Natural would retain 10 percent of the volumes received for transportation as make-up for compressor fuel and line loss and would receive from Hawkeye 36 cents per Mcf of gas delivered and transported. Interstate would bill Hawkeye an amount per Mcf delivered which would be the equivalent of its then current rate for retail sales to Hawkeye, less the amount included in said rate for what would have been the cost of such natural gas had it been purchased from Natural, it is said.

It is indicated that for the period commencing on April 1, 1977, Hawkeye would pay Getty $1.4421 per Mcf with an escalation of .9946 cents per Mcf commencing on the first day of each calendar quarter thereafter, for each Mcf of gas at 60 degrees Fahrenheit and 14.65 psia delivered hereunder, adjusted upward or downward as the heating value of the gas varies from 1,000 Btu's per cubic foot and adjusted upward for all state or federal production, severance, or similar taxes effective the date deliveries of gas are commenced hereunder.

Applicants indicate that the total end-use requirements for natural gas at the manufacturing facility at Clinton, Iowa, at which location Hawkeye would use the transported gas is as follows:

*End use of natural gas consumed by Hawkeye Chemical Co.*

[All volumes in thousand cubic feet at 14.73]

| 1977-78 period | Industrial feedstock use | Industrial process use [1] | Total | Projected curtailment [2] |
|---|---|---|---|---|
| April | 282,873 | 206,501 | 489,374 | 74,663 |
| May | 296,753 | 195,812 | 492,565 | 82,162 |
| June | 263,976 | 180,700 | 444,676 | 70,825 |
| July | 274,167 | 198,869 | 473,036 | 80,895 |
| August | 301,939 | 222,881 | 524,820 | 93,318 |
| September | 229,833 | 180,534 | 410,417 | 68,823 |
| October | 199,310 | 152,825 | 352,135 | 85,966 |
| November | 288,793 | 240,003 | 528,796 | (?) |
| December | 273,287 | 237,661 | 510,948 | ---------- |
| January | 272,768 | 228,171 | 500,939 | ---------- |
| February | 255,640 | 204,691 | 460,331 | ---------- |
| March | 315,785 | 243,490 | 559,275 | ---------- |

[1] Process fuel, plant protection, air pollution control, and de minimus amounts for space heating.
[2] Process use remains essentially constant when curtailment forces the plant to operate at less than capacity. Therefore, substantially all curtailed volumes would have been utilized as feedstock, with a proportional reduction in process fuel as production declines.
[3] Projected curtailments past October 1977, cannot be reasonably estimated by Hawkeye's supplier at this time.

It is indicated that Interstate is curtailing deliveries to Hawkeye in response to its curtailment by its jurisdictional pileline supplier, Natural; that a gaseous fuel is required by Hawkeye in its production of fertilizer for which there exists no alternative fuel capability; and, that Hawkeye has no alternate source of natural gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 24, 1977, 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 proceedihg 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 Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17217 Filed 6-16-77;8:45 am]

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[Docket No. ER77-417]

## OHIO EDISON CO.

### Tariff Change

JUNE 10, 1977.

Take notice that Ohio Edison Company (Ohio) on May 31, 1977, tendered for filing a proposed change in its FPC electric service tariff FPC No. 43; a new agreement between Ohio and Columbus and Southern Ohio Electric Company providing for emergency service, short term power, interchange power and limited term power. Ohio indicates that the new agreement supersedes a prior agreement and provides a rate for short term and limited term power approximating the cost of such service so as to make sale of such power feasible.

Ohio respectively requests waiver of the Commission's notice requirements to allow said agreement to become effective as of May 31, 1977.

Ohio states that a copy of the filing was served upon Columbus and Southern Ohio Electric 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, 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 June 22, 1977. 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.77-17454 Filed 6-16-77;8:45 am]

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[Docket No. ER77-402]

## PHILADELPHIA ELECTRIC CO.

### Tariff Change

JUNE 10, 1977.

Take notice that Philadelphia Electric Company ("Philly") on May 27, 1977, tendered for filing proposed changes in its Electric Service Tariff, applicable for service to the Borough of Lansdale. Philly indicates that the proposed

changes would increase revenues from jurisdictional sales and service by $2,133,792 based on the 12 month period ending June 30, 1978.

Philly states that the purposes of the proposed rate changes are (a) to cancel Supplement No. 2 to Rate Schedule FPC No. 41, and (b) to increase rates and provide a fuel adjustment clause for furture service to Lansdale.

According to Philly copies of the filing were served upon the Borough of Lansdale and the Pennsylvania Public Utility Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before June 17, 1977. Protests will be considered by the Commission in determing 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.77-17438 Filed 6-16-77;8:45 am]

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[Docket No. CP77-302]

## SEA ROBIN PIPELINE CO.

### Filing of Original Tariff Sheets

JUNE 10, 1977.

Take notice that on May 31, 1977, Sea Robin Pipeline Company (Sea Robin) tendered for filing as a part of its FPC Gas Tariff, Original Volume No. 2, the following tariff sheets:

Original Sheet Nos. 120 through 127-D containing Rate Schedule X-7, and,
Original Sheet Nos. 128 through 135-C containing Rate Schedule X-8

Such tariff sheets cover the sale of natural gas to Southern Natural Gas Company and United Gas Pipe Line Company at Pecan Island, Louisiana. It is proposed that such sheets become effective May 6, 1977, the date on which the emergency certificate was issued and service commenced.

Copies of these tariff sheets are being mailed to Sea Robin's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to make any protest with reference to said application, on or before June 24, 1977, should 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.77-17431 Filed 6-16-77;8:45 am]

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[Docket No. CP77-302]

## SEA ROBIN PIPELINE CO.

### Filing of Revised Tariff Sheets

JUNE 10, 1977.

Take notice that on May 31, 1977, Sea Robin Pipeline Company (Sea Robin) tendered for filing as a part of its FPC Gas Tariff, Original Volume No. 1, First Revised Sheet Nos. 127-D and 135-C to become effective July 1, 1977. These revised tariff sheets reflect Sea Robin's cost of gas delivered at Pecan Island, Louisiana, as of July 1, 1977 and are being filed 30 days prior to the effective date pursuant to Article IV of Rate Schedules X-7 and X-8.

Copies of the revised tariff sheets and supporting data are being mailed to Sea Robin's jurisdictional customers and interested state commission.

Any person desiring to be heard or to make any protest with reference to said application, on or before June 24, 1977, should 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.77-17433 Filed 6-16-77;8:45 am]

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[Docket No. CP77-392]

## TEXAS EASTERN TRANSMISSION CORP.; TRANSCONTINENTAL GAS PIPE LINE CORP.

### Application

JUNE 9, 1977.

Take notice that on May 18, 1977, Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77001, and Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001 (Applicants), filed in Docket No. CP77-392, a joint application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and storage of natural gas for South Jersey Gas Company (South Jersey) for a three-year period beginning April 16, 1977 or as soon thereafter as possible and terminating on April 15, 1980, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that on April 21, 1977, Texas Eastern received temporary certificate authorization to provide 14 of its customers with a limited term storage service of up to 30,000,000 Dth equivalent per year of storage space obtained from Consolidated Gas Supply Corporation (Consolidated), and that on April 21, 1977 Consolidated received temporary certificate authorization to provide the 30,000,000 Dth equivalent storage space to Texas Eastern. Applicants state that Consolidated has consented to provide an additional 2,000,000 Dth equivalent of storage space to Texas Eastern for use by South Jersey pursuant to the terms of an agreement dated April 19, 1977 for a three-year period beginning April 16, 1977 or as soon thereafter as possible and terminating on April 15, 1980.

It is stated that during each of the 1977, 1978 and 1979 injection periods Texas Eastern would deliver to Consolidated for injection into storage on a best

efforts basis, such quantities of gas of South Jersey's as are mutually agreed upon, and that during each of the 1977–78 and 1978–79 and 1979–80 withdrawal periods, Consolidated would, on a best efforts basis, deliver to Texas Eastern the storage gas of South Jersey as requested at reasonably constant daily rates not to exceed 13,245 Dth. Natural gas not taken during the withdrawal period would be carried over to the next injection period and carried over inventory and the injections would not exceed at any time the allotted storage capacity of 2,000,000 Dth, it is said.

Applicants state that the gas to be injected into storage would be delivered by Transco to Texas Eastern at the existing Shippack interconnection near Norristown, Pennsylvania, and that Transco in turn would receive the gas volumes for South Jersey during the withdrawal period from Texas Eastern at the Linden, New Jersey interchange. Applicants further state that no new facilities are required to render the proposed service. It is stated that Transco would charge initially 9.55 cents per Dth for its transportation service; this charge is equivalent to the charge of 9.75 cents per Mcf (14.7 psia) which Transco utilized for all similar services prior to conversion of its rates to reflect a heat value unit of measurement.

It is stated that Texas Eastern would store and transport the storage quantities for South Jersey on the basis of its Interim Storage Service tariff sheets (ISS), and that the transportation and storage rate that Texas Eastern proposed to charge under the ISS Rate Schedule is a composite of Consolidated's GSS storage service charge, and a charge for transportation equal to the in-zone rates under Texas Eastern's TS rate schedule. The demand rate, space rate, injection rate, and withdrawal rate are all charged to Texas Eastern on the basis of Consolidated's GSS rate which, when adjusted for shrinkage, is passed directly on to South Jersey, it is said. Applicants state that under the term of the proposed ISS rate schedule, Texas Eastern would provide during the withdrawal period of each contract year, quantities of natural gas from South Jersey's storage inventory not to exceed the Maximum Daily Withdrawal Quantity (MDWQ) which is the maximum quantity of interim storage service gas that Texas Eastern is obligated to withdraw from storage for South Jersey on any day less 6 percent which is to be retained by Texas Eastern for fuel and other company use. The rate to be charged South Jersey is equal to the rate for excess withdrawal gas which is the in-zone transportation rate based on the DCQ 100 percent load factor rates less gas purchase and fuel cost, plus the GSS withdrawal charge of 1.0 cent adjusted for shrinkage, it is said.

Applicants assert that under the terms of the proposed service to be provided, South Jersey would be able to store natural gas supplies during the low demand summer months for use during the high demand winter season, eliminating some of the adverse effects of curtailments that have been so wide spread during this past heating season.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 27, 1977, 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 permission and approval for the proposed abandonment 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 be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-17429 Filed 6-16-77;8:45 am]

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[Docket No. ID-1598]

## WILLIS S. WHITE, JR.

### Application

JUNE 9, 1977.

Take notice that on April 28, 1977, Willis S. White, Jr., Chairman of the Board and Chief Executive Officer, American Electric Power Company, Inc., filed an application pursuant to Section 305 (b) of the Federal Power Act to hold the following positions:

President, Appalachian Power Co., Public Utility.
President, Indiana and Michigan Electric Co., Public Utility.
President, Indiana and Michigan Power Co., Public Utility.
President, Kanawha Valley Power Co., Public Utility.
President, Kentucky Power Co., Public Utility.
President, Kingsport Power Co., Public Utility.
President, Michigan Power Co., Public Utility.
President, Ohio Electric Co., Public Utility.
President, Ohio Power Co., Public Utility.
President, Wheeling Electric Co., Public Utility.
President, Beech Bottom Power Co., Public Utility.
President, Ohio Valley Electric Corp., Public Utility.
President, Indiana-Kentucky Electric Corp., Public Utility.

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 July 1, 1977. 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.77-17442 Filed 6-16-77;8:45 am]

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# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-77-453]

## Office of Assistant Secretary for Housing—Federal Housing Commissioner

## THERMAL INSULATION STANDARDS

### Revision to HUD's Minimum Property Standards

AGENCY: Department of Housing and Urban Development.

ACTION: Revision to HUD Minimum Property Standards.

SUMMARY: This notice revises the thermal insulation criteria of the Minimum Property Standards for One- and Two-Family Dwellings. The MPS define the minimum level of quality acceptable for single family residences designed and constructed under HUD programs. In 1975 the American Society of Heating, Refrigerating and Air-Conditioning Engineers completed a thermal insulation standard for the National Conference of States on Building Codes and Standards. HUD initiated this revision to recognize the ASHRAE standard and to permit its optional use where the results are equivalent to those obtained by using MPS. Thus, the revision makes the MPS more flexible and permits the use of certain construction methods and materials.

EFFECTIVE DATE: May 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mervin Dizenfeld, Mechanical Engineer, Standards Branch, Architecture and Engineering Division, Office of Technical Support, Department of Housing and Urban Development, Washington, D.C. 20410. (202–755–6590).

SUPPLEMENTARY INFORMATION: These thermal insulation requirements were revised last in 1973 when they were made more restrictive in response to the Department's commitment to energy conservation. The primary purpose of this revision is to make the standards more flexible. It also responds to previous criticism that the MPS place no limit on the use of glass by limiting glazing to an area of 15 percent of the exterior wall unless the ASHRAE formula is used. There is no significant difference between the final notice and the proposal.

Thirty-one comments were received in response to the propsed changes.

DISCUSSION OF MAJOR COMMENTS

Some asked the reason for not identifying the edition or year of federal specifications mentioned in the change. As stated in paragraph 500–1 of the MPS, the current edition of any referenced standard or specification is intended unless stated otherwise.

Other questioned our contention that ASHRAE Standard 90–75 has been adopted by several states. We agree the statement was exaggerated or at least premature.

Our limiting the glass area of a residence to 15 percent of the exterior walls enclosing heated space was criticized. However, the figure is liberal, based on the experience encountered with Federal Housing Administration mortgage insured properties. Also the standard permits trade offs to attain equal thermal values when larger glass areas are desired.

A few commenters asked the reason for increasing the maximum acceptable U value of glass from .65 to .69. The former figure was too restrictive; it did not permit use of single strength thermal windows.

The absence in paragraph 501–3.4a of the smoke development classification for foam plastic was noted. It was not given because it is covered in the federal specification referenced in the paragraph.

IMPACT STATEMENTS

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 was made in accordance with HUD procedures. In addition, a Finding of Inapplicability of inflation impact statement requirements was made in accordance with HUD procedures. These Findings of Inapplicability prepared in connection with the Proposed Rule are applicable to this final action, and copies of such Findings may be inspected in the Office of the Rules Docket Clerk, Office of the Secretary, Room 10141, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Accordingly, the thermal insulation requirements for construction of single family residences are amended as shown by the following change to the Minimum Property Standards for One- and Two-Family Dwellings.

(Sec. 7(d) of the Department of HUD Act (42 U.S.C. 3535(d)).)

Issued at Washington, D.C., May 9, 1977.

MORTON BARUCH,
*Acting Deputy Assistant Secretary for Housing—Federal Housing Commissioner.*

507–3 Building insulation.

507–3.1 Materials used for insulation shall be of proven effectiveness and adequate durability to assure that required design conditions concerning heat losses, sound control or fire rating are attained. Insulation in contact with the ground shall not be adversely affected by soil, vermin, or water.

507–3.2 *Labeling.*—Labeling of insulation shall be as follows:

a. Batt or Blanket. Type, manufacturer, or distributor; R value of the fiber at the labeled thickness.

b. Reflective. Type, manufacturer, R value for direction of heat flow, type of facing.

c. Blowing or Pouring Type for Use in Open Horizontal Areas (Attics). Name, manufacturer, recommended installation density, R value, marking on bag of conformance with FS HH–I–1030 or HH–I–515.

d. Labeling and marking of all other insulation materials shall comply with the appropriate standard listed in Appendix C.

507–3.3 *Certification.*—A certification card giving the data of 507–3.2 a, b, c, or d plus date of installation, and the name of the installer shall be affixed to the structure in an accessible but inconspicuous location.

507–3.4 *Conditions of Use.*—a. Foam plastic insulation surfaces shall have a flame spread rating of 0–75 tested in accordance with ASTM E84. In habitable and nonhabitable areas such as utility rooms, garages and basements, foam plastic insulation shall be installed within the cavity of a masonry wall or shall be covered and protected by an interior finish material having a finish rating of at least 15 minutes as ½ in. gypsum wall board.

b. When blown or poured type of insulation is installed in attics, caution shall be exercised to assure complete and adequate application of insulation. When eave vents are installed, adequate baffling must be provided so as to deflect the incoming air above the surface of the insulation. Baffles shall be installed prior to insulation, shall be of durable material and shall be installed over the exterior wall at an angle to provide a 2 in. clearance under the roof deck for upward flow of ventilation air to the fixed vents in the upper portion of the attic.

607–3 Building insulation.

607–3.1 *General.*—Insulation of buildings shall be such as to assure conservation of energy, economy of operation and comfort to the occupants.

607–3.2 *Overall Coefficient of Heat Transmission.*—a. All buildings which are heated or cooled mechanically shall be constructed to comply with the maximum U values shown in Tables 6–7.1, 6–7.2 and 6–7.3. U values shown do not include adjustments for framing in walls, ceilings or floors, nor for the sash frame in windows or glass doors.

b. Where the stated U value of any one component of roof deck, ceiling, wall or floor cannot be practically obtained, such U value may be increased to the minimum figure attainable and the U value for other components decreased until the overall heat gain or heat loss does not exceed the total resulting from conformance to the stated U values.

607–3.3 *Roof Decks, Ceilings, Walls and Openings.*—a. For roof decks, ceilings, walls and door and window openings, U values shall not exceed those shown in Table 6–7.1.

b. As an alternative, dwellings which conform to paragraphs 4.1 through 4.3.-2.2.1 of ASHRAE Standard 90–75, Energy Conservation in New Building Design, shall be considered to be in conformance with Table 6–7.1. Attached and semi-detached or row-type dwellings shall be considered A–1 type dwellings when using this alternative.

TABLE 6–7.1.—*Maximum U values of ceilings, walls, and openings*

| Building component | Winter degree days (65 F base) | | | |
|---|---|---|---|---|
| | 2,500 or less | 2,501 to 4,500 | 4,501 to 8,000 | 8,000 or more |
| Roof deck [1] | [2] 0.14 | 0.08 | 0.08 | 0.08 |
| Ceiling | .05 | .05 | .05 | .04 |
| Masonry walls | .10 | .10 | .10 | .10 |
| Frame walls | .08 | .08 | .08 | .08 |
| Doors and windows [3] | 1.13 | .13 | .69 | .69 |

[1] Roof/ceiling assemblies, in which the finished ceiling surface is the underside of the roof deck.
[2] When mechanical cooling is proposed, use 0.08.
[3] Maximum glass area shall not exceed 15 pct of the gross area of all exterior walls enclosing heated spaces, except when demonstrated that the winter daily solar heat gain exceeds the 24 hr heat loss.

607–3.4 *Floor Sections.*—For floors of heated spaces over unheated basements, unheated garages or unheated crawl spaces the U value of floor section shall not exceed the value shown in Table 6–7.2.

TABLE 6–7.2—*Maximum U value of floor sections over unheated basements, unheated garages, or crawl spaces (1)*

| Winter degree days (65° F base): | Maximum U value (2) |
|---|---|
| 500 or less | 0.36 |
| 1,000 | .32 |
| 2,000 | .26 |
| 3,000 | .19 |
| 4,000 | .12 |
| 4,501 or more | .08 |

Notes:—(1) A basement, crawl space, or garage shall be considered unheated unless it is provided with a positive heat supply to maintain a minimum temperature of 50° F. Positive heat supply is defined by ASHRAE as "heat supplied to a space by design or by heat losses occurring from energy-consuming systems or components associated with that space."

(2) For increments between degree days shown, U values may be interpolated, or the values shown in fig. 5 of ASHRAE 90–75 may be substituted.

607–3.5 *Basement or Crawl Space Foundation Walls.*—Insulation may be omitted from floors over heated basement areas or heated crawl spaces if foundation walls are insulated. Foundation walls of heated areas below grade need not be insulated except where habitable rooms are provided or where 50 percent of the wall is exposed to outside air. The U value of foundation wall sections shall not exceed the value shown in Table 6–7.3 except where the alternative method, shown in 607–3.3b, is employed and foundation walls are included in the determination of the average thermal transmittance of the gross wall area.

TABLE 6–7.3—*Maximum U values of the foundation wall sections of heated basement or heated crawl space*

| Winter degree days (65° F base): | Maximum U value |
|---|---|
| 2,500 or less | (1) |
| 2,501 to 4,500 | 0.24 |
| 4,501 or more | .17 |

[1] No requirement.

607–3.6 *Crawl Space Plenum Walls.*—When a crawl space is used as a supply or return plenum, the crawl space perimeter wall shall be insulated to provide a maximum heat loss of 35 Btuh per lineal ft of perimeter wall assuming a crawl space air temperature of 70 F for return plenums and 110 F for supply plenums.

607–3.7 *Slab-on-Grade Floors.*—For slab-on-grade floors of heated or mechanically cooled spaces, the thermal resistance of the insulation around the perimeter of the floor shall be not less than shown in Table 6–7.4. Insulation shall extend downward from the top of the slab for not less than 24 in. or downward to the bottom of the slab and horizontally beneath the slab for a minimum total distance of 24 in.

TABLE 6–7.4.—*Minimum R values of Perimeter insulation for slabs-on-grade*

| Winter degree days (65 F base) | Minimum R values [1] | |
|---|---|---|
| | Heated slab | Unheated slab |
| 500 or less | 2.8 | ---- |
| 1,000 | 3.5 | ---- |
| 2,000 | 4.0 | ---- |
| 2,500 | 4.4 | 2.5 |
| 3,000 | 4.8 | 2.8 |
| 4,000 | 5.5 | 3.5 |
| 5,000 | 6.3 | 4.2 |
| 6,000 | 7.0 | 4.8 |
| 7,000 | 7.8 | 5.5 |
| 8,000 | 8.5 | 6.2 |
| 9,000 | 9.2 | 6.8 |
| 10,000 or greater | 10.0 | 7.5 |

[1] For increments between degree days shown, U values may be interpolated, or the values shown in fig. 2 of ASHRAE 90–75 may be substituted.

[FR Doc.77–17116 Filed 6–16–77;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR 5508]

### OREGON

### Order Providing for Opening of Public Lands

*Correction*

In FR Doc. 77–14168 appearing at page 25537 in the issue of Wednesday, May 18, 1977 in the first column, under the heading "Willamette Meridian" the thirteenth line should be corrected to read as follows:

"T. 29 S., R. 16 E".

### Geological Survey

### STANDARDS FOR OCS PLATFORM DESIGN

### Notice of Intent

Notice is hereby given that the U.S. Geological Survey intends to develop a document setting forth the various codes, specifications, standards, and recommended practices to be used as a basis for approval of the design of offshore oil and gas platforms. This document will be used in conjunction with the U.S. Geological Survey's program for the verification of oil and gas platforms to be installed on the Outer Continental Shelf (OCS).

Comments are solicited as to the content of the document and suggestions as to its development. Such comments should be submitted prior to July 15, 1977, to Acting Chief, Conservation Division, U.S. Geological Survey, Mail Stop 600, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

A report on this subject by the Marine Board, Assembly of Engineering, National Research Council, entitled Verification of Fixed Offshore Oil and Gas Platforms, was prepared at the request of the U.S. Geological Survey and is available from the above address.

V. E. MCKELVEY,
*Director.*

[FR Doc.77–17406 Filed 6–16–77;8:45 am]

### UTAH

### Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by Sec. 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as a known geothermal resources area, effective September 1, 1976:

(44) UTAH.—ADDITION TO COVE FORT-SULPHURDALE KNOWN GEOTHERMAL RESOURCES AREA

SALT LAKE MERIDIAN

T. 24 S., R. 7 W.,
Secs. 11, 13, 22, 26, and 27.

The area described aggregates 3,200 acres (1,295 ha) more or less.

Dated: May 23, 1977.

GEORGE H. HORN,
*Conservation Manager, Central Region.*

[FR Doc.77–17407 Filed 6–16–77;8:45 am]

## DEPARTMENT OF LABOR

### Employment and Training Administration

### BARHARDT FARMS; INC. ET AL.; EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

### Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enter-

prises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Employment and Training, 601 D Street NW., Washington, D.C. 20213.

Signed at Washington, D.C., this 13th day of June 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

*Applications received during the week ending June 10, 1977*

| Name of applicant | Location of enterprise | Principal product or activity |
|---|---|---|
| Barnhardt Farms, Inc | Urbanna, Va | Duck processing: |
| Teddy Bears Campground, Inc | Sigel, Pa | A recreational vehicle park: |
| Evis Development Co | York County, S.C | Marine mammal and aquarium facility. |
| Eaton Corp. (tenant of city of Hendersonville). | Fletcher, N.C | Manufacture of transmissions, drive axles, and electric drive units for industrial trucks. |
| North Eastern Design, Inc. (tenant of village of Gresham). | Gresham, Wis | Engineering design and developmental. |
| Grain Investors Group | Hungerford, Tex | Grain elevator-dryer-storage facility: |
| John L. McCloud, and Gene McCloud | Grand Island, Nebr | Motel. |
| B & B Chemical Co | Eldridge, Wheatland, and Durant, Iowa. | Farm supply and service center. |
| The Navajo Tribe/Office of Program Development. | Window Rock, Ariz | Commercial shopping center: |

[FR Doc.77-17295 Filed 6-16-77;8:45 am]

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Employment and Training Administration

## ECONOMIC STIMULUS PACKAGE ALLOCATIONS UNDER TITLES II AND VI OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT ("CETA")

### Allocations for FY 1977 and 1978

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This notice lists the proposed allocations of discretionary funds under Titles II and VI of the Comprehensive Employment and Training Act pursuant to the regulations of 29 CFR 99.2 and 29 CFR 96.2. The funds included in this notice are part of the Economic Stimulus Appropriation already announced to the public on May 10, 1977. This notice does not contain new funds. The purpose of this notice is to afford the public the opportunity to comment on the discretionary portion of that distribution before the discretionary distribution is finalized.

FOR FURTHER INFORMATION CONTACT:

Albert J. Angebranndt, Administrator for Administration and Management, Room 4000, 601 D Street, N.W., Washington, D.C. 20213, telephone 202-376-7563.

DATES: Pursuant to Section 14 of Pub. L. 94-444, the proposed distribution which follows is published for the purpose of receiving public comment for 30 days from the date of this publication. You are asked to address your comments in writing to Albert J. Angebranndt, Administrator for Administration and Management, Room 4000, 601 D Street, N.W., Washington, D.C. 20213.

SUPPLEMENTARY INFORMATION: This notice has been prepared under the direction and control of Albert J. Angebranndt, Administrator for Administration and Management, Employment and Training Administration. This notice lists proposed allocations separately for Title II and Title VI discretionary funds under the Economic Stimulus Appropriation.

The Title II discretionary funds were distributed among eligible applicants in accordance with the number of unemployed residing in areas of substantial unemployment within the jurisdiction of the applicant compared to the number of unemployed residing in all such areas. The determination of eligible applicants was made pursuant to Section 204 of the Comprehensive Employment and Training Act of 1973 as amended (CETA). This method of distribution was chosen by the Secretary in order to take into account the severity of unemployment.

The Title VI discretionary funds were distributed among eligible applicants by the 3-part formula contained in Section 603(a) of CETA.

Specifically, the 3-part formula calls for distribution to be made according to the following:

(1) Fifty percent be distributed among eligible applicants in proportion to the relative number of unemployed persons who reside in areas within the jurisdiction of the applicant as compared to the number of unemployed persons nationwide.

(2) Twenty-five percent be distributed among eligible applicants in accordance with the number of unemployed residing in areas of substantial unemployment within the jurisdiction of the applicant compared to the number of unemployed in areas of substantial unemployment nationwide.

(3) Twenty-five percent be distributed among eligible applicants on the basis of the relative excess number of unemployed persons who reside within the jurdisdiction of the applicant compared to the total excess number of unemployed person who reside within the jurisdiction of all eligible applicants.

The determination of eligible applicants for Title VI funds was made pursuant to Sec. 602(e) of the "Emergency Jobs and Unemployment Assistance Act of 1974" as amended. This method of distribution was chosen by the Secretary as appropriate in order to carry out the purposes of the economic stimulus appropriation.

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 1
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| BRIDGEPORT CONSORTIUM | 570,632 | 1,095,285 |
| HARTFORD CONSORTIUM | 825,338 | 1,502,483 |
| NEW HAVEN CONSORTIUM | 580,141 | 1,090,092 |
| STAMFORD CONSORTIUM | 227,500 | 400,918 |
| WATERBURY CITY | 207,362 | 406,597 |
| BALANCE OF CONNECTICUT | 2,031,758 | 3,835,067 |
| CONNECTICUT | 4,442,731 | 8,330,442 |
| PENOBSCOT/HANCOCK CSRT | 215,319 | 403,194 |
| CUMBERLAND COUNTY | 239,940 | 432,506 |
| BALANCE OF MAINE | 845,246 | 1,619,402 |
| KENNEBECK CO | 125,285 | 231,089 |
| MAINE | 1,425,790 | 2,686,191 |
| BOSTON CITY | 1,136,151 | 2,205,876 |
| EMHRDA CONSORTIUM | 496,311 | 939,342 |
| NEW BEDFORD CONSORTIUM | 365,598 | 727,622 |
| HAMPDEN COUNTY CONSORTIUM | 725,852 | 1,385,540 |
| WORCESTER CONSORTIUM | 463,619 | 873,253 |
| LOWELL CONSORTIUM | 383,064 | 742,112 |
| BROCKTON CONSORTIUM | 326,154 | 626,515 |
| BALANCE OF MASSACHUSETTS | 5,141,579 | 9,714,988 |
| MASSACHUSETTS | 9,038,328 | 17,215,248 |
| ROCKINGHAM/STRAFFORD CSRT | 223,938 | 388,900 |
| HILLSBOROUGH COUNTY | 265,019 | 469,974 |
| BALANCE OF NEW HAMPSHIRE | 367,954 | 646,456 |
| NEW HAMPSHIRE | 856,911 | 1,505,330 |
| PROVIDENCE CITY | 271,282 | 512,665 |
| BALANCE OF RHODE ISLAND | 942,465 | 1,734,615 |
| RHODE ISLAND | 1,213,747 | 2,247,280 |
| VERMONT STATEWIDE CSRT | 622,085 | 1,157,192 |
| VERMONT | 622,085 | 1,157,192 |
| REGION I | 17,599,592 | 33,141,683 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 2
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| ATLANTIC COUNTY | 340,374 | 683,501 |
| BERGEN COUNTY | 1,210,672 | 2,232,193 |
| BURLINGTON COUNTY | 378,956 | 702,625 |
| BAL OF CAMDEN COUNTY | 423,887 | 761,430 |
| CAMDEN CITY | 214,802 | 427,939 |
| CUMBERLAND COUNTY | 230,286 | 456,322 |
| ELIZABETH CITY | 195,669 | 378,216 |
| BAL OF ESSEX COUNTY | 740,331 | 1,377,301 |
| GLOUCESTER COUNTY | 232,240 | 432,423 |
| HUDSON CO CRST | 1,121,527 | 2,227,721 |
| BAL OF MERCER COUNTY | 134,219 | 286,024 |
| MIDDLESEX COUNTY | 911,983 | 1,723,676 |
| MONMOUTH COUNTY | 621,683 | 1,173,117 |
| MORRIS COUNTY | 403,835 | 725,780 |
| NEWARK CITY | 914,367 | 1,873,039 |
| OCEAN COUNTY | 426,502 | 844,031 |
| BAL OF PASSAIC COUNTY | 463,705 | 884,280 |
| PATERSON CITY | 338,966 | 690,169 |
| SOMERSET COUNTY | 177,225 | 302,613 |
| TRENTON CITY | 172,744 | 330,883 |
| BAL OF UNION COUNTY | 527,109 | 963,375 |
| BALANCE OF NEW JERSEY | 608,210 | 1,182,016 |
| NEW JERSEY | 10,789,292 | 20,658,674 |
| ALBANY CONSORTIUM | 289,323 | 496,743 |
| BROOME COUNTY | 231,552 | 411,470 |
| BUFFALO CITY | 894,516 | 1,789,636 |
| CHAUTAUQUA CONSORTIUM | 386,712 | 732,561 |
| CHEMUNG COUNTY | 116,752 | 216,212 |
| DUTCHESS COUNTY | 202,420 | 343,975 |
| ERIE CONSORTIUM | 789,686 | 1,470,716 |
| ROCHESTER CITY | 441,843 | 830,390 |
| MONROE COUNTY | 270,650 | 487,382 |
| NASSAU CONSORTIUM | 1,823,995 | 3,337,324 |
| NIAGARA COUNTY | 410,069 | 810,640 |
| ONEIDA COUNTY | 365,597 | 700,365 |
| BAL OF ONONDAGA COUNTY | 282,515 | 496,378 |
| ORANGE COUNTY | 314,834 | 591,399 |
| OSWEGO COUNTY | 197,307 | 395,383 |
| RENSSELAER COUNTY | 169,325 | 303,957 |
| ROCKLAND COUNTY | 244,134 | 440,330 |
| ST. LAWRENCE COUNTY | 200,582 | 401,338 |
| SARATOGA COUNTY | 139,620 | 255,534 |
| SCHENECTADY COUNTY | 170,417 | 301,459 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 3
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| STEUBEN COUNTY | 130,341 | 245,967 |
| SUFFOLK CONSORTIUM | 1,586,410 | 3,033,035 |
| SYRACUSE CITY | 275,994 | 514,967 |
| ULSTER COUNTY | 243,502 | 475,826 |
| WESTCHESTER CONSORTIUM | 903,335 | 1,638,721 |
| YONKERS CITY | 312,938 | 587,534 |
| BALANCE OF NEW YORK | 2,541,198 | 4,910,399 |
| NEW YORK CITY | 10,588,052 | 20,300,809 |
| NEW YORK | 24,523,619 | 46,520,450 |
| BAYAMON MUNICIPIO | 213,193 | 418,390 |
| CAGUAS MUNICIPIO | 223,651 | 464,226 |
| CAROLINA MUNICIPIO | 110,374 | 203,317 |
| MAYAGUEZ MUNICIPIO | 146,888 | 292,406 |
| PONCE MUNICIPIO | 279,326 | 571,574 |
| SAN JUAN CONSORTIUM | 815,600 | 1,609,756 |
| BALANCE OF PUERTO RICO | 3,771,837 | 7,896,844 |
| PUERTO RICO | 5,560,869 | 11,456,513 |
| VIRGIN ISLANDS | 222,017 | 385,106 |
| VIRGIN ISLANDS | 222,017 | 385,106 |
| REGION II | 41,095,797 | 79,020,743 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 4
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| DELAWARE MANPOWER CSRT | 568,133 | 1,029,141 |
| WILMINGTON CITY | 157,891 | 309,951 |
| DELAWARE | 726,024 | 1,339,092 |
| DISTRICT OF COLUMBIA | 925,744 | 1,698,492 |
| DIST OF COLUMBIA | 925,744 | 1,698,492 |
| BALANCE OF MARYLAND | 514,526 | 966,169 |
| BALTIMORE CONSORTIUM | 2,364,404 | 4,240,736 |
| MONTGOMERY COUNTY | 0 | 285,750 |
| PRINCE GEORGES COUNTY | 117,527 | 492,906 |
| WESTERN MARYLAND CSRT | 457,328 | 883,841 |
| MARYLAND | 3,453,785 | 6,869,402 |
| LEHIGH VALLEY CONSORTIUM | 535,296 | 935,013 |
| LANCASTER CONSORTIUM | 437,333 | 745,271 |
| BUCKS COUNTY | 437,964 | 741,533 |
| CHESTER COUNTY | 158,007 | 329,317 |
| DELAWARE COUNTY | 567,587 | 961,702 |
| MONTGOMERY COUNTY | 564,197 | 934,917 |
| PHILADELPHIA CITY/COUNTY | 2,286,263 | 4,375,475 |
| BERKS COUNTY | 289,324 | 484,260 |
| BAL OF LACKAWANNA COUNTY | 173,836 | 327,953 |
| SCRANTON CITY | 135,713 | 254,536 |
| LUZERNE COUNTY | 461,952 | 869,703 |
| SCHUYLKILL CONSORTIUM | 253,787 | 465,794 |
| ERIE CITY | 188,688 | 355,749 |
| BAL OF ERIE COUNTY | 190,670 | 359,198 |
| BAL OF ALLEGHENY COUNTY | 936,977 | 1,619,582 |
| PITTSBURGH CITY | 693,676 | 1,316,140 |
| BEAVER COUNTY | 194,491 | 336,355 |
| WASHINGTON COUNTY | 231,350 | 418,111 |
| WESTMORELAND COUNTY | 470,973 | 876,044 |
| TRI-COUNTY CONSORTIUM | 331,727 | 608,485 |
| FAYETTE COUNTY | 177,369 | 335,711 |
| LAWRENCE COUNTY | 134,736 | 253,658 |
| MERCER COUNTY CONSORTIUM | 445,462 | 827,638 |
| SOUTHERN ALLEGANY CSRT | 542,392 | 991,685 |
| SUSQUEHANNA CONSORTIUM | 122,555 | 501,455 |
| YORK COUNTY | 276,022 | 478,623 |
| LYCOMING CONSORTIUM | 234,654 | 453,039 |
| FRANKLIN COUNTY | 106,525 | 186,632 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 5
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| BALANCE OF PENNSYLVANIA | 1,013,479 | 1,900,252 |
| CENTRE COUNTY | 21,805 | 96,927 |
| NORTHUMBERLAND COUNTY | 140,338 | 267,551 |
| PENNSYLVANIA | 12,755,148 | 23,608,309 |
| PENINSULA CONSORTIUM | 315,753 | 534,508 |
| STAMA CONSORTIUM | 666,155 | 1,137,826 |
| RAMPS CONSORTIUM | 158,839 | 390,553 |
| HENRICO COUNTY CONSORTIUM | 22,207 | 149,403 |
| ROANOKE CONSORTIUM | 262,462 | 454,323 |
| ARLINGTON COUNTY | 27,981 | 141,710 |
| FAIRFAX COUNTY | 0 | 255,810 |
| PRINCE WILLIAM COUNTY | 8,619 | 60,184 |
| ALEXANDRIA CITY | 0 | 67,478 |
| BALANCE OF VIRGINIA | 2,138,713 | 3,733,904 |
| VIRGINIA | 3,600,729 | 6,925,699 |
| WEST VIRGINIA STATEWIDE | 1,723,475 | 3,113,313 |
| WEST VIRGINIA | 1,723,475 | 3,113,313 |
| REGION III | 23,184,905 | 43,554,307 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 6
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| BALANCE OF ALABAMA | 1,708,391 | 2,991,714 |
| BIRMINGHAM CONSORTIUM | 620,706 | 1,059,345 |
| HUNTSVILLE CONSORTIUM | 178,288 | 311,212 |
| MOBILE CONSORTIUM | 349,193 | 579,549 |
| MONTGOMERY CONSORTIUM | 84,749 | 226,636 |
| TUSCALOOSA COUNTY | 0 | 105,943 |
| ALABAMA | 2,941,327 | 5,274,399 |
| BALANCE OF FLORIDA | 1,358,049 | 2,505,840 |
| ALACHUA COUNTY | 103,910 | 188,254 |
| BREVARD COUNTY | 362,782 | 711,388 |
| BROWARD CONSORTIUM | 1,397,004 | 2,742,998 |
| MIAMI/DADE CONSORTIUM | 2,198,526 | 4,143,534 |
| ESCAMBIA COUNTY | 90,006 | 226,075 |
| HEARTLAND MANPOWERCSRT | 464,222 | 880,232 |
| LEE COUNTY | 227,270 | 440,447 |
| LEON/GADSDEN CONSORTIUM | 42,461 | 167,914 |
| NE FLORIDA MANPOWER CSRT | 482,033 | 816,673 |
| ORANGE COUNTY/ORLANDO CSR | 597,091 | 1,124,469 |
| MANATEE COUNTY | 153,007 | 285,878 |
| PALM BEACH COUNTY | 673,451 | 1,287,655 |
| PASCO COUNTY | 176,450 | 347,598 |
| SEMINOLE COUNTY | 204,805 | 388,581 |
| ST. PETERSBURG CONSORTIUM | 683,218 | 1,281,008 |
| SARASOTA COUNTY | 180,587 | 341,715 |
| TAMPA CONSORTIUM | 835,164 | 1,567,061 |
| VOLUSIA COUNTY | 267,691 | 507,498 |
| FLORIDA | 10,497,727 | 19,954,818 |
| BALANCE OF GEORGIA | 2,622,730 | 4,718,997 |
| CSRA CONSORTIUM | 343,247 | 630,986 |
| ATLANTA CITY | 962,717 | 1,848,216 |
| CLAYTON COUNTY | 120,113 | 210,844 |
| COBB COUNTY | 294,495 | 540,077 |
| COLUMBUS AREA CONSORTIUM | 178,719 | 325,634 |
| BAL OF DEKALB COUNTY | 258,153 | 597,156 |
| FULTON COUNTY | 199,576 | 352,212 |
| MID GEORGIA CONSORTIUM | 351,004 | 659,701 |
| SAVANNAH/CHATHAM CSRT | 199,174 | 363,587 |
| GWINNETT COUNTY | 0 | 77,652 |
| GEORGIA | 5,529,928 | 10,325,062 |
| BLUE GRASS MANPOWER CSRT | 80,037 | 223,781 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 7
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| LOUISVILLE/JEFFERSON CSRT | 656,013 | 1,125,171 |
| KENTON COUNTY | 143,383 | 260,913 |
| BALANCE OF KENTUCKY | 1,463,999 | 2,476,683 |
| EASTRN KENTUCKY RURAL CEP | 393,924 | 709,832 |
| KENTUCKY | 2,737,356 | 4,796,380 |
| BALANCE OF MISSISSIPPI | 1,700,089 | 2,922,534 |
| JACKSON CONSORTIUM | 106,353 | 299,053 |
| MISSISSIPPI | 1,806,442 | 3,221,587 |
| BALANCE OF NORTH CAROLINA | 3,152,540 | 5,401,064 |
| ALAMANCE COUNTY | 143,671 | 266,746 |
| BUNCOMBE COUNTY | 150,796 | 259,206 |
| CUMBERLAND COUNTY | 138,557 | 237,248 |
| CHARLOTTE CITY | 276,166 | 468,267 |
| DURHAM CONSORTIUM | 58,951 | 193,949 |
| GASTON COUNTY | 0 | 208,206 |
| GREENSBORO CONSORTIUM | 129,795 | 360,455 |
| ONSLOW COUNTY | 52,889 | 91,382 |
| RALEIGH CONSORTIUM | 146,601 | 343,619 |
| BAL OF WAKE COUNTY | 0 | 76,018 |
| WINSTON SALEM CONSORTIUM | 152,663 | 319,458 |
| DAVIDSON COUNTY | 0 | 123,439 |
| NORTH CAROLINA | 4,402,629 | 8,349,057 |
| SOUTH CAROLINA STATEWIDE | 2,800,873 | 4,867,688 |
| SOUTH CAROLINA | 2,800,873 | 4,867,688 |
| BALANCE OF TENNESSEE | 2,197,577 | 3,874,474 |
| CHATTANOOGA CITY | 75,153 | 153,344 |
| MEMPHIS CONSORTIUM | 341,293 | 878,994 |
| BAL OF HAMILTON COUNTY | 0 | 83,101 |
| KNOXVILLE CONSORTIUM | 104,973 | 260,282 |
| NASHVILLE/DAVIDSONCNTY | 114,080 | 524,070 |
| SULLIVAN COUNTY | 70,959 | 146,619 |
| TENNESSEE | 2,904,035 | 5,920,884 |
| REGION IV | 33,620,317 | 62,709,875 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 8
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| CHICAGO CITY | 3,768,907 | 7,046,243 |
| BAL OF COOK COUNTY | 965,475 | 2,554,988 |
| DUPAGE COUNTY | 35,250 | 363,096 |
| KANE CO CSRT | 238,101 | 490,804 |
| LAKE COUNTY | 321,528 | 584,004 |
| MACON COUNTY | 153,036 | 277,959 |
| MCHENRY COUNTY | 102,331 | 181,762 |
| ROCK ISLAND COUNTY | 118,591 | 234,303 |
| TAZEWELL COUNTY | 18,702 | 92,736 |
| LA SALLE COUNTY | 99,831 | 168,143 |
| ROCKFORD CONSORTIUM | 383,783 | 713,449 |
| CHAMPAIGN CONSORTIUM | 74,982 | 184,337 |
| WILL COUNTY CONSORTIUM | 289,180 | 500,438 |
| SANGAMON COUNTY CSRT | 152,347 | 279,335 |
| MADISON COUNTY CONSORTIUM | 309,060 | 556,752 |
| ST. CLAIR CONSORTIUM | 232,212 | 399,839 |
| PEORIA CONSORTIUM | 97,447 | 221,621 |
| EAST ST. LOUIS CITY | 115,143 | 229,826 |
| SHAWNEE CONSORTIUM | 82,479 | 156,123 |
| BALANCE OF ILLINOIS | 1,814,456 | 3,181,760 |
| MCLEAN COUNTY | 0 | 74,504 |
| ILLINOIS | 9,372,841 | 18,492,022 |
| GARY CITY | 234,395 | 438,346 |
| HAMMOND CITY | 105,060 | 180,230 |
| BAL OF LAKE COUNTY | 104,485 | 286,949 |
| ELKHART COUNTY | 21,661 | 137,811 |
| SOUTH BEND CITY | 118,907 | 198,896 |
| BAL OF ST. JOSEPH COUNTY | 38,237 | 130,077 |
| TIPPECANOE COUNTY | 56,796 | 131,131 |
| MADISON COUNTY | 125,170 | 213,871 |
| VIGO COUNTY | 29,446 | 115,862 |
| INDIANAPOLIS CITY | 971,278 | 1,730,256 |
| LA PORTE COUNTY | 115,890 | 209,922 |
| FT. WAYNE CONSORTIUM | 461,148 | 810,732 |
| DELAWARE CONSORTIUM | 152,490 | 272,482 |
| SOUTHWESTERN CONSORTIUM | 247,984 | 455,077 |
| BALANCE OF INDIANA | 2,223,258 | 3,924,510 |
| INDIANA | 5,006,205 | 9,236,152 |
| BALANCE OF MICHIGAN | 2,378,051 | 4,677,108 |
| FLINT/GENESSEE CONSORTIUM | 737,602 | 1,393,326 |
| LANSING CONSORTIUM | 530,929 | 980,299 |

| | TITLE II | TITLE VI |
|---|---|---|
| JACKSON CONSORTIUM | 419,148 | 802,746 |
| KENT CONSORTIUM | 807,125 | 1,507,264 |
| MUSKEGON CONSORTIUM | 255,137 | 489,583 |
| DEARBORN CITY | 108,105 | 181,675 |
| DETROIT CITY | 2,027,076 | 4,038,146 |
| LIVONIA CITY | 34,158 | 108,423 |
| WARREN CITY | 201,530 | 357,452 |
| BAY COUNTY | 162,402 | 307,783 |
| BERRIEN COUNTY | 271,368 | 527,505 |
| CALHOUN COUNTY | 217,646 | 414,770 |
| KALAMAZOO COUNTY | 234,568 | 414,682 |
| BAL OF MACOMB COUNTY | 564,082 | 1,032,624 |
| MONROE COUNTY | 122,239 | 218,024 |
| OAKLAND COUNTY | 1,269,308 | 2,350,504 |
| OTTAWA COUNTY | 149,531 | 267,265 |
| SAGINAW COUNTY | 269,415 | 496,889 |
| ST. CLAIR COUNTY | 214,687 | 420,256 |
| BAL OF WAYNE COUNTY | 1,148,735 | 2,071,146 |
| ANN ARBOR CITY | 65,529 | 142,551 |
| BAL OF WASHTENAW COUNTY | 241,548 | 461,788 |
| MICHIGAN | 12,429,919 | 23,661,809 |
| DAKOTA COUNTY | 122,785 | 202,422 |
| BAL OF RAMSEY COUNTY | 130,657 | 234,600 |
| ST. PAUL CITY | 379,301 | 670,882 |
| QUAD COUNTIES CSRT | 323,683 | 571,215 |
| REGION III CONSORTIUM | 204,718 | 362,451 |
| DULUTH CITY | 108,306 | 195,859 |
| BALANCE OF MINNESOTA | 817,581 | 1,653,793 |
| MINNESOTA RURAL CEP | 367,781 | 653,288 |
| BAL OF HENNEPIN COUNTY | 383,323 | 697,726 |
| MINNEAPOLIS CITY | 608,037 | 1,090,653 |
| MINNESOTA | 3,446,172 | 6,332,889 |
| CINCINNATI CITY | 679,858 | 1,302,446 |
| BUTLER COUNTY | 312,106 | 585,631 |
| CLARK COUNTY | 184,638 | 339,961 |
| BAL OF HAMILTON COUNTY | 406,507 | 692,797 |
| LORAIN COUNTY | 260,394 | 455,866 |
| AKRON CONSORTIUM | 717,780 | 1,308,943 |
| CANTON CONSORTIUM | 583,186 | 1,073,180 |
| CLEVELAND CONSORTIUM | 1,787,912 | 3,156,326 |
| COLUMBUS CONSORTIUM | 943,383 | 1,651,534 |



| | TITLE II | TITLE VI |
|---|---|---|
| MIAMI VALLEY CONSORTIUM | 653,169 | 1,161,251 |
| CENTRAL OHIO RURALCSRT | 233,103 | 434,875 |
| TOLEDO CONSORTIUM | 714,877 | 1,309,196 |
| NORTH EAST OHIO MANPOWER | 904,312 | 1,716,028 |
| BALANCE OF OHIO | 2,971,952 | 5,512,016 |
| ALLEN COUNTY | 150,422 | 281,044 |
| GREENE COUNTY | 103,853 | 178,146 |
| CLERMONT COUNTY CSRT | 203,742 | 374,895 |
| LAKE/ASHTABULA CSRT | 322,418 | 577,291 |
| PORTAGE COUNTY | 213,481 | 418,605 |
| RICHLAND/MORROW CSRT | 215,232 | 407,018 |
| OHIO | 12,562,325 | 22,937,049 |
| OUTAGAMIE COUNTY | 67,052 | 141,811 |
| ROCK COUNTY | 68,632 | 190,551 |
| MILWAUKEE COUNTY | 1,142,299 | 2,025,497 |
| MADISON/DANE CONSORTIUM | 0 | 199,714 |
| WOW CONSORTIUM | 0 | 284,848 |
| WINNE/FOND CONSORTIUM | 217,819 | 371,399 |
| TRICO CETAC | 351,147 | 692,627 |
| BALANCE OF WISCONSIN | 1,598,017 | 2,719,364 |
| WISCONSIN NORTHWEST CEP | 208,051 | 392,157 |
| MARATHON COUNTY | 77,883 | 141,012 |
| WISCONSIN | 3,730,900 | 7,158,980 |
| REGION V | 46,548,362 | 87,818,901 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 11
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| CENTRAL ARKANSAS CSRT | 180,070 | 458,857 |
| TEXARKANA | 56,078 | 106,169 |
| BALANCE OF ARKANSAS | 1,672,281 | 3,043,957 |
| ARKANSAS | 1,908,429 | 3,608,983 |
| RAPIDES PARISH | 114,712 | 205,767 |
| BATON ROUGE CITY | 197,824 | 366,399 |
| LAFAYETTE PARISH | 0 | 63,952 |
| CALCASIEU/JEFF CONSORTIUM | 168,492 | 294,936 |
| OUACHITA PARISH | 114,598 | 202,636 |
| NEW ORLEANS CITY | 650,698 | 1,173,889 |
| JEFFERSON PARISH | 117,958 | 316,737 |
| SHREVEPORT CITY | 169,928 | 288,993 |
| BALANCE OF LOUISIANA | 1,355,088 | 2,315,926 |
| LOUISIANA | 2,889,298 | 5,229,235 |
| ALBUQUERQUE CONSORTIUM | 472,611 | 872,945 |
| BALANCE OF NEW MEXICO | 846,655 | 1,575,103 |
| NEW MEXICO | 1,319,266 | 2,448,048 |
| COMANCHE COUNTY | 65,932 | 115,176 |
| OKLAHOMA COUNTY | 47,689 | 180,490 |
| OKLAHOMA CITY CONSORTIUM | 393,723 | 661,195 |
| BAL OF CLEVELAND COUNTY | 38,697 | 84,057 |
| TULSA CONSORTIUM | 106,611 | 492,897 |
| BALANCE OF OKLAHOMA | 671,497 | 1,623,735 |
| OKLAHOMA | 1,324,149 | 3,157,550 |
| TEXARKANA CONSORTIUM | 101,095 | 194,764 |
| TEX. PANHANDLE MANP. CSRT | 5,286 | 136,955 |
| CAP. AREA MANPOWERCSRT | 168,780 | 423,781 |
| S.E. TEXAS COMP. CSRT | 365,656 | 639,217 |
| PASADENA CITY | 16,921 | 104,966 |
| CAMERON COUNTY | 240,342 | 458,281 |
| COASTAL BEND MANP.CSRT | 365,195 | 622,749 |
| DALLAS CITY | 341,524 | 874,266 |
| BAL OF DALLAS COUNTY | 0 | 297,709 |
| LUBBOCK CITY | 14,278 | 96,245 |
| WEST CENTRAL TEXASCSRT | 18,214 | 151,125 |
| EL PASO CONSORTIUM | 585,513 | 1,132,759 |
| FT. WORTH CONSORTIUM | 119,683 | 623,415 |

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PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| BAL OF TARRANT COUNTY | 0 | 101,711 |
| GALVESTON COUNTY | 190,153 | 327,597 |
| HOUSTON CITY | 593,586 | 1,823,152 |
| BAL OF HARRIS COUNTY | 0 | 402,520 |
| CEN. TEXAS MANPOWER CSRT | 102,675 | 192,851 |
| HIDALGO COUNTY CONSORTIUM | 301,476 | 576,529 |
| ALAMO CONSORTIUM | 1,052,579 | 1,857,281 |
| REGION XI CONSORTIUM | 15,973 | 216,841 |
| NORTH TEXAS STATE CSRT | 22,609 | 136,269 |
| WEBB COUNTY | 139,189 | 283,651 |
| GULF COAST CONSORTIUM | 75,211 | 358,295 |
| BALANCE OF TEXAS | 808,905 | 2,464,580 |
| TEXAS | 5,644,843 | 14,497,509 |
| REGION VI | 13,085,985 | 28,941,325 |

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 13
PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| BALANCE OF IOWA | 153,036 | 1,236,027 |
| BLACKHAWK COUNTY | 112,845 | 185,135 |
| CEN. IOWA REGIONALCSRT | 43,954 | 352,537 |
| LINN COUNTY MANPOWER CSRT | 35,767 | 116,754 |
| SCOTT COUNTY | 30,768 | 100,755 |
| WOODBURY COUNTY | 0 | 79,295 |
| IOWA | 376,370 | 2,070,503 |
| BALANCE OF KANSAS | 77,854 | 706,428 |
| KANSAS CITY CONSORTIUM | 197,335 | 347,392 |
| JOHNSON/LEAVENWORTH CSRT | 0 | 200,424 |
| WICHITA CITY | 71,821 | 308,766 |
| TOPEKA CONSORTIUM | 59,468 | 162,818 |
| KANSAS | 406,478 | 1,725,828 |
| BALANCE OF MISSOURI | 1,043,932 | 2,356,300 |
| SPRINGFIELD CITY | 54,038 | 163,788 |
| BAL OF JACKSON COUNTY | 0 | 105,556 |
| KANSAS CITY CONSORTIUM | 721,514 | 1,269,584 |
| JEFFERSON/FRANKLINCSRT | 169,670 | 300,844 |
| ST. LOUIS COUNTY | 196,531 | 813,329 |
| ST. LOUIS CITY | 837,289 | 1,651,052 |
| INDEPENDENCE CITY | 47,431 | 118,602 |
| ST. CHARLES COUNTY | 97,849 | 171,584 |
| MISSOURI | 3,168,254 | 6,950,639 |
| BALANCE OF NEBRASKA | 0 | 374,343 |
| LINCOLN CITY | 0 | 84,616 |
| OMAHA CONSORTIUM | 342,385 | 583,545 |
| NEBRASKA | 342,385 | 1,042,504 |
| REGION VII | 4,293,487 | 11,789,474 |

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PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| ADAMS COUNTY | 218,910 | 372,486 |
| ARAPAHOE COUNTY | 90,034 | 222,931 |
| BOULDER COUNTY | 147,693 | 246,806 |
| COLORADO SPRINGS CRST | 222,415 | 384,324 |
| DENVER CITY/COUNTY | 545,840 | 942,625 |
| JEFFERSON COUNTY | 125,514 | 321,054 |
| LARIMER COUNTY | 51,711 | 107,677 |
| PUERLO COUNTY | 120,860 | 212,171 |
| WELD COUNTY | 20,024 | 71,056 |
| BALANCE OF COLORADO | 420,756 | 697,852 |
| COLORADO | 1,963,757 | 3,578,982 |
| BUTTE RURAL CEP | 110,231 | 193,737 |
| BALANCE OF MONTANA | 600,309 | 1,036,728 |
| MONTANA | 710,540 | 1,230,465 |
| N. DAKOTA STATEWIDE CSRT | 112,788 | 379,128 |
| NORTH DAKOTA | 112,788 | 379,128 |
| S. DAKOTA STATEWIDE CSRT | 46,080 | 358,702 |
| SOUTH DAKOTA | 46,080 | 358,702 |
| UTAH STATEWIDE CONSORTIUM | 1,004,287 | 1,698,199 |
| UTAH | 1,004,287 | 1,698,199 |
| WYOMING STATEWIDE CSRT | 76,877 | 275,373 |
| WYOMING | 76,877 | 275,373 |
| REGION VIII | 3,914,329 | 7,520,849 |

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PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| BALANCE OF ARIZONA | 765,065 | 1,478,551 |
| PHOENIX CITY | 1,204,381 | 2,306,805 |
| MARICOPA COUNTY | 717,721 | 1,382,730 |
| TUCSON/PIMA CONSORTIUM | 487,694 | 890,554 |
| ARIZONA | 3,174,861 | 6,058,640 |
| BAL OF ALAMEDA COUNTY | 786,124 | 1,466,426 |
| BERKELEY CITY | 282,400 | 564,109 |
| BAL OF CONTRA COSTA CNTY | 616,971 | 1,147,195 |
| MARIN COUNTY | 242,583 | 439,760 |
| OAKLAND CITY | 730,419 | 1,449,022 |
| RICHMOND CITY | 145,653 | 286,469 |
| SAN FRANCISCO CITY/COUNTY | 1,341,070 | 2,584,696 |
| SAN MATEO COUNTY | 631,277 | 1,106,738 |
| SONOMA COUNTY | 359,105 | 695,779 |
| SANTA BARBARA COUNTY | 283,463 | 499,837 |
| GLENDALE CITY | 138,615 | 235,419 |
| LONG BEACH CITY | 458,103 | 847,655 |
| BAL OF LOS ANGELESCNTY | 4,069,752 | 7,377,640 |
| LOS ANGELES CITY | 4,248,786 | 8,033,761 |
| ORANGE CNTY MANPOWER CSRT | 1,565,668 | 2,608,820 |
| PASADENA CITY | 121,176 | 211,306 |
| TORRANCE CITY | 144,130 | 247,645 |
| VENTURA COUNTY | 495,047 | 918,364 |
| BALANCE OF CALIFORNIA | 1,495,745 | 2,955,083 |
| HUMBOLDT COUNTY | 227,184 | 459,323 |
| SANTA CLARA VALLEY | 1,338,398 | 2,436,596 |
| SOLANO COUNTY | 171,106 | 305,860 |
| SUNNYVALE CITY | 129,623 | 231,024 |
| BUTTE COUNTY | 203,253 | 402,375 |
| SACRAMENTO/YOLO CSRT | 932,638 | 1,712,045 |
| STOCKTON/SAN JOAQUIN CSRT | 501,799 | 977,183 |
| STANISLAUS COUNTY | 552,533 | 1,116,798 |
| MONTEREY COUNTY | 318,885 | 600,958 |
| SANTA CRUZ COUNTY | 269,099 | 529,638 |
| FRESNO CITY/COUNTY | 646,389 | 1,213,989 |
| IMPERIAL COUNTY | 185,298 | 376,283 |
| KERN COUNTY | 394,556 | 722,238 |
| MERCED COUNTY | 191,532 | 376,219 |
| INLAND MANPOWER ASSN | 1,499,623 | 2,821,004 |
| SAN LUIS OBISPO COUNTY | 97,188 | 164,018 |
| TULARE/KINGS COUNTY | 291,593 | 525,427 |
| SAN DIEGO RETC | 2,387,330 | 4,637,275 |
| CALIFORNIA | 28,494,114 | 53,283,977 |
| HAWAII BAL OF STATE | 279,384 | 537,758 |

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PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| HONOLULU CITY/COUNTY | 911,150 | 1,678,220 |
| HAWAII | 1,190,534 | 2,215,978 |
| BALANCE OF NEVADA | 180,271 | 347,105 |
| LAS VEGAS CONSORTIUM | 501,483 | 947,841 |
| WASHOE COUNTY | 200,036 | 359,782 |
| NEVADA | 881,790 | 1,654,728 |
| SAMOA | 54,263 | 94,102 |
| AMERICAN SAMOA | 54,263 | 94,102 |
| GUAM | 165,363 | 286,825 |
| GUAM | 165,363 | 286,825 |
| PACIFIC ISLANDS | 141,303 | 245,096 |
| PACIFIC ISLANDS | 141,303 | 245,096 |
| REGION IX | 34,102,228 | 63,839,346 |

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PUBLIC SERVICE JOBS PROGRAM OAM
ECONOMIC STIMULUS PACKAGE
PROPOSED DISCRETIONARY DISTRIBUTION

| | TITLE II | TITLE VI |
|---|---|---|
| MUNICIPALITY OF ANCHORAGE | 151,427 | 265,612 |
| BALANCE OF ALASKA | 259,073 | 490,697 |
| ALASKA | 410,500 | 756,309 |
| IDAHO STATEWIDE CSRT | 704,620 | 1,185,960 |
| IDAHO | 704,620 | 1,185,960 |
| PORTLAND CITY | 639,552 | 1,209,821 |
| BAL OF CLACKAMAS COUNTY | 234,625 | 436,373 |
| LANE COUNTY | 421,819 | 823,767 |
| MULTNOMAH/WASHINGTON CSRT | 452,300 | 825,756 |
| MID WILLAMETTE VALLEY CSR | 376,227 | 718,344 |
| JACKSON COUNTY CONSORTIUM | 281,624 | 556,412 |
| BALANCE OF OREGON | 1,127,647 | 2,190,882 |
| OREGON | 3,533,794 | 6,761,355 |
| SPOKANE CONSORTIUM | 315,581 | 567,732 |
| CLARK COUNTY | 147,061 | 264,291 |
| KING/SNOHOMISH CONSORTIUM | 1,946,635 | 3,607,974 |
| KITSAP COUNTY | 108,364 | 195,276 |
| TACOMA CITY | 226,667 | 434,740 |
| BAL OF PIERCE COUNTY | 256,315 | 478,355 |
| YAKIMA COUNTY | 205,782 | 392,078 |
| BALANCE OF WASHINGTON | 1,274,679 | 2,393,427 |
| WASHINGTON | 4,481,084 | 8,333,873 |
| REGION X | 9,129,998 | 17,037,497 |
| SUB TOTAL | 226,575,000 | 435,374,000 |
| INDIAN ORGANIZATIONS | 1,425,000 | 0 |
| NATIONAL TOTAL | 228,000,000 | 435,374,000 |

Signed in Washington, D.C., this 8th day of June 1977.

ALBERT J. ANGEBRANNDT,
*Administrator, Administration and Management.*

[FR Doc.77-17368 Filed 6-16-77;8:45 am]

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Employment and Training Administration

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Notice of Ending of Federal Supplemental Benefit Period in Alabama

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Alabama effective June 11, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Alabama on January 9, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATER

The employment security agency of the State of Alabama has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 21, 1977, and the immediately preceding twelve weeks, was less than 5 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Alabama for the week ending on May 21, 1977, and that the Federal Supplemental Benefit Period in that State terminates on June 11, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Alabama Department of Industrial Relations of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will cxontinue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Alabama should contact the nearest Unemployment Compensation Claims Office or Employment Service Division Office of the Alabama Department of Industrial Relations in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17031 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in Delaware

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Delaware effective June 11, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Delaware on January 23, 1977, and that the Federal Supplemental Benefit Period in that State terminates on June 11, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Delaware has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 21, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19 (b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Delaware for the week ending on May 21, 1977, and that the Federal Supplemental Benefit Period in that State terminates on June 11, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Delaware Department of Labor of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Delaware should contact the nearest State Employment Office of the Delaware Department of Labor in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17369 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in Kentucky

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Kentucky effective June 4, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Kentucky on February 6, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Kentucky has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 14, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Kentucky for the week ending on May 14, 1977, and that the Federal Supplemental Benefit Period in that State terminated on June 4, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental

Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Kentucky Department for Human Resources of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Kentucky should contact the nearest State Employment Office of the Kentucky Department for Human Resources in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17370 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in Maryland

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Maryland, effective June 4, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Maryland on February 20, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Maryland has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 14, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Maryland for the week ending on May 14, 1977, and that the Federal Supplemental Benefit Period in that State terminated on June 4, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same etxent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Maryland Employment Security Commission of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Maryland should contact the nearest State Employment Office of the Maryland Employment Security Commission in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17371 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Notice of Ending of Federal Supplemental Benefit Period in Minnesota

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Minnesota effective May 28, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Minnesota on February 27, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5 percent over a period of thirteen

consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

### Determination of "Off" Indicator

The employment security agency of the State of Minnesota has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 7, 1977, and the immediately preceding twelve weeks, was less than 5 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4–75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Minnesota for the week ending on May 7, 1977, and that the Federal Supplemental Benefit Period in that State terminated on May 28, 1977.

### Information for Claimants

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Minnesota Department of Employment Services of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Minnesota should contact the nearest Local Office of the Minnesota Department of Employment Services in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17032 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in Mississippi

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Mississippi, effective June 25, 1977.

#### BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93–572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Mississippi on March 27, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

#### DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Mississippi has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on June 4, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4–75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Mississippi for the week ending June 4, 1977, and that the Federal Supplemental Benefit Period in that State terminates on June 25, 1977.

#### INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Mississippi Employment Security Commission of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Mississippi should contact the nearest State Employment Office of the Mississippi Employment Security Commission in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17372 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Notice of Ending of Federal Supplemental Benefit Period in Missouri

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Missouri effective May 28, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Missouri on February 13, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Missouri has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 7, 1977, and the immediately preceding twelve weeks, was less than 5 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Missouri for the week ending on May 7, 1977, and that the Federal Supplemental Benefit Period in that State terminated on May 28, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Missouri Department of Labor and Industrial Relations of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Missouri should contact the nearest State Employment Office of the Missouri Department of Labor and Industrial Relations in their locality.

Signed at Washington, D.C. on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17033 Filed 6-16-77;8:45 am]

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## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Notice of Ending of Federal Supplemental Benefit Period in New Mexico

This notice announces the ending of the Federal Supplemental Benefit Period in the State of New Mexico effective June 4, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of New Mexico on March 6, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of New Mexico has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 14, 1977, and the immediately preceding twelve weeks, was less than 5 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of New Mexico for the week ending on May 14, 1977, and that the Federal Supplemental Benefit Period in that State terminated on June 4, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated

sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the New Mexico Employment Security Commission of the end of the Federal Supplemental benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of New Mexico should contact the nearest Employment Office of the New Mexico Employment Security Commission in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17034 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in North Carolina

This notice announces the ending of the Federal Supplemental Benefit Period in the State of North Carolina, effective May 14, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of North Carolina on February 13, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of North Carolina has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157), that the average rate of insured unemployment in the State for the period consisting of the week ending on April 23, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of North Carolina for the week ending April 23, 1977, and that the Federal Supplemental Benefit Period in that State terminated on May 14, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the North Carolina Employment Security Commission of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of North Carolina should contact the nearest State Office of the North Carolina Employment Security Commission in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17373 Filed 6-16-7;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in Tennessee

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Tennessee effective May 28, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Tennessee on January 30, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at

the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Tennessee has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 7, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4–75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Tennessee for the week ending May 7, 1977, and that the Federal Supplemental Benefit Period in that State terminated on May 28, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Tennessee Department of Employment Security of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Tennessee should contact the nearest State Employment Security Office of the Tennessee Department of Employment Security in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17374 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in Utah

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Utah, effective June 25, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93–572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Utah on March 27, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Utah has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on June 4, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4–75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Utah for the week ending June 4, 1977, and that the Federal Supplemental Benefit Period in that State terminates on June 25, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Utah Industrial Commission of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Utah should contact the nearest Employment Security Office of the Utah Industrial Commission in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17375 Filed 6-16-77;8:45 am]

## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Ending of Federal Supplemental Benefit Period in West Virginia

This notice announces the ending of the Federal Supplemental Benefit Period in the State of West Virginia, effective June 18, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of West Virginia on January 30, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of West Virginia has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 28, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19 (b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of West Virginia for the week ending May 28, 1977, and that the Federal Supplemental Benefit Period in that State terminates on June 18, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the West Virginia Department of Employment Security of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of West Virginia should contact the nearest State Employment Office of the West Virginia Department of Employment Security in their locality.

Signed at Washington, D.C., on June 13, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17376 Filed 6-16-77;8:45 am]

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## FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

### Notice of Ending of Federal Supplemental Benefit Period in Wisconsin

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Wisconsin effective May 28, 1977.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Public Law 93-572, enacted December 31, 1974) (the Act) created a temporary program of Supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks. A Federal Supplemental Benefit Period commenced in the State of Wisconsin on February 27, 1977.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 13 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Wisconsin has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on May 7, 1977, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Wisconsin for the week ending on May 7, 1977, and that the Federal Supplemental Benefit Period in that State terminated on May 28, 1977.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefit to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Wisconsin Job Service of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State unless that program subsequently triggers off in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Wisconsin should contact the nearest District Office of the Wisconsin Job Service in their locality.

Signed at Washington, D.C., on June 10, 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training.*

[FR Doc.77-17035 Filed 6-16-77;8:45 am]

## Occupational Safety and Health Administration

### HAWAII STATE STANDARDS

#### Approval

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 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) 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 January 4, 1974, notice was published in the FEDERAL REGISTER (39 FR 1010) of the approval of the Hawaii plan and the adoption of Subpart Y to Part 1952 containing the decision.

The Hawaii 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. State standards comparable to 29 CFR Part 1910 (37 FR 22102) and 29 CFR Part 1926 (37 FR 27503) were adopted by the State and approved by the Occupational Safety and Health Administration on December 27, 1974 (39 FR 44823). However, there have been many Federal changes to the standards since the initial approval of the State standards. Accordingly, Hawaii has revised these standards and promulgated them in accordance with applicable State procedures.

Section 1952.310(a) of Subpart Y sets forth the State's procedure for the adoption of at least as effective State standards. By letter dated March 22, 1977, from Joshua C. Agsalud, Director of the Hawaii Department of Labor and Industrial Relations, to Gabriel J. Gillotti, Regional Administrator, and incorporated as part of the plan, the State submitted proof documents concerning the adoption of Federal standard changes (except as noted below) to 29 CFR Parts 1910, 1926 and 1928 from February 28, 1973 through October 22, 1976. The standards Hawaii did not adopt from Federal changes were the Federal deletion of 4,4'-Methylenebis and the thirteen carcinogen laboratory standards (Hawaii retained these standards), the Coke Oven Emission standard with corrections and 29 CFR 1928.57(d), Cotton Gins. Hawaii has no Coke Ovens or Cotton Gins, therefore elected not to adopt these standards. These standards, which are contained in Hawaii Occupational Safety and Health Standards—Rules and Regulations, were promulgated by the State after public hearings.

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. The State standards are more specific in several areas particularly with respect to 29 CFR 1928.57 (b) and (c), Farm Field equipment and Farmstead equipment and the Carcinogen standards of Subpart Z or 29 CFR 1910.1003 through 1910.1016. The detailed standards comparisons are 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 Regional Administrator, Occupational Safety and Health Administration, 450 Golden Gate Avenue, Room 9470, San Francisco, California 94102, the Office of the Department of Labor and Industrial Relations, Room 308, 825 Mililani Street, Honolulu, Hawaii 96313; and Office of the Directorate of Federal Compliance and State Programs, Occupational Safety and Health Administration, Room N3605, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, 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 Hawaii plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reason:

1. The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective June 17, 1977.

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

Signed at San Francisco, California, this 26th day of April 1977.

GABRIEL J. GILLOTTI,
*Regional Administrator.*

[FR Doc.77-17377 Filed 6-16-77;8:45 am]

### VIRGIN ISLANDS STANDARDS

#### Approval

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 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) 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 September 11, 1974, notice was published in the FEDERAL REGISTER (38 FR 24896) of the approval of the Virgin Islands plan and adoption of Subpart S to Part 1952 containing the decision.

The Virgin Islands plan provides for the adoption of Federal standards as Virgin Islands standards by reference without publishing such regulations in full, provided that such regulations shall be clearly identified in the adopting regulation, and that copies of the FEDERAL REGISTER containing such regulations shall be maintained in the Office of the Lieutenant Governor, available for inspection by the public. On November 5, 1974, notice was published in the FEDERAL REGISTER approving the adoption by reference on March 21, 1974 of Federal Standards 29 CFR Parts 1910, 1918 and 1926, as Virgin Islands rules and regulations, 24 V.I.R.R. 36(b) 1, 2, and 3.

The Virgin Islands approved plan excludes Subpart D of 29 CFR Part 1926 (Occupational Health and Environmental Control), Subpart G of 29 CFR Part 1910 (Occupational Health and Environmental Control) and §§ 1910.13 (Ship repairing), 1910.14 (Shipbuilding), 1915, 1916, 1917 and 1918 of 29 CFR. (Longshoring), which reference Parts 1915, 1916, 1917 and 1918 of 29 CFR In addition, § 1910.19 (Asbestos Dust) of Part 1910 and Part 1919 (Gear Certification) are excluded by the scope of the Virgin Islands 18(b) plan. Notwithstanding the exclusion of Longshoring, 29 CFR Part 1918 has been adopted by ref-

erence since § 1926.605 (Marine Operations and Equipment) references 29 CFR Part 1918.

Section 1953.20 of 29 CFR provides that where "any alteration in the Federal program could have an adverse impact on the 'at least as effective as' status of the State program, a program change supplement to a State plan shall be required." In response to Federal standards changes, the State has submitted by a letter dated March 15, 1977 from Mr. Jean D. Larsen, Assistant Commissioner of the Virgin Islands Department of Labor and Director of the Division of Occupational Safety and Health, to Mr. Alfred Barden, Regional Administrator, and incorporated as a part of the plan, State certification documenting promulgation of regulations (March 4, 1977) adopting all changes and additions to 29 CFR Parts 1910, 1918, 1926, 1928 as 24 V.I.R.R. 36(b) 1, 2, 3, 4 up to and including March 4, 1977. (On March 11, 1977, notice was published in the FEDERAL REGISTER of adoption by reference of 29 CFR Part 1928 as V.I.R.R. 36(b)4 on November 30, 1976.)

The authority to adopt such standards is contained in Title 3, Section 940, of the Virgin Islands Code. The adopting regulations were issued by the Commissioner of Labor of the Virgin Islands Department of Labor and were approved and promulgated by the Governor of the Virgin Islands.

2. *Decision.* Having reviewed the Virgin Islands Regulations providing for the adoption of Federal standards by reference, it has been determined that Virgin Islands Regulations are identical to Federal standards and are hereby approved.

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 the normal business hours at the following locations: Office of the Regional Administrator, Region II, 1515 Broadway, Room 3445, New York, New York 10036; Office of the Director for Federal Compliance and State Programs, Room N-3605, 200 Constitution Avenue, N.W., Washington, D.C. 20210; Department of Labor, Government of the Virgin Islands, Dronigans Gade, Charlotte Amalie, St. Thomas, V.I. 00801, and at Hospital Street, Christiansted, St. Croix, V.I. 00820.

4. *Public participation.* Under 29 CFR 1953.2(2), 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 Virgin Islands plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

(1) The standards are identical to the Federal standards and are therefore deemed to be at least as effective.

(2) The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective June 17, 1977.

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

Signed at New York, New York, this 22nd day of March 1977.

ALFRED BARDEN,
*Regional Administrator, Occupational Safety and Health.*

[FR Doc.77-17378 Filed 6-16-77;8:45 am]

## BARBARA JUNE ET AL.

### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm 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.

Petitioners meeting these eligibility requirements 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. The investigations 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.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 8th day of June 1977.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner: union/workers or former workers of— | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| Barbara June (ILGWU) | Humacao, P.R. | May 23, 1977 | May 12, 1977 | TA-W-2,128 | Women's lingerie. |
| Caribe Princesa (ILGWU) | do | do | do | TA-W-2,129 | Do. |
| Chicago Bridge & Iron Co. (USWA) | New Castle, Del. | June 8, 1977 | May 10, 1977 | TA-W-2,130 | Oil, gas and water tanks |
| Genesco, Inc. (company) | Tullahoma, Tenn. | do | June 6, 1977 | TA-W-2,131 | Men's footwear. |
| North & Judd (UAW) | Middletown, Conn. | do | June 2, 1977 | TA-W-2,132 | Industrial hardware, horseback riding equipment and fashion line. |
| Owens Illinois, Inc. (Glass Bottle Blowers Association). | Columbus, Ohio | do | May 29, 1977 | TA-W-2,133 | Glass picture tubes. |
| Speakman Co. (USWA) | Wilmington, Del. | do | May 10, 1977 | TA-W-2,134 | Valves, fittings, plumbing and fixtures. |
| U.S. Steel Corp. Christy Park Works (USWA) | McKeesport, Pa. | do | May 8, 1977 | TA-W-2,135 | Steel pressure vessels. |
| Wilcox Crittenden (UAW) | Middletown, Conn. | do | June 2, 1977 | TA-W-2,136 | Marine hardware. |

[FR Doc.77-17039 Filed 6-16-77;8:45 am]

## BRUCE DIAMOND CORP ET AL.

### Investigations Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute de-

cline 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.

Petitioners meeting these eligibility requirements 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. The investigations 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.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 7th day of June 1977.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner: union/workers or former workers of— | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| Bruce Diamond Corp. (workers) | Attleboro, Mass | June 6,1977 | June 3,1977 | TA-W-2,123 | Phonograph needles. |
| Columbian Rope Co. (workers) | Maspeth, N.Y | do | June 1,1977 | TA-W-2,124 | Natural fibers and synthetic ropes. |
| Dell Knitwear, Inc. (company) | Bronx, N.Y | June 7,1977 | do | TA-W-2,125 | Children's sweaters. |
| S.P. Parson Co., Inc. (workers) | Woburn, Mass | June 6,1977 | June 3,1977 | TA-W-2,126 | The selling of leather to shoe manufacturers. |
| Tram/Diamond Corp. (workers) | Winnisguam, N.H | do | June 1,1977 | TA-W-2,127 | C.B. radios. |

[FR Doc.77-17038 Filed 6-16-77;8:45 am]

## COLT TILE TARAYRZO AND MARBLE CO., INC., ET AL.

### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm 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.

Petitioners meeting these eligibility requirements 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. The investigations 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.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 6th day of June 1977.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner: union/workers of former workers of— | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| Colt Tile Tarazzo and Marble Co., Inc. (workers) | Totowa, N.J | June 1,1977 | May 16,1977 | TA-W-2,118 | The setting of precast stone panels for the construction industry. |
| Dictaphone Corp. (DALO) | Bridgeport, Conn | June 2,1977 | May 19,1977 | TA-W-2,119 | Recording machines. |
| Industrial Components Div., Inc. (workers) | Forestville, Conn | do | May 20,1977 | TA-W-2,120 | Springs and component parts. |
| Portec, Inc. (International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths Forgers and Helpers). | Canton, Ohio | June 3,1977 | June 1,1977 | TA-W-2,121 | Hall anchors and forged forgings. |
| Titan Marble and Stone Co., Inc. (workers) | Totowa, N.J | June 2,1977 | May 16,1977 | TA-W-2,122 | The setting of conventional stone for the construction industry. |

[FR Doc.77-17037 Filed 6-16-77;8:45 am]

## DE LAVAL TURBINES, INC., ET AL.

### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90:12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or prdouction, 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.

Petitioners meeting these eligibility requirements 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. The investigations 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.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 1st day of June 1977.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner: union/workers or former workers of— | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| De Laval Turbines, Inc. (USWA) | Trenton, N.J. | May 31, 1977 | May 5, 1977 | TA-W-2,114 | Rotor pumps, centrifugal pumps, and rotor motors. |
| Dury Clothing Co., Inc. (ACTWU) | West Pittston, Pa. | do | May 25, 1977 | TA-W-2,115 | Boys', men's, and some ladies' slacks. |
| Needle Craft Corp. of America (workers) | Fort Atkinson, Wis. | May 27, 1977 | May 23, 1977 | TA-W-2,116 | Afghan kits and needle point kits. |
| Roman Ceramics Corp. (International Brotherhood of Potter & Allied Workers). | Mayfield, Ky. | May 31, 1977 | May 26, 1977 | TA-W-2,117 | Custom pottery. |

[FR Doc.77-17036 Filed 6-16-77;8:45 am]

## EDINBURG MANUFACTURING CORP., ET AL.

### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm 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.

Petitioners meeting these eligibility requirements 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. The investigations 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.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 26th day of May 1977.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner: union/workers or former workers of— | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| Edinburg Manufacturing Corp. | Edinburg, Va. | May 25, 1977 | May 23, 1977 | TA-W-2,102 | Ladies' dresses and sportswear. |
| International Silver Co. (USWA) | Meriden, Conn. | May 26, 1977 | May 5, 1977 | TA-W-2,103 | Stainless and silver holloware. |
| M.R.N. Corp. (USWA) | do | do | Apr. 28, 1977 | TA-W-2,104 | Special metals such as copper, brass, cupro (alloy nickel) pewter coils and strips. |
| Miss Mayfair Original (workers) | New York, N.Y. | May 25, 1977 | May 23, 1977 | TA-W-2,105 | Sewing of fur on cuffs and collars of coats. |
| Strasburg Textile Mills, Inc. (workers) | Strasburg, Va. | May 26, 1977 | do | TA-W-2,106 | Unbleached and undyed acetate materials. |

[FR Doc.77-16931 Filed 6-16-77;8:45 am]

## MICHAEL BERKOWITZ CO., INC.

### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm 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.

Petitioners meeting these eligibility requirements 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. The investigations 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.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than June 27, 1977.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 31st day of May 1977.

MARVIN M. FOOKS,
*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner: union/workers or former workers of— | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| Michael Berkowitz Co., Inc. (ACTWU) Plant No. 1 | Uniontown, Pa | May 31, 1977 | May 2, 1977 | TA-W-2,107 | Ladies' and men's sleepwear and lounge wear. |
| Michael Berkowitz Co., Inc. (ACTWU) Plant No. 2 | do | do | do | TA-W-2,108 | O.R. gowns (surgical paper gowns). |
| Michael Berkowitz Co., Inc. (ACTWU) Plant No. 3 | do | do | do | TA-W-2,109 | Press, pack, stock and ship O.R. gowns, ladies' ladies' and men's sleepwear and lounge wear. |
| Michael Berkowitz Co., Inc. (ACTWU) | Confluence, Pa | do | do | TA-W-2,110 | Ladies' breakfast coats. |
| Do | Frostburg, Md | do | do | TA-W-2,111 | Men's and ladies' pajamas. |
| Colshire Manufacturing Co. (ACTWU) | Morgantown, West Va | do | do | TA-W-2,112 | Men's sleepwear and some ladies' pajamas. |
| Oxwall Tool Co. (USWA) | Oxford, N.J | do | May 27, 1977 | TA-W-2,113 | Hand tools, vise grips, screwdrivers, socket sets, box and open end wrenches, pistol grip ratchets. |

[FR Doc.77-16932 Filed 6-16-77;8:45 am]

[TA-W-1455]

## ARMCO STEEL CORP., MARION WORKS

### 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-1455: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on December 15, 1976 which was filed by the United Steelworkers of America on behalf of workers and former workers producing carbon steel bars, reinforcing bars, sign posts and fence posts at the Marion Works of Armco Steel Corporation in Marion, Ohio.

The Notice of Investigation was published in the FEDERAL REGISTER on January 7, 1977 (42 FR 1531). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Armco Steel Corporation, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that for the principal products produced at the Marion Works; reinforcing bar, sign posts and fence posts, criteria (2) and (4) have not been met. For the other product produced at the Marion Works, carbon steel bar-size light shapes, without regard to whether any of the other criteria have been met, criterion (3) has not been met.

#### SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average annual employment of production workers at the Marion Works of Armco Steel Corporation declined 27.1 percent in 1975 compared to 1974. Average employment increased 14.0 percent in 1976 compared to 1975. Employment decreased in the fourth quarter of 1975 and the first quarter of 1976 compared to the same quarters one year earlier. In the fourth quarter of 1976, average employment decreased 9.3 percent compared to the preceding quarter. Workers are not separately identifiable.

#### SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

A. Reinforcing Bars.—Sales of concrete reinforcing bars by the Marion Works in net tons increased 62.1 percent in the first 11 months of 1976 compared to the first 11 months of 1975.

B. Fence and Sign Posts.—Sales of sign posts and fence posts in net tons increased 34.0 percent in the first 11 months of 1976 compared to the first 11 months of 1975.

C. Hot Rolled Shapes.—Sales of carbon steel bar-size light shapes in net tons declined 43.0 percent in the first 11

months of 1976 compared to the first 11 months of 1975.

INCREASED IMPORTS

A. Reinforcing Bars.—Imports of concrete reinforcing bars declined from 358.2 thousand net tons in 1972 to 286.4 thousand net tons in 1973. Imports increased to 477.5 thousand net tons in 1974, decreased to 141.9 thousand net tons in 1975 and increased to 192.2 thousand net tons in 1976. The ratio of imports to domestic shipments declined from 8.0 percent in 1972 to 5.6 percent in 1973. The ratio increased to 9.5 percent in 1974, declined to 3.9 percent in 1975 and increased to 5.0 percent in 1976.

B. Fence and Sign Posts.—Imports of Fence Gates, Posts and Fittings, which includes sign posts and fence posts, decreased from 6.7 thousand short tons in 1972 to 4.6 thousand short tons in 1973. Imports increased to 4.7 thousand short tons in 1974, declined to 0.8 thousand short tons in 1975 and increased to 3.0 thousand short tons in 1976. The ratio of imports to domestic production declined from 2.8 percent in 1972 to 1.8 percent in 1973, remained at 1.8 percent in 1974 and declined to 0.3 percent in 1975. The ratio increased to 1.2 percent in 1976.

C. Hot Rolled Bar Shapes.—Imports of carbon steel bar-size light shapes decreased from 562.7 thousand short tons in 1972 to 457.4 thousand short tons in 1973. Imports increased to 521.5 thousand short tons in 1974, declined to 167.2 thousand short tons in 1975 and further declined to 164.3 thousand short tons in 1976. The ratio of imports to domestic shipments declined from 75.1 percent in 1972 to 44.2 percent in 1973. The ratio increased to 53.1 percent in 1974, declined to 22.7 percent in 1975 and further declined to 19.5 percent in 1976.

CONTRIBUTED IMPORTANTLY

Customers of the Marion Works did not switch purchases of reinforcing bars, sign posts and fence posts from the Marion Works to foreign suppliers. In cases where purchases from Armco declined, the decrease was attributed to declines in highway and commercial construction or because the customers switched purchases to other domestic manufacturers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with concrete reinforcing bar, sign posts and fence posts produced at the Marion Works of the Armco Steel Corporation, Marion, Ohio have not contributed importantly to the total or partial separation of workers at that plant as required for certification under Section 222 of the Trade Act of 1974.

It is further concluded that increased imports of articles like or directly competitive with carbon steel bar-size light shapes have not increased, either absolutely or relative to domestic production, as required for certification under Section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17380 Filed 6-16-77;8:45 am]

## Office of the Secretary

[TA-W-1454]

## ARMCO STEEL CORP., SAND SPRINGS WORKS

### 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-1454: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on that date which was filed by the United Steelworkers of America on behalf of workers producing fence posts and reinforcing bars at the Sand Springs, Oklahoma plant of Armco Steel Corporation, Middletown, Ohio.

The notice of investigation was published in the FEDERAL REGISTER on January 7, 1977 (42 FR 1531). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from the Sand Springs Works, Oklahoma, Armco Steel Corporation, its customers, the American Iron and Steel Institute, the U.S. Department of Commerce, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important, but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criteria (1) and (4) have not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers increased 4 percent from November to December 1975 and increased 3.0 percent in 1976 compared to 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales of fence posts decreased 49.6 percent in terms of quantity in 1975 compared to 1974. Sales increased 51.8 percent in 1976 compared to 1975. Sales of reinforcing bars decreased 32.3 percent in 1975 compared to 1974 but increased 3.6 percent in 1976 compared to 1975.

Production of fence posts and reinforcing bars, in terms of quantity decreased 49.8 percent in 1975 compared to 1974 but increased 76.4 percent in 1976 compared to 1975.

INCREASED IMPORTS

U.S. imports of reinforcing bars decreased 20.0 percent from 1972 to 1973 and increased 66.7 percent from 1973 to 1974, and then declined 70.3 percent from 1974 to 1975. Imports increased 35.4 percent from 1975 to 1976. The ratio of imports to domestic shipments increased from 3.9 percent in 1975 to 5.0 in 1976.

There is no available import data for fence posts as a single product. Estimates are available grouping fence gates, fence posts and fittings together. Imports of this group of products increased 26.4 percent from 1971 to 1972 and declined 31.3 percent from 1972 to 1973. Imports increased 2.2 percent from 1973 to 1974 and declined 33.0 percent from 1974 to 1975. Imports increased 250.0 percent in the first nine months of 1976 compared to the similar period in 1975. The ratios of imports to domestic shipments increased from 0.3 percent in the first nine months of 1975 to 1.1 percent in the similar period in 1976.

CONTRIBUTED IMPORTANTLY

Customers of the Sand Springs Works indicated they have not switched their purchases to imported fence posts or reinforcing bars. Customers cited the proximity of domestic sources and the superior quality of domestic posts and rebars as the reason for preferring domestic manufacturers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that a significant number or proportion of the workers at the Sand Springs, Oklahoma plant of Armco Steel Corporation have not become totally or partially separated as required in Section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17379 Filed 6-6-77;8:45 am]

[TA-W-1499]

## BETHLEHEM STEEL CORP., BURNS HARBOR PLANT

### 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-1499: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on December 15, 1976, which was filed by the United Steelworkers of America on behalf of workers and former workers producing steel sheet, plate, and tin products at the Burns Harbor plant of Chesterton, Indiana, of Bethlehem Steel Corporation.

The Notice of Investigation was published in the FEDERAL REGISTER on January 18, 1977 (42 FR 3367). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Bethlehem Steel Corporation and the United Steelworkers of America.

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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (1) has not been met.

The Burns Harbor plant of Bethlehem Steel Corporation produces cold-rolled and hot-rolled steel sheet, steel plate, and tin products.

Pursuant to the requirements of 29 CFR 90.2 total separations must be the equivalent to a total unemployment of five percent or 50 workers, whichever is less. Evidence developed in the Department's investigation revealed, that the total separations which occurred during the period of possible coverage amounted to less than five percent of the workforce employed at Burns Harbor plant. The total number of workers experiencing separations during the period November 15, 1975, one year prior to the signature date of the petition, to the present was less than 50 workers.

Pursuant to the requirements of 29 CFR 90.2, "partial separations" means, that the workers' hours of work have been reduced to 80 percent or less of the workers' average weekly hours at the firm or appropriate subdivision thereof. Evidence developed in the Department's investigation revealed that the workers' average weekly hours of work have not been reduced to less than 80 percent of their average weekly hours from November 15, 1975, one year prior to the signature date of the petition, to the present.

Plant sales increased 16 percent in quantity in 1976 compared to 1975. Plant production increased 17 percent in quantity in 1976 compared to 1975. Therefore, no threat of total or partial separation is evident.

### CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that a significant number or proportion of the workers at the Burns Harbor plant of Bethlehem Steel Corporation, Chesterton, Indiana have not become totally or partially separated, nor threatened to become separated, as required for certification in Section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17381 Filed 6-16-77;8:45 am]

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[TA-W-1587]

## BROWN SHOE CO.

### 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-1587: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on January 24, 1977 in response to a worker petition received on January 24, 1977 which was filed by the Boot and Shoe Workers' Union on behalf of workers and former workers producing women's shoes at the Houston, Missouri plant of the Brown Shoe Company, St. Louis, Missouri.

The notice of investigation was published in the FEDERAL REGISTER on February 1, 1977 (42 FR 6017). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Brown Shoe 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all of the above criteria have been met.

### SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment of production workers at the Houston, Missouri plant declined 10.9 percent from 1974 to 1975 and increased 4.4 percent from 1975 to 1976. Employment declined 1.8 percent in the last six months of 1976 compared to the same period of 1975. Employment declined 10.0 percent in the fourth quarter of 1976 compared to the same quarter of 1975.

### SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production of women's shoes at the Houston, Missouri plant declined 2.2 percent in quantity from 1974 to 1975 and increased 9.7 percent from 1975 to 1976. Production declined 7.7 percent in quantity in the last six months of 1976 compared to the same period of 1975.

### INCREASED IMPORTS

Imports of women's and misses' nonrubber footwear, except athletic, increased absolutely from 1972 to 1973, declined from 1973 to 1974, and then increased each year from 1974 to 1976. The ratio of imports to domestic production declined from 114.1 percent in 1975 to 106.3 percent in 1976.

### CONTRIBUTED IMPORTANTLY

Brown Shoe Company increased its imports of women's shoes from 1975 to 1976.

The sole customer to whom the shoes produced at the Houston, plant are sold, increased its import purchases of women's shoes from 1975 to 1976. This customer could not provide refined information concerning its purchases from the Houston plant in isolation from its total purchases of women's shoes from Brown Shoe. However, the recent finding of the International Trade Commission, based on the high level of import penetration, is that customers of domestic manufacturers have increasingly

shifted from domestically produced shoes to imported shoes.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with women's shoes produced at the Houston, Missouri plant of the Brown Shoe Company 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 workers at the Houston, Missouri plant of the Brown Shoe Company who became totally or partially separated on or after July 1, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17382 Filed 6-16-77;8:45 am]

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[TA-W-1484]

## BUFFALO (N.Y.) DISTRICT REPUBLIC STEEL CORP.

### 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-1484: Investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on that date which was filed by the United Steelworkers of America on behalf of workers and former workers producing various steel products at the Buffalo District plants, Republic Steel Corporation, Cleveland, Ohio.

The notice of investigation was published in the FEDERAL REGISTER on January 11, 1977 (42 FR 2381). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Republic Steel Corporation, its customers, the U.S. Department of Commerce, the United Steelworkers of America, the American Iron and Steel Institute, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that without regard to whether any of the other criteria have been met, criterion (3) has not been met regarding production of carbon steel bars and criterion (2) has not been met regarding production of carbon and alloy steel bars.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers in the Buffalo District declined 7.4 percent from 1974 to 1975 and then increased 6.9 percent from 1975 to 1976.

Workers are not separately identifiable by product line.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Raw Steel production at the Buffalo District plants declined 18.2 percent from 1974 to 1975 and then increased 14.9 percent from 1975 to 1976.

The two major products produced at the Buffalo District plants are carbon bars (77.2 percent of total shipments in 1976) and alloy bars (22.6 percent of total shipments in 1976). Insignificant amounts of hot rolled carbon and alloy strip are produced there.

Shipments of carbon bars declined 25.5 percent from 1974 to 1975 and then increased 3.8 percent from 1975 to 1976. Shipments declined in the first quarter of 1976 and then increased in each of the subsequent quarters of 1976 compared to the respective quarter in 1975.

Shipments of alloy bars declined 31.2 percent from 1974 to 1975 and then increased 50.4 percent from 1975 to 1976. Shipments increased in each quarter of 1976 compared to the respective quarter of 1975.

INCREASED IMPORTS

Imports of carbon hot and cold rolled steel bars declined absolutely and relative to domestic shipments and consumption in each year from 1972 through 1976. Imports declined 37.1 percent from 1974 to 1975 and declined 7.0 percent from 1975 to 1976. The ratios of imports to domestic shipments and consumption declined from 7.7 percent and 7.2 percent, respectively, in 1975 to 6.6 percent and 6.3 percent, respectively, in 1976.

Imports of alloy hot and cold rolled steel bars declined absolutely and relative to domestic shipments and consumption in each year from 1972 through 1974 and then increased from 1974 through 1976. Imports increased 67.8 percent from 1974 to 1975 and 9.0 percent from 1975 to 1976. The ratios of imports to domestic shipments and consumption increased from 3.1 percent and 3.0 percent, respectively, in 1975 to 3.3 percent and 3.3 percent, respectively, in 1976.

CONTRIBUTED IMPORTANTLY

Shipments of carbon and alloy steel bars at Republic Steel's Buffalo District plants have followed the trend in the industry from 1974 through 1976. Industry wide demand for these steel products is dependent upon demand from the automobile industry, orders from steel service centers, and demand from the machinery industry. Demand for alloy bars is also dependent upon demand from the tool manufacturing industry. Markets served by Republics Steel are predominantly the automobile industry, distributors (steel service centers) and the machinery and equipment industry. These three markets accounted for over 50 percent of Republic's total shipments in 1972 through 1976.

Shipments fell in 1975 due to decreased demand from the automobile industry as well as reduced orders from steel service centers. Steel service centers reduced orders as they attempted to readjust high inventory levels. Shipments increased in 1976 due to the recovery of, and increased demand from, the automobile industry.

Customers who purchased alloy bars from Republic's Buffalo District either decreased purchases of imports from 1974 to 1976 or did not start importing until 1976. The Buffalo District experienced increasing shipments of alloy bars in 1976.

Customers who purchased carbon bars from Republic's Buffalo District either did not purchase imports or purchased minor amounts of imports in 1974 and 1975 (while increasing purchases from Republic) and then stopped purchasing imports in 1976.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that imports of carbon steel bars have not increased and that sales or production of carbon and alloy steel bars at the Buffalo (New York) District plants of the Republic Steel Corporation, Cleveland, Ohio have not declined as required for certification under Section 222 of the Trade Act of 1974.

Signed at Washington, D.C., this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17383 Filed 6-16-77;8:45 am]

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[TA-W-1589]

## CHARLES DOBBS, LTD

### 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-1589: Investigation regarding certification of eligibility to apply for worker

adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on January 24, 1977 in response to a worker petition received on January 4, 1977 which was filed on behalf of workers and former workers producing men's sport shirts at Charles Dobbs, LTD, New York, New York.

The Notice of Investigation was published in the FEDERAL REGISTER on February 1, 1977 (42 FR 6017). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Charles Dobbs, LTD, its customers, the National Cotton Council of America, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation revealed that all four of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers employed by Charles Dobbs decreased 37 percent in January–November 1976 compared to the like period in 1975. The average number of salaried workers decreased 13 percent in January–November 1976 compared to the same period in 1975. Charles Dobbs went out of business in December 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Net dollar sales of men's sport shirts by Charles Dobbs decreased 42 percent from 1975 to 1976. All production operations were terminated on December 3, 1976.

INCREASED IMPORTS

Imports of men's and boys' woven sport shirts decreased yearly from 63.3 million shirts in 1971 to 41.6 million shirts in 1973 and increased annually to 79.8 million shirts in 1976. The ratio of imports to domestic production declined yearly from 42.0 percent in 1971 to 27.5 percent in 1973 and rose yearly to 41.0 percent in 1975.

Imports of men's and boys' knit sport and dress shirts, excluding T-shirts, increased annually from 41.7 million shirts in 1971 to 78.8 million shirts in 1973, declined to 54.9 million shirts in 1974, and then increased annually to 74.0 million shirts in 1976. The ratio of imports to domestic production rose yearly from 21.8 percent in 1971 to 25.6 percent in 1973, decreased to 17.8 percent in 1974, and rose to 20.9 percent in 1975.

CONTRIBUTED IMPORTANTLY

Customers stated that their purchases of men's sport shirts from Charles Dobbs had declined from 1975 to 1976. Printed sport shirts worn with leisure suits was a popular fashion in 1975. In 1976, however, leisure suits and printed sport shirts went out of style and knit shirts and sweaters came into fashion. Customers indicated that they purchased imports of sport shirts and of knit shirts in 1975 and 1976. Charles Dobbs closed its production facilities and went out of business on December 3, 1976.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with the men's sport shirts produced at Charles Dobbs, LTD, New York, New York contributed importantly to the total or partial separations of the workers at that firm. In accordance with the provisions of the Trade Act of 1974, I make the following certification:

All workers at Charles Dobbs, LTD, New York, New York who became totally or partially separated from employment on or after January 3, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17384 Filed 6-16-77;8:45 am]

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[TA-W-1486]

## CLEVELAND DISTRICT, REPUBLIC STEEL CORP.

### 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-1486: Investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on that date which was filed by the United Steelworkers of America on behalf of workers and former workers producing various steel products at the Cleveland District plants, Republic Steel Corporation, Cleveland, Ohio.

The notice of investigation was published in the FEDERAL REGISTER on January 11, 1977 (42 FR 2380). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Republic Steel Corporation, its customers, the U.S. Department of Commerce, the United Steelworkers of America, the American Iron and Steel Institute, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more importantly than any other causes.

The investigation has revealed that without regard to whether any of the other criteria have been met, criterion (2) has not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers in the Cleveland District declined 13.8 percent from 1974 to 1975 and increased 10.1 percent from 1975 to 1976. Workers are not separately identifiable by product line.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Raw steel production at the Cleveland District plants declined 13.3 percent from 1974 to 1975 and then increased 9.4 percent from 1975 to 1976.

Total shipments, in tons, declined 26.7 percent from 1974 to 1975 and then increased 13.1 percent from 1975 to 1976.

The three major products produced at the Cleveland District plants are carbon cold rolled sheet (41.1 percent of total shipments in 1976), carbon hot rolled sheet (27.6 percent of total shipments in 1976) and carbon bar (19.7 percent of total shipments in 1976). Eight other products are produced (electroplate, slabs, stainless, alloy hot rolled sheet, carbon plate, alloy bar, alloy plate and alloy cold rolled sheet), each of which constituted less than 5 percent of total shipments in 1975 and 1976.

Shipments of carbon cold rolled sheets declined 29.3 percent from 1974 to 1975 and then increased 39.9 percent from 1975 to 1976.

Shipments of carbon hot rolled sheet declined 19.4 percent from 1974 to 1975 and then increased 17.1 percent from 1975 to 1976.

Shipments of carbon bars declined 17.0 percent from 1974 to 1975 and then increased 7.5 percent from 1975 to 1976.

Total shipments of carbon cold and hot rolled sheet and carbon bar increased in each quarter of 1976 compared to the respective quarter of 1975.

INCREASED IMPORTS

Imports of carbon cold rolled sheet declined absolutely in each year from 1972 through 1975. Imports declined 18.9 percent from 1974 to 1975 and then increased 13.7 percent from 1975 to 1976. Imports declined relative to domestic shipments and consumption from 1972 to 1973 and increased from 1973 through 1975. The ratios of imports to domestic shipments and consumption declined from 16.5 percent and 14.2 percent, respectively, in 1975 to 13.2 percent and 11.7 percent, respectively, in 1976.

Imports of carbon hot rolled sheet declined absolutely in each year from 1972 through 1975. Imports declined 14.5 percent from 1974 to 1975 and then increased 8.4 percent from 1975 to 1976. Imports declined relative to domestic shipments and consumption from 1972 to 1973 and increased from 1973 through 1975. The ratios of imports to domestic shipments and consumption declined from 14.0 percent and 12.4 percent, respectively, in 1975 to 11.3 percent and 10.2 percent, respectively, in 1976.

Imports of carbon hot and cold rolled steel bars declined absolutely and relative to domestic shipments and consumption in each year from 1972 through 1976. Imports declined 37.1 percent from 1974 to 1975 and declined 7.0 percent from 1975 to 1976. The ratios of imports to domestic shipments and consumption declined from 7.7 percent and 7.2 percent, respectively, in 1975 to 6.6 percent and 6.3 percent, respectively, in 1976.

CONTRIBUTED IMPORTANTLY

Shipments of carbon steel sheets and carbon steel bars at Republic Steel's Cleveland District plants have followed the trend in the industry from 1974 through 1976. Industry wide demand for these steel products is dependent upon demand from the automobile industry and orders from the steel service centers. Demand for carbon steel bars is also dependent upon demand from the machine industry. Markets served by Republic Steel are predominantly the automobile industry, distributors (steel service centers) and the machinery and equipment industry. These three markets accounted for over 50 percent of Republic's total shipments in 1972 through 1976.

Shipments fell in 1975 due to decreased demand from the automobile industry as well as reduced orders from steel service centers. Steel service centers reduced orders as they attempted to readjust high inventory levels. Shipments increased in 1976 due to the recovery of, and increased demand from, the automobile industry.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that sales or production have not declined at the Cleveland District plants of Republic Steel Corporation, Cleveland, Ohio as required for certification under Section 222 of the Trade Act of 1974.

Signed at Washington, D.C., this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17385 Filed 6-16-77;8:45 am]

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[TA-W-1815]

## COASTAL ICE AND FUEL, 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-1815: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 21, 1977 in response to a worker petition received on March 15, 1977 which was filed on behalf of workers and former workers of Coastal Ice and Fuel, Inc., Brownsville, Texas.

The notice of investigation was published in the FEDERAL REGISTER on April 5, 1977 (42 FR 15158). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Coastal Ice and Fuel, Inc., 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important, but not necessarily more important than any other cause.

If any of the above criteria is not satisfied, a negative determination must be made.

Coastal Ice and Fuel, Inc. unloads and services shrimp boats. Servicing operations consist primarily of unloading shrimp, supplying ice, fuel and other supplies and repairing the vessels as required. None of the employees of Coastal Ice and Fuel, Inc. are engaged in the catching of shrimp.

Coastal Ice and Fuel, Inc. does not produce an article within the meaning of Section 222(3) of the Act and this Department has already determined that the performance of services are not covered by the adjustment assistance program; see Notice of Determination in Pan American World Airways, Incorporated (TA-W-153, 40 FR 54639). Coastal Ice and Fuel, Inc. performed a service, the unloading and servicing of shrimp boats.

CONCLUSION

After careful review of the issues, I have determined that services of the kind provided by Coastal Ice and Fuel, Inc., Brownsville, Texas are not "articles" within the meaning of Section 222 (3) of the Trade Act of 1974. The petition for trade adjustment assistance is, therefore, denied.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17386 Filed 6-16-77;8:45 am]

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[TA-W-1427]

## CONNORS STEEL 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-1427: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on December 15, 1976 which was filed by the United Steelworkers of America on behalf of workers and former workers producing steel at the Huntington, West Virginia plant of the Connors Steel Company, a subsidiary of H. K. Porter Company, Inc.

The notice of investigation was published in the FEDERAL REGISTER on January 4, 1977 (42 FR 882). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of H. K. Porter Company, Inc., its customers, the American Iron and Steel Institute, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation revealed that criteria one, two and four have not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average employment of production workers at the Huntington plant of Connors Steel declined 12.8 percent in 1975 compared to 1974 and then increased 3.1 percent in 1976 compared to 1975. There have been no layoffs due to lack of work at the Huntington plant since November, 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Total production at the Huntington plant declined in quantity 41.2 percent in 1975 compared to 1974 and then increased 18.7 percent in 1976 compared to 1975. Sales of bar-size light shapes and heavy structural shapes, the major products manufactured at Huntington, increased in quantity 39.6 percent in 1976 compared to 1975 after declining in 1975 compared to 1974. Sales of bar-size light shapes and heavy structural shapes increased in six consecutive quarters from the third quarter of 1975 through the fourth quarter of 1976.

INCREASED IMPORTS

Imports of bar-size light shapes, one of the principal products manufactured at the Huntington plant, decreased from 562.7 thousand tons in 1972 to 167.2 thousand tons in 1975 and to 164.3 thousand tons in 1976. The ratio of imports to domestic shipments of bar-size light shapes declined from 75.1 percent in 1972 to 22.7 percent in 1975 and to 19.5 percent in 1976.

Imports of carbon steel structural shapes decreased from 1,614.0 thousand tons in 1972 to 804.9 thousand tons in 1975 and then rose to 1,351.4 thousand tons in 1976. The ratio of imports to domestic shipments of carbon structural shapes declined from 34.1 percent in 1972 to 19.5 percent in 1975 and then increased to 40.0 percent in 1976.

Imports of steel rails increased from 42.3 thousand tons in 1972 to 96.2 thousand tons in 1975 and then fell to 71.8 thousand tons in 1976. The ratio of imports to domestic shipments of steel rails was 4.4 percent in 1972 and 1973, increased to 5.4 percent in 1974, to 7.7 percent in 1975 and then declined to 5.4 percent in 1976.

Imports of mine roof bolts increased from 1,228 thousand pounds in 1972 to 4,952 thousand pounds in 1974, declined to 2,082 thousand pounds in 1975 and then increased to 2,092 thousand pounds in 1976. The ratio of imports to domestic production increased from 0.27 percent in 1972 to 0.92 percent in 1974 and then declined to 0.42 percent in 1975 and to 0.41 percent in 1976.

Imports of joint bars and tie plates increased from 7.1 thousand tons in 1972 to 8.8 thousand tons in 1973, declined to 5.0 thousand tons in 1974, to 3.2 thousand tons in 1975 and then increased to 9.7 thousand tons in 1976. The ratio of imports to domestic shipments increased from 3.3 percent in 1972 to 3.7 percent in 1973, declined to 1.7 percent in 1974, to 1.3 percent in 1975 and then increased to 3.6 percent in 1976.

CONTRIBUTED IMPORTANTLY

The Department's investigation revealed that most of the major customers contacted do not purchase imported steel products similar to those purchased from Connors and had increased purchases from Conners in 1976.

Two customers purchase small amounts of imported steel not readily available from domestic sources. One of these customers has increased purchases of structural shapes from Connors in recent years and only imports when Connors cannot supply all of its domestic requirements. The other customer proportionally reduced purchases from Connors and its foreign source in 1975 and 1976 due to decreased demand for structural shapes.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with the steel products manufactured at the Huntington, West Virginia plant of Connors Steel Company, a subsidiary of H. K. Porter Company, Inc., did not contribute importantly to the total or partial separations of the workers producing such articles at that plant.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17387 Filed 6-16-77;8:45 am]

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[TA-W-1412]

## EDGEWATER STEEL CORP.

### 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-1412: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 14, 1976 in response to a worker petition received on December 14, 1976 which was filed by the United Steelworkers of America on behalf of workers and former workers producing forged railroad wheels and rings (or bearing races) at the Edgewater Steel Corporation, Oakmont, Pennsylvania.

The Notice of Investigation was published in the FEDERAL REGISTER on January 4, 1977 (42 FR 877). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from Edgewater Steel Corporation, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any other criteria have been met, criterion (3) has not been met for workers engaged in the production of wheels, and criterion (4) has not been met for workers engaged in the production of rings.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Plant employment decreased 9 percent in 1975 compared to 1974 and declined 10 percent in 1976 compared to 1975. All employees work interchangeably between the two major product lines at the Oakmont plant.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Railroad wheel sales, in quantity, declined 6 percent in 1975 compared to 1974 and declined 18 percent in 1976 compared to 1975.

Ring (or bearing race) sales, in quantity, decreased one percent in 1975 compared to 1974 and declined 6 percent in 1976 compared to 1975.

Production data were not made available.

INCREASED IMPORTS

Imports of wheels and axles for railway applications increased each year between 1972 and 1975, from 24,391 net tons in 1972 to 74,955 net tons in 1975. Imports decreased to 32,197 net tons in 1976 compared to 1975, a 57 percent decrease.

The ratio of imports to domestic production of steel wheels and axles for railway applications decreased from 7.1 percent in 1972 to 6.7 percent in 1973. The ratio increased to 14.2 percent in 1974 and to 19.9 percent in 1975. The import to production ratio dropped in 1976 to 10.6 percent.

Imports of rings (inner and outer races for anti-friction bearings) increased from 270.6 million in 1972 to 323.3 million in 1973 and then declined to 207.5 million in 1974 and 202.3 million in 1975. Imports increased to 233.6 million in 1976.

The ratio of imports of rings to domestic production increased from 13.7 percent in 1972 to 14.5 percent in 1973 and then decreased to 9.5 percent in 1974. The ratio increased to 10.9 percent in 1975 and remained at that same percentage for 1976. The import to production ratio was lower in 1976 than the 1972–1976 average ratio which was 11.7 percent.

CONTRIBUTED IMPORTANTLY

Edgewater's ring customers have not been switching to imports. Customers indicated that purchases of rings were primarily from domestic manufacturers. Edgewater officials stated that there were no imports of products competitive with the rings they produce.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with forged rings produced at Edgewater Steel Corporation, Oakmont, Pa. have not contributed importantly to the total or partial separations of workers at that plant.

It is further concluded that imports of articles like or directly competitive with the wheels produced at the Oakmont, Pa. plant of Edgewater Steel Corporation have not increased, either absolutely or relative to domestic production, as required for certification in Section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17388 Filed 6-16-77;8:45 am]

[TA-W-1718]

## FABIEN CORP.

### 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-1718: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 3, 1977 in response to a worker petition received on February 22, 1977 which was filed by the Machine Printers and Engravers Union on behalf of workers and former workers producing printed textiles at Fabien Corporation, Lodi, New Jersey.

The notice of investigation was published in the FEDERAL REGISTER on March 15, 1977 (42 FR 14185). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Fabien Corporation, 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, production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers declined 7.2 percent in 1975 compared to 1974, 24.0 percent in 1976 compared to 1975, and 44.8 percent in the first quarter of 1977 compared to the same period in 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales and production declined 11.7 percent in quantity in 1975 compared to 1974, 36.8 percent in 1976 compared to 1975, and 55.5 percent in the first two months of 1977 compared to the same period in 1976.

INCREASED IMPORTS

Imports of cotton broadwoven printcloth declined both absolutely and relative to domestic production and consumption in 1975 from 1974, and then increased from 85.5 million square yards in 1975 to 133.1 million square yards in 1976, an increase of 56 percent. The ratio of imports to domestic production and consumption increased from 13.5 percent and 12.9 percent, respectively, in 1975 to 20.6 percent and 19.8 percent, respectively, in 1976.

Imports of man-made woven printed fabric increased from 11.9 million square yards in 1975 to 14.7 million square yards in 1976, an increase of 24 percent. The import/production and import/consumption ratios increased from 0.55 percent and 0.56 percent, respectively, in 1975 to 0.69 percent and 0.70 percent, respectively, in 1976.

CONTRIBUTED IMPORTANTLY

Customers of Fabien are primarily converters who buy greige goods and commission Fabien to finish the fabric, by printing it, in accordance with apparel manufacturers' specifications. During the course of the investigation, it was established that converters, in general, do not import printed or finished fabric. One of Fabien's customers, however, who is a converter, was found to purchase imported cotton printed fabric.

The Department's survey of apparel manufacturers who are customers of converters revealed that manufacturers are importing printed or finished fabric for use in the production of men's and women's wearing apparel. The converters reported a growing trend toward the bypassing of converters and the purchasing of finished fabric from foreign sources.

CONCLUSION

After a careful review of the facts obtained in the ivestigation, I conclude that increases of imports of articles like or directly competitive with printed textiles produced at Fabien Corporation contributed importantly to the total or partial separation of the workers of that firm. In accordance with the provisions of the Trade Act of 1974, I make the following certification:

All workers at Fabien Corporation, Lodi, New Jersey who became totally or partially separated from employment on or after May 28, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17389 Filed 6-16-77;8:45 am]

[TA-W-1638]

## GENERAL ELECTRIC COMPANY, SYRACUSE, NEW YORK

### Notice of 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-1638: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on February 8, 1977 in response to a worker petition received on January 21, 1977 which was filed by the International Union of Electrical, Radio and Machine Workers on behalf of workers and former workers producing vidicon tubes in the Imaging Devices Operation at the Electronics Park complex of the General Electric Company, New York, New York.

The Notice of Investigation was published in the FEDERAL REGISTER on March 4, 1977 (42 FR 12495). No public hearing was requested and none was held.

The Notice of Investigation identified the product manufactured by the petitioning workers as special pickup tubes and light valve tubes and the plant as being located in Liverpool, New York. Subsequent investigation revealed that workers in the Imaging Devices Operation did not produce light valve tubes and produced a wide variety of pick-up tubes known as vidicon tubes. The plant is located in the Electronics Park complex of General Electric in Syracuse, New York.

The information upon which the determination was made was obtained principally from officials of the General Electric Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission 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 the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that criteria (3) and (4) have not been met.

### SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average hourly employment in the Imaging Devices Operation increased 4.7 percent from 1974 to 1975, declined 17.1 percent from 1975 to 1976, and declined 26.3 percent in the first quarter of 1977 compared to the same period in 1976.

### SALES OR PRODUCTION, OR BOTH, HAVE DECLINED ABSOLUTELY

The value of total sales of vidicon tubes by the Imaging Devices Operation increased 20.0 percent from 1974 to 1975, declined 13.9 percent from 1975 to 1976 and declined 39.4 percent in the first quarter of 1977 compared to the same period in 1976.

Total sales of vidicon tubes by quantity increased 6.7 percent from 1974 to 1975, declined 31.7 percent from 1975 to 1976 and declined 19.9 percent in the first quarter of 1977 compared to the same period in 1976.

### INCREASED IMPORTS

Imports of light sensing electronic devices, which include imports of vidicon tubes, declined absolutely from 335.6 thousand units in 1973 to 96.8 thousand units in 1974, increased to 267.7 thousand units in 1975 and then declined to 223.3 thousand units in 1976, a decline of 16.6 percent from 1975.

The ratio of imports to domestic production declined from 65.4 percent in 1973 to 19.0 percent in 1974, increased to 48.1 percent in 1975 and declined to 39.7 percent in 1976.

### CONTRIBUTED IMPORTANTLY

General Electrics Imaging Devices Operation (IDO) sells vidicon tubes for three general markets, supplying U.S. Government contractors, GE's own in-house production operations, and other domestic users.

Since 1974, approximately 50 percent of all vidicon tubes produced in IDO were sold to one customer. That customer, which used the vidicon tube in a missile manufactured for the U.S. government, purchases all of the vidicon tubes used in that missile from IDO. The customer has reduced its purchases of vidicon tubes from IDO by approximately 70 percent since 1975 as the U.S. government has phased out production of the missile for which the tubes were produced.

The Imaging Devices Operation also produces vidicon tubes for a variety of commercial closed circuit television cameras sold by General Electric and by independent manufacturers.

Customers purchasing vidicon tubes for commercial closed circuit television cameras either did not purchase ported vidicon tubes or had decreased their purchases from the Imaging Devices Operation in order to purchase vidicon tubes from other domestic suppliers.

All of the commercial closed circuit television cameras sold by General Electric are manufactured in the Imaging Systems Operation (ISO) which is also located in the Electronics Park complex. Prior to the second half of 1975, the Imaging Devices Operation (IDO) supplied all of the vidicon tubes used in the commercial closed circuit television cameras manufactured by ISO. During the period under investigation, production of vidicon tubes for ISO constituted approximately 5 percent of total vidicon tube production in IDO. In the second half of 1975, the Imaging Systems Operation introduced a new commercial closed circuit television camera using an imported vidicon tube. A similar tube had never been manufactured by the Imaging Devices Operation and the introduction of the new camera did not affect IDO's production of vidicon tubes for the Imaging Systems Operation. Production of vidicon tubes for the Imaging Systems Operation increased 17.1 percent from 1975 to 1976 and was unchanged in the first quarter of 1977 compared to the same period in 1976.

### CONCLUSION

After a careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with vidicon tubes manufactured in the Imaging Devices Operation at the Electronics Park complex of General Electric Company, Syracuse, New York did not contribute importantly to the total or partial separation of the workers at that operation.

Signed at Washington, D.C. this 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17390 Filed 6-16-77;8:45 am]

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[TA-W-1558]

## GLASS DIMENSIONS, INCORPORATED MAGNOLIA, MASSACHUSETTS

### 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-1558: investigation regarding certification of eligibility to apply for adjustment assistance as perscribed in Section 222 of the Act.

The investigation was initiated on January 10, 1977, in response to a worker petition received on that date which was filed on behalf of workers and former workers producing blown glass planters at Glass Dimensions, Inc., Magnolia, Massachusetts.

The Notice of Investigation was published in the FEDERAL REGISTER of January 28, 1977 (42 FR 5451). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Glass Dimensions, Inc., its customers, the U.S. Department of Commerce, the U.S. Inter-

national 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 the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities; either actual or relative to domestic production; and

(4) That such increased imports has contributed importantly to the separations or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment at Glass Dimensions declined 14 percent, 17 percent, 50 percent, and 40 percent in the four quarters of 1976, compared to employment in the previous quarter. Layoffs began occurring in the second half of 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales by Glass Dimensions declined 29 percent, 76 percent, and 36 percent in the second, third, and fourth quarters of 1976, compared to sales in the prior quarter.

Production declined 15 percent and 60 percent in the second and third quarters of 1976 compared to production in the previous quarter. All production of blown glass plant rooters was terminated in September 1976.

INCREASED IMPORTS

Imports of ceramic, glass, and plastic flower pots and planters, including blown glass planters such as those produced by Glass Dimensions, increased in each year from 1973 to 1976. Imports increased from $41.5 million in 1972 to $51.6 million in 1973, $60.4 million in 1974, $66.4 million in 1975, and $67.9 million in 1976.

CONTRIBUTED IMPORTANTLY

Customers of Glass Dimensions indicated that the blown glass planters produced and sold by Glass Dimensions were the first items of their kind on the market. After purchasing from Glass Dimensions during mid-1976 the customers discovered that they could purchase imported blown glass planters at prices below those of Glass Dimensions. Customers cancelled or reduced orders from Glass Dimensions and increased purchases of imports. Reduced orders resulted in increased inventories at Glass Dimensions and a termination of production in September 1976.

CONCLUSION

After careful review of the facts obtained in the investigation I conclude that increases of imports of articles like or directly competitive with blown glass planters produced at Glass Dimensions, Inc. contributed importantly to the total or partial separation of the workers of that firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Glass Dimensions, Inc., Magnolia, Massachusetts, who became totally or partially separated from employment on or after June 30, 1976, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17391 Filed 6-16-77;8:45 am]

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[TA-W-1674]

## KENBAR INDUSTRIES SOMERVILLE, NEW JERSEY

### 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-1674: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on February 22, 1977 in response to a worker petition received on February 15, 1977 which was filed on behalf of workers and former workers producing electronic testing equipment at Kenbar Industries, Somerville, New Jersey.

The notice of investigation was published in the FEDERAL REGISTER on March 8, 1977 (42 FR 13088). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Kenbar Industries, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all of the criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

All employees of Kenbar Industries were laid off during the third quarter of 1976. Since that time, there have been no employees on the active payroll.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales declined 14.6 percent in 1975 compared to 1974. Sales declined 20.5 percent from 1975 to 1976. Production was terminated in the third quarter of 1976.

INCREASED IMPORTS

Imports of electronic testing equipment increased in each year from 1972 through 1976. Imports increased from $88 million in 1972 to $179 million in 1976. Imports increased relative to domestic production from 10.6 percent in 1972 to 11.2 percent in 1975 and 12.2 percent in 1976.

CONTRIBUTED IMPORTANTLY

A major customer of Kenbar, accounting for 65-70 percent of Kenbar's sales prior to mid-1975, reduced purchases and ultimately cancelled all orders with Kenbar in 1975 while substantially increasing purchases of imported electronic testing equipment. Purchases of imported test equipment by that firm relative to total purchases increased from 34 percent in 1973 to 39 percent in 1974 and 53 percent in 1975.

Following the loss of its major customer, Kenbar secured a production contract with another firm. That firm cancelled its contract after concluding that Kenbar's product could not compete successfully against a foreign product already on the market. Thus, Kenbar lost orders directly as a result of competition from imports, and indirectly in its inability to solicit new contracts in competition with imports.

CONCLUSION

After careful review of the facts obtained in the investifation, I conclude that increases of imports like or directly competitive with electronic testing equipment produced at Kenbar Industries, Somerville, New Jersey contributed importantly to the total or partial separation of the workers of that firm. In accordance with the provisions of the Act, I make the following certification:

All workers at Kenbar Industries, Somerville, New Jersey who became totally or partially separated from employment on or after July 16, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of Trade Act of 1974.

Signed at Washington, D.C., this 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17392 Filed 6-16-77;8:45 am]

[TA-W-1315]

## KENOSHA METAL PRODUCTS, INCORPORATED

## KENOSHA, WISCONSIN

### Notice of 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-1315: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on November 30, 1976 in response to a worker petition received on that date which was filed on behalf of workers and former workers engaged in employment related to the production of capped bumper bolts and stampings for automobiles at Kenosha Metal Products, Inc., Kenosha, Wisconsin.

The notice of investigation was published in the FEDERAL REGISTER on December 14, 1976 (41 FR 54560). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Kenosha Metal Products, Inc., its customers, the U.S. International Trade Commission, the U.S. Department of Commerce, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that criteria (2) and (4) have not been met with respect to capped bumper bolts; and criteria (3) and (4) have not been met with respect to stampings for automobiles.

### SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average employment of production workers at Kenosha Metal Products, Inc. remained constant from 1974 to 1975 and decreased 17 percent from 1975 to 1976.

Average weekly hours worked by production workers at Kenosha Metal Products, Inc. decreased 1 percent from 1974 to 1975 and remained constant from 1975 to 1976.

### SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales of capped bumper bolts by Kenosha Metal Products, Inc. in terms of quantity decreased 31 percent in value from 1974 to 1975 and increased 26 percent from 1975 to 1976.

Sales of stampings by Kenosha Metal Products, Inc. increased 5 percent in terms of quantity from 1974 to 1975 and decreased 40 percent from 1975 to 1976.

Production of capped bumper bolts by Kenosha Metal Products, Inc. decreased 31 percent in quantity from 1974 to 1975 and increased 26 percent from 1975 to 1976. Production of stampings by Kenosha Metal Products, Inc. increased 5 percent in quantity from 1974 to 1975 and decreased 34 percent from 1975 to 1976.

### INCREASED IMPORTS

Imports of stampings are contained within a basket category (TSUSA number 629.2770 parts not otherwise specified of motor vehicles). This basket category includes hundreds of items and there is no reliable estimate of the portion of this category stampings represent. OTAA survey data indicated there are no imports of small stampings competitive with those produced by Kenosha Metal Products, Inc.

Imports of capped bumper bolts are contained within a basket category (TSUSA number 629.2770 parts not otherwise specified of motor vehicles). This basket category includes hundreds of items and there is no reliable estimate of the portion of this category capped bumper bolts represent. OTAA survey data indicated imports of capped bumper bolts decreased in quantity from 1974 to 1975, then increased 14 percent from 1975 to 1976. The ratio of imports to domestic production increased from 14.4 percent in 1975 to 15.4 percent in 1976.

### CONTRIBUTED IMPORTANTLY

Customers of stampings surveyed indicated that they had not switched their purchases from stampings produced at Kenosha Metal Products, Inc. to imported stampings.

Customers of capped bumper bolts indicated that they had not switched their purchases from capped bumper bolts produced at Kenosha Metal Products, Inc. to imported capped bumper bolts.

### CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with capped bumper bolts and stampings for automobiles produced at Kenosha Metal Products, Inc., Kenosha, Wisconsin did not contribute importantly to the total or partial separations of the workers at that plant. Therefore, workers at Kenosha Metal Products, Inc., Kenosha, Wisconsin are not eligible to apply for trade adjustment assistance.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17393 Filed 6-16-77;8:45 am]

[TA-W-1461]

## LACLEDE STEEL COMPANY, ALTON, ILLINOIS

### Notice of 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-1461: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 20, 1976 in response to a worker petition received on that date which was filed on behalf of the workers and former workers producing hot rolled carbon steel sheet and strip, carbon steel pipe, and carbon steel wire at Laclede Steel Company's Alton, Illinois plant.

The notice of investigation was published in the FEDERAL REGISTER (42 FR 1536) on January 7, 1977. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Laclede Steel Company, its customers, the U.S. International Trade Commission, the U.S. Department of Commerce, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The Department's investigation revealed that the fourth criterion has not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average employment of production workers at the Alton, Illinois plant of the Laclede Steel Company decreased 8.0 percent from 1974 to 1975 and then increased 0.8 percent from 1975 to 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales and production of hot rolled carbon steel sheet and strip at the Alton, Illinois plant decreased 17.3 percent in quantity from 1974 to 1975 and then increased 4.0 percent from 1975 to 1976.

Sales of carbon steel pipe decreased 11.2 percent in quantity from 1974 to 1975 and then increased 11.3 percent from 1975 to 1976. Carbon steel pipe production increased 2.1 percent in quantity from 1974 to 1975 and increased 12.0 percent from 1975 to 1976.

Sales of carbon steel wire decreased 18.5 percent in quantity from 1974 to 1975 and then increased 20.8 percent from 1975 to 1976. Carbon steel wire production fell 20.8 percent in quantity from 1974 to 1975 and then increased 21.7 percent from 1975 to 1976.

INCREASED IMPORTS

Imports of hot rolled carbon steel sheet decreased in every year from 1972 to 1975, declining 32.4 pecent during the period. Imports subsequently increased 8.4 percent from 1975 to 1976. The imports to domestic shipments ratio for hot rolled sheet decreased from 16.3 percent in 1972 to 11.0 percent in 1973, rose to 11.7 percent in 1974 and 14.0 percent in 1975, and then fell to 11.3 percent in 1976.

Imports of hot rolled carbon steel strip decreased 21.0 percent from 1972 to 1973, increased 2.3 percent from 1973 to 1974, decreased 50.0 percent from 1974 to 1975, and then rose 32.0 percent from 1975 to 1976. The imports to domestic shipments ratio for hot rolled strip varied from 2.0 percent to 3.0 percent each year during 1972–1976.

Imports of carbon steel pipe and tubing decreased 10.9 percent from 1972 to 1973, increased 13.1 percent from 1973 to 1974, decreased 13.4 percent from 1974 to 1975, and then increased 18.0 percent from 1975 to 1976. The imports to domestic shipments ratio for carbon steel pipe and tubing decreased from 28.6 percent in 1972 to 20.3 percent in 1973 and then rose steadily to 35.8 percent in 1976.

Imports of carbon steel wire decreased 15.9 percent from 1972 to 1973, increased 27.8 percent from 1973 to 1974, fell 36.9 percent from 1974 to 1975, and then increased 6.4 percent from 1975 to 1976. The imports to domestic shipments ratio declined from 23.3 percent in 1972 to 17.5 percent in 1973, increased to 22.6 percent in 1974, and then fell to 22.0 percent in 1975 and to 19.9 percent in 1976.

CONTRIBUTED IMPORTANTLY

The Department's investigation revealed that the majority of the largest customers of Laclede Steel Company's Alton, Illinois plant do not purchase imported steel products. Those customers that do purchase imports have been increasing their purchases from Laclede. Customers who reduced purchases from Laclede did so because of changes in product specifications which could only be met by other domestic suppliers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with hot rolled carbon steel sheet and strip, carbon steel pipe, and carbon steel wire produced at the Olton, Illinois plant of Laclede Steel Company did not contribute importantly to the total or partial separations of workers producing such articles at that plant.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17394 Filed 6-16-77;8:45 am]

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[TA-W-1668]

## LITTLE FALLS FOOTWEAR, INC. ST. JOHNSVILLE, NEW YORK

### 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-1668: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on February 22, 1977 in response to a worker petition received on February 11, 1977 which was filed by three workers on behalf of workers and former workers producing slippers and women's casual summer shoes at the St. Johnsville, New York plant of Little Falls Footwear, Inc.

The notice of investigation was published in the FEDERAL REGISTER on March 8, 1977 (42 FR 13088). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from information and publications provided by officials of Little Falls Footwear, Inc. and 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average weekly employment of production workers at Little Falls Footwear decreased 1.6 percent in 1975 compared with 1974, decreased 14.5 percent in 1976 compared with 1975 and decreased 21.2 percent in the first quarter of 1977 compared with the first quarter of 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales of slippers and women's casual summer shoes in terms of quantity decreased 12.1 percent in 1975 compared with 1974, decreased 12.8 percent in 1976 compared with 1975 and decreased 31.1 percent in the first two months of 1977 compared with the first two months of 1976.

Production of slippers and women's casual summer shoes in terms of quantity decreased 14.3 percent in 1975 compared with 1974, decreased 14.5 percent in 1976 compared with 1975 and decreased 36.0 percent in the first two months of 1977 compared with the first two months of 1976.

INCREASED IMPORTS

Imports of house slippers, in terms of quantity increased 32.4 percent in 1973 compared with 1972, increased 8.2 percent in 1974 compared with 1973, decreased 5.2 percent in 1975 compared with 1974 and increased 17.2 percent in 1976 compared with 1975. The ratios of imports to domestic production and consumption increased from 33.9 percent and 25.3 percent, respectively, in 1975 to 39.3 percent and 28.2 percent, respectively, in 1976.

Imports of women's and misses' nonrubber footwear, except athletic, with nonleather uppers in terms of quantity increased 14.3 percent in 1973 compared with 1972, decreased 15.2 percent in 1974 compared with 1973, decreased 1.9 percent in 1975 compared with 1974 and increased 4.7 percent in 1976 compared with 1975. The ratios of imports to domestic production and consumption decreased from 161.4 percent and 61.7 per-

cent, respectively, in 1975 to 153.7 percent and 60.6 percent, respectively, in 1976.

CONTRIBUTED IMPORTANTLY

Customers indicated that they increased purchases of imported slippers and shoes. Purchases of slippers and shoes from Little Falls Footwear declined during 1976 and the first two months of 1977. Although customers indicated that they preferred the quality of domestic slippers and shoes, those that do purchase imports did so because of the price differentials which exist between imported and domestic slippers and shoes.

CONCLUSION

After careful review of the facts obtained in the investigation, it is concluded that increases of imports like or directly competitive with slippers and women's casual summer shoes produced by the St. Johnsville, New York plant of Little Falls Footwear, Inc. contributed importantly to the total a partial separations of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All workers engaged in employment related to the production of slippers and women's casual summer shoes at the St. Johnsville, New York plant of Little Falls Footwear, Inc. who became totally or partially separated from employment on or after September 11, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17395 Filed 6-16-77;8:45 am]

[TA-W-1415]

## NORTHWEST STEEL ROLLING MILLS, INCORPORATED, SEATTLE, WASHINGTON

### 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-1415: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 14, 1976 in response to a worker petition received on December 14, 1976 which was filed by the United Steelworkers of America on behalf of workers and former workers producing concrete reinforcing bar and bar-size light shapes at Northwest Steel Rolling Mills, Incorporated, Seattle, Washington.

The notice of investigation was published in the FEDERAL REGISTER on January 4, 1977 (42 FR 892). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Northwest Steel Rolling Mills, 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four of the above criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average weekly employment of production workers declined 19.9 percent from 1975 to 1976.

Workers for reinforcing bar and bar-size light shapes are not separately identifiable. All workers are involved in the production of both product lines.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Total sales at the Seattle plant of Northwest Steel Rolling Mills declined in value 37.3 percent from 1974 to 1975 and further declined 9.0 percent from 1975 to 1976. The principal product produced at the plant is concrete reinforcing bar.

INCREASED IMPORTS

Imports of concrete reinforcing bars declined from 358.2 thousand net tons in 1972 to 286.4 thousand net tons in 1973. Imports increased to 477.5 thousand net tons in 1974, declined to 141.9 thousand net tons in 1975 and increased to 192.2 thousand net tons in 1976. The ratio of imports to domestic shipments declined from 8.0 percent in 1972 to 5.6 percent in 1973. The ratio increased to 9.5 percent in 1974, declined to 3.9 percent in 1975 and increased to 5.0 percent in 1976.

In the seven western states steel market principally served by the Seattle plant the ratio of imports of concrete reinforcing bars to domestic shipments increased from 8.4 percent in 1975 to 14.3 percent in 1976.

CONTRIBUTED IMPORTANTLY

The Department's investigation revealed that customers of Northwest Steel Rolling Mills have reduced purchases from Northwest Steel and increased purchases of imported concrete reinforcing bar. The price differential between domestic and imported reinforcing bar was the factor cited most frequently as the reason that customers switched from domestic to foreign suppliers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with concrete reinforcing bar produced by Northwest Steel Rolling Mills, Incorporated contributed importantly to the total or partial separation of workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All workers at Northwest Steel Rolling Mills, Incorporated in Seattle, Washington, including those at the electric furnace melt shop in Kent, Washington, who became totally or partially separated from employment on or after December 3, 1975 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17396 Filed 6-16-77;8:45 am]

[TA-W-1626]

## ROHM AND HAAS NORTH CAROLINA, INCORPORATED, FAYETTEVILLE, NORTH CAROLINA

### Notice of 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-1626: Investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on February 7, 1977 in response to a worker petition received on January 28, 1977 which was filed on behalf of workers and former workers producing partially oriented polyester yarn and textured polyester yarn at Rohm and Haas North Carolina Inc., Fayetteville, North Carolina, a subsidiary of Rohm and Haas, Inc., Philadelphia, Pennsylvania.

The Notice of Investigation was published in the FEDERAL REGISTER (42 FR 12500) on March 4, 1977. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Rohm and Haas North Carolina Inc., 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (4) has not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Average employment of partially oriented polyester yarn and textured polyester yarn production workers at Rohm and Haas North Carolina, Inc. increased 12 percent from 1974 to 1975, and then decreased 35 percent from 1975 to 1976.

Average employment of salaried workers at Rohm and Haas North Carolina, Inc. increased 8 percent from 1974 to 1975, then decreased 13 percent from 1975 to 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Company sales of partially oriented polyester yarn decreased in value 52 percent from 1974 to 1975, and 61 percent from 1975 to 1976.

Company sales of textured polyster yarn decreased in value 58 percent from 1974 and 1975, and 52 percent from 1975 to 1976.

Company production of partially oriented polyester yarn decreased in quantity 42 percent from 1974 to 1975, and 40 percent from 1975 to 1976.

Company production of textured polyester yarn increased in quantity 69 percent from 1974 to 1975, then decreased 42 percent from 1975 to 1976.

Production of partially oriented polyester yarn and polyester textured yarn at Rohm and Haas North Carolina, Inc. ceased in November 1976.

INCREASED IMPORTS

Imports of textured man-made yarn decreased both absolutely and relatively in every year compared to the previous year from 1972 through 1975. The ratio of imports to domestic production declined from 2.5 percent in 1974 to 2.0 percent in 1975. Imports decreased 2 percent absolutely from 1975 to 1976.

Imports of partially oriented yarn (POY) are infreqeunt and neligible representing no more than 1 percent of domestic shipments at any one time. In addition, imports of POY are not identifiable, being classified in different TSUSA basket categories depending upon the port of entry and date of classification.

Imports of spun non-cellulosic yarn increased from 10,126,000 pounds in 1972 to 14,089,000 pounds in 1973, decreased to 5,622,000 pounds in 1974 and 4,903,000 pounds in 1975 and then increased to 8,783,000 pounds in 1976.

Imports of spun cellulosic yarn decreased from 412,000 pounds in 1972 to 95,000 pounds in 1973, increased to 356,000 pounds in 1974, increased to 973,000 pounds in 1975 and then decreased to 490,000 pounds in 1976.

CONTRIBUTED IMPORTANTLY

The petition alleges that increased imports of cloth and articles of clothing have caused a decrease in the domestic production of fabric and yard, thus adversely affecting production and employment at Rohm and Haas North Carolina, Inc. Imported cloth and articles of clothing cannot be considered to be like or directly competitive with yarn. Imports of yarn must be considered in determining import injury to workers producing yarn.

Customers surveyed indicated that they had not switched their purchases from partially oriented polyester yarn and textured polyester yarn produced at Rohm and Haas North Carolina, Inc., Fayetteville, North Carolina to imported partially oriented polyester yarn and textured polyester yarn.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with partially oriented polyester yarn and textured polyester yarn produced at Rohm and Haas North Carolina Incorporated, Fayetteville, N.C. did not contribute importantly to the total or partial separation of the workers of that firm.

Signed at Washington, D.C., this 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17397 Filed 6-16-77;8:45 am]

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[TA-W-1830]

## SEA LIFE ICE AND FUEL, INC. BROWNSVILLE, TEXAS

### Notice of 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-1830: Investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on March 21, 1977 in response to a worker petition received on March 15, 1977 which was filed on behalf of workers and former workers of Sea Life Ice and Fuel, Inc., Brownsville, Texas.

The notice of investigation was published in the FEDERAL REGISTER on April 5, 1977 (42 FR 18158). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Sea Life Ice and Fuel, Inc. 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 porportion 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important, but not necessarily more important than any other cause.

If any of the above criteria is not satisfied, a negative determination must be made.

Sea Life Ice and Fuel, Inc. sells ice and fuel from its facility to shrimpboats. The facility consists of an ice plant, fuel storage tanks and one hundred feet of dockage. Sea Life Ice and Fuel, Inc. closed October 1, 1976 but is expected to reopen in June 1977 with the resumption of the shrimping season.

Sea Life Ice and Fuel, Inc. does not produce an article within the meaning of Section 222(3) of the Act and this Department has already determined that the performance of services are not covered by the adjustment assistance program; see Notice of Determination in Pan American World Airways, Incorporated (TA-W-153, 40 FR 54639). Sea Life Ice and Fuel, Inc. performed a service, the selling of ice and fuel.

CONCLUSION

After careful review of the issues, I have determined that services of the kind provided by Sea Life Ice and Fuel, Inc., Brownsville, Texas are not "articles" within the meaning of Section 222(3) of the Trade Act of 1974. The petition for trade adjustment assistance is, therefore, denied.

Signed at Washington, D.C., this 10th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17398 Filed 6-16-77;8:45 am]

[TA-W-1429, 1451, 1452]

## U.S. STEEL CORPORATION, FAIRFIELD WORKS, BIRMINGHAM, ALABAMA PLANT; BESSEMER, ALABAMA PLANT; FAIRFIELD, ALABAMA PLANT

### 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-1429, TA-W-1451, and TA-W-1452: Investigations regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigations were initiated on December 15, 1976 in response to worker petitions received on December 15, 1976 which were filed by the United Steelworkers of America on behalf of workers and former workers producing carbon steel plate, structural and wire products at the Bessemer, Birmingham, and Fairfield, Alabama plants of U.S. Steel Corporation.

Notices of Investigation were published in the FEDERAL REGISTER as follows: TA-W-1429 on January 4, 1977 (42 FR 903), TA-W-1451 on January 7, 1977-(42 FR 1542), and TA-W-1452 on January 7, 1977 (42 FR 1543). No public hearing was requested and none was held.

The information upon which the determinations were made was obtained principally from officials of U.S. Steel Corporation, 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 have 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 articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separation, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four criteria have been met.

#### TOTAL OR PARTIAL SEPARATIONS

Workers are not separately identifiable by individual plants. All workers are identifiable by product line for the entire Fairfield Works.

##### A. WIRE PRODUCTS

The average number of workers engaged in employment related to the production of wire products at the Fairfield Works decreased 58.4 percent in 1975 compared to 1974. Employment declined 3.0 percent in the first 11 months of 1976 compared to the like period in 1975. Employment decreased in the 4th quarter of 1975 and the 2nd quarter of 1976 compared to the same quarters one year earlier.

##### B. STRUCTURALS

The average number of workers engaged in employment related to the production of structurals at the Fairfield Works decreased 13.7 percent in 1975 compared to 1974. Employment decreased 46.7 percent in the first 11 months of 1976 compared to the like period in 1975. Employment declined in the 4th quarter of 1975 compared to the same quarter one year earlier.

##### C. PLATES

The average number of workers engaged in employment related to the production of plates decreased 3.0 percent in 1975 compared to 1974. Employment decreased 45.3 percent in the first 11 months of 1976 compared to the like period in 1975. Employment declined in the 4th quarter of 1975 compared to the same quarter one year earlier.

#### SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production data was not made available. Sales data is presented for the entire Fairfield Works by product line.

##### A. WIRE PRODUCTS

Sales of wire products by the Fairfield Works decreased 62.9 percent in quantity in 1975 compared to 1974. Sales increased 6.7 percent in quantity in the first 11 months of 1976 compared to the like period in 1975. Sales decreased 73.2 percent in quantity and 11.5 percent in quantity, respectively, in the 4th quarter of 1975 and the 1st quarter of 1976 compared to the same quarters one year earlier.

##### B. STRUCTURALS

Sales of structurals by the Fairfield Works decreased 22.8 percent in quantity in 1975 compared to 1974. Sales decreased 41.7 percent in quantity in the first 11 months of 1976 compared to the like period in 1975. Sales decreased in the 4th quarter of 1975 and in each of the first 3 quarters of 1976 when compared to the same quarters one year earlier.

##### C. PLATES

Sales of plates by the Fairfield Works decreased 13.7 percent in quantity in 1975 compared to 1974. Sales decreased 40.1 percent in the first 11 months of 1976 compared to the like period in 1975. Sales decreased in the 4th quarter of 1975 and in each of the first 3 quarters of 1976 when compared to the same quarters one year earlier.

#### INCREASED IMPORTS

##### A. WIRE PRODUCTS

Imports of carbon steel wire decreased from 515.3 thousand tons in 1972 to 433.2 thousand tons in 1973. In 1974, imports increased to 553.8 thousand tons, then declined to 349.6 thousand tons in 1975. In 1976, imports increased 6.3 percent to 371.8 thousand tons.

The ratio of imports to domestic shipments of carbon steel wire decreased from 23.3 percent in 1972 to 17.5 percent in 1973. In 1974, the ratio increased to 22.6 percent, then decreased to 22.0 percent in 1975. In 1976, the ratio decreased to 19.9 percent.

##### B. STRUCTURALS

Imports of carbon steel structural shapes decreased from 1.6 million tons in 1972 to 1.3 million tons in 1973. In 1974, imports decreased to 1.1 million tons and further decreased to .8 million tons in 1975. In 1976, imports increased 75 percent to 1.4 million tons.

The ratio of imports to domestic shipments of carbon steel structural shapes decreased from 34.1 percent in 1972 to 21.3 percent in 1973. The ratio declined to 19.7 percent in 1974 and further declined to 19.5 percent in 1975. In 1976, the ratio increased to 40.0 percent.

##### C. PLATE

Imports of carbon steel plate decreased from 1.7 million tons in 1972 to 1.3 million tons in 1973. Imports increased to 1.7 million tons in 1974, then decreased to 1.4 million tons in 1975. In 1976, imports increased 14.3 percent to 1.6 million tons.

The ratio of imports to domestic shipments of carbon steel plate decreased from 26.3 percent in 1972 to 16.4 percent in 1973. In 1974, the ratio increased to 18.8 percent and increased again in 1975 to 19.4 percent. The ratio continued to increase in 1976 to 27.7 percent.

#### CONTRIBUTED IMPORTANTLY

The Office of Trade Adjustment Assistance conducted a survey of customers of the Fairfield Works that purchased carbon steel structurals, plates and wire products. Customers for each of the three products indicated that they had reduced purchases from the Fairfield plant and switched to imports. The cheaper prices offered for the imported product were indicated as the reason for switching. Most of the customers responding to the survey questionnaire reported that there was import influence affecting the marketing of steel structurals, wire products and plate.

#### CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increased imports of articles like or directly competitive with carbon steel structurals, plates, and wire products produced at the Fairfield Works of U.S. Steel Corporation (Bessemer, Birmingham, and Fairfield, Alabama) contributed importantly to the total or partial separation of workers at the plants. In accordance with the provisions of the Act, I make the following certification:

All workers at the Bessemer, Alabama; Birmingham, Alabama; and Fairfield, Alabama plants of the U.S. Steel Corporation engaged in employment related to the pro-

duction of one of the following products: carbon steel structural, plate, or wire products, who became totally or partially separated from employment on or after November 15, 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 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17399 Filed 6-16-77;8:45 am]

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[TA-W-1444]

## UNITED STATES STEEL CORPORATION NATIONAL WORKS; MCKEESPORT, PENNSYLVANIA

### 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-1444: Investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on December 15, 1976 in response to a worker petition received on December 15, 1976 which was filed by the United Steelworkers of America on behalf of workers and former workers producing carbon steel pipe and tubing at the McKeesport, Pennsylvania plant of United States Steel Corporation.

The Notice of Investigation was published in the FEDERAL REGISTER on January 7, 1977 (42 FR 1540). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of United States Steel Corporation, 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 issues 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 the workers' firm, or an appropriate subdivision thereof, 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;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation revealed that all four criteria have been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers declined 24.6 percent in the first eleven months of 1976 compared to the same period in 1975. The average number of production workers declined in the fourth quarter of 1975 and in each of the first three quarters of 1976 compared to the same quarters one year earlier.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales of carbon steel pipe and tubing produced at the McKeesport plant declined 60.7 percent in quantity in the first nine months of 1976 compared to the same period in 1975.

Production of carbon steel pipe and tubing at the McKeesport plant declined 51.9 percent in quantity in the first nine months of 1976 compared to the same period in 1975. Production declined in the last quarter of 1975 and in each of the first three quarters of 1976 compared to the same quarters one year earlier.

INCREASED IMPORTS

U.S. imports of carbon steel pipe and tubing declined from 1.8 million short tons in 1972 to 1.6 million short tons in 1973. Imports increased to 1.8 million short tons in 1974, declined to 1.5 million short tons in 1975 and increased to 1.8 million short tons in 1976. The ratio of imports to domestic shipments of carbon steel pipe and tubing decreased from 28.6 percent in 1972 to 20.3 percent in 1973 before increasing to 21.5 percent in 1974, 22.8 percent in 1975, and 35.8 percent in 1976.

CONTRIBUTED IMPORTANTLY

Some customers of tubular products made at the McKeesport plant indicated that they reduced purchases from U.S. Steel and increased their reliance on imported pipe and tubing. Other customers indicated that they lost business to competitors that sold cheap imported tubular products and this caused them to reduce their purchases from the McKeesport plant.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with carbon steel pipe and tubing produced at the National Works of United States Steel Corporation contributed importantly to the total or partial separation of the workers at that plant. In accordance with the provisions of the Act, I make the following certification:

All workers engaged in employment related to the production of carbon steel pipe and tubing at the McKeesport, Pennsylvania plant of the National Works of United States Steel Corporation who became totally or partially separated from employment on or after November 15, 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 9th day of June 1977.

JAMES F. TAYLOR,
*Director, Office of Management, Administration and Planning.*

[FR Doc.77-17400 Filed 6-16-77;8:45 am]

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## Employment and Training Administration

## SUBCOMMITTEE ON EQUAL APPRENTICESHIP OPPORTUNITY; FEDERAL COMMITTEE ON APPRENTICESHIP

### Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of the Subcommittee on Equal Apprenticeship Opportunity to be held on June 27, 1977, at the Department of Labor Building, Room S-5215 (A-C), 200 Constitution Avenue NW., Washington, D.C. The meeting will be in session from 4 p.m. until 5 p.m. approximately.

The agenda for the meeting will include a discussion of civil rights issues, focusing on measures to improve opportunities for women in apprenticeship. Specifically, the Subcommittee will consider a regulatory approach, including the review of recommendations for goals and timetables and other avenues to expand opportunities for women.

Members of the public are invited to attend the proceedings. Any member of the public who wishes to file written data, views or arguments pertaining to the agenda may do so by furnishing it to the Executive Secretary at any time prior to the meeting. Thirty duplicate copies are needed for the members and for inclusion in the minutes of the meeting.

If time permits, members of the public may be permitted to address the Subcommittee on the above issues.

Any member of the public who wishes to speak at this meeting should so indicate in such a written statement; also the nature of intended presentation and the amount of time needed. The Chairman will announce at the beginning of the meeting the extent to which time will permit the granting of such requests.

Communications to the Executive Secretary should be addressed as follows:

Mrs. M. M. Winters, Bureau of Apprenticeship and Training, ETA, U.S. Department of Labor, 601 D St. NW. (Rm. 5434), Washington, D.C. 20213.

Signed at Washington, D.C., this 16th day of June 1977.

ERNEST G. GREEN,
*Assistant Secretary for Employment and Training Administration.*

[FR Doc.77-17587 Filed 6-16-77;10:47 am]

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## NATIONAL SCIENCE FOUNDATION

## ADVISORY COUNCIL, TASK GROUP NO. 4

### Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the

National Science Foundation announces the following meeting:

NAME: Task Group No. 4 of the NSF Advisory Council.

PLACE: Room 421, National Science Foundation, 1800 G Street, NW., Washington, D.C. 20550.

DATE AND TIME: July 7, 1977, 9 a.m.

TYPE OF MEETING: Open.

CONTACT PERSON:
Ms. Margaret Windus, Executive Secretary, NSF Advisory Council, National Science Foundation, Room 518, Washington, D.C. 20550, telephone 202–632–4384.

PURPOSE OF TASK GROUP: The purpose of the Task Group, composed of members of the NSF Advisory Council, is to provide the full Council with a mechanism to consider numerous issues of interest to the Council that have been assigned by the National Science Foundation.

SUMMARY MINUTES: May be obtained from the Committee Management Coordination Staff, Division of Personnel and Management, Room 248, National Science Foundation, Washington, D.C. 20550.

AGENDA: To assess the need for and potentail benefits from increased scientific cooperation between the U.S. and Western Europe countries. Suggest scientific areas, modes, and institutional mechanism best suited for such cooperation.

M. REBECCA WINKLER,
*Acting Committee Management Officer*

JUNE 14, 1977.

[FR Doc.77–17353 Filed 6–16–77;8:45 am]

## ADVISORY PANEL FOR OCEANOGRAPHY PROJECT SUPPORT

### Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92–463, the National Science Foundation announces the following meeting:

NAME: Advisory Panel for Oceanography Project Support.

DATE AND TIME: July 7 and 8, 1977, 9 am to 6 pm each day.

PLACE: Conference Center, W. Alton Jones Campus, University of Rhode Island, West Greenwich, Rhode Island.

TYPE OF MEETING: Closed.

CONTACT PERSON: Dr. Robert E. Wall, Head, Oceanography Section, Room 611, National Science Foundation, Washington, D.C. 20550, telephone 202–632–4227.

PURPOSE OF PANEL: To provide advice and recommendations concerning support for research in Oceanography.

AGENDA: Review and evaluation of research proposals and projects as part of the selection process for awards.

REASON FOR CLOSING: The proposals and projects being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

AUTHORITY TO CLOSE MEETING: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92–463. The Committee Management Officer was delegated the authority to make determinations by the Acting Director, NSF, on February 18, 1977.

M. REBECCA WINKLER,
*Acting Committee Management Officer.*

JUNE 14, 1977.

[FR Doc.77–17352 Filed 6–16–77;8:45 am]

## TASK GROUP 1 AND TASK GROUP 3

### Correction to Notices of Meeting of the NSF Advisory Council

Please make the following changes in the notice of meeting for Task Group 1 and Task Group 3 scheduled for June 20 and 21, 1977. Task Group 1 will meet in Room 543 instead of Room 511. Task Group 3 will meet as follows: June 20, Room 338, 1:30 to 5 p.m., June 21, Room 520B, 9 a.m. to 5 p.m.

These notices appeared in the FEDERAL REGISTER on June 1, 1977, page 28012, FR Doc. 15471 and 15472. For further information please contact Ms. Margaret Windus, Executive Secretary, 632–4384.

M. REBECCA WINKLER,
*Acting Committee Management Officer.*

JUNE 14, 1977.

[FR Doc.77–17354 Filed 6–16–77;8:45 am]

# NATIONAL TRANSPORTATION POLICY STUDY COMMISSION

## NATION'S TRANSPORTATION NEEDS

### Open Meeting

In accordance with Subsection 10(a) of the Federal Advisory Committee Act, Public Law 92–463, the National Transportation Policy Study Commission announces the following meeting:

Name: Meeting of the Commission.
Date: June 22, 23, and 24, 1977.
Time: 9 a.m. to 5 p.m.
Place: 2167 Rayburn House Office Bldg., Washington, D.C. 20515.
Type of meeting: Open.
Contact person: Beth Singley, National Transportation Policy Study Commission, 1750 K Street NW., Suite 800, Washington, D.C. 20006.

Purpose of the Commission: The National Transportation Policy Study Commission was established under Section 154 of the Federal-Aid Highway Act of 1976 (Pub. L. 94–280) to report findings and recommendations with respect to the Nation's transportation needs, both national and regional, through the year 2000.

Tentative agenda: Receipt of testimony from interested parties on identifying National transportation issues.

Dated: June 13, 1977.

EDWARD R. HAMBERGER,
*General Counsel.*

[FR Doc.77–17305 Filed 6–16–77;8:45 am]

# OFFICE OF MANAGEMENT AND BUDGET

## CLEARANCE OF REPORTS

### List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on June 13, 1977 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, 202–395–4529, or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Economic Research Service, Savanna, Illinois Port Feasability Study, single time, country elevators in 11 county areas, Gaylord Worden, 395–4730.

DEPARTMENT OF COMMERCE

Domestic and International Business Administration, Industrial Energy Conservation Questionnaire, DIB–2009P, single time, trade assoc. in energy using industry, C. Louis Kincannon, 395–3211.

REVISIONS

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration, "Biweekly Report of Progress of Construction and Engineering Services," REA–178, weekly, engineers of REA electric borrowers, Tracey Cole, 395–5870.

REVISIONS

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration: Bathythermograph Log, NOAA 77–22, other (see SF–83), academic institutes, Lowry, R. L., 395–3772.

Yellowfin Tuna/Fisheries Certificate of Origin, on occasion, fish import firms, Warren Topelius, 395–5872.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration, Architects and Engineers Qualifications, REA-179, on occasion, architects and engineers of REA Elec., Marsha Traynham, 395-4529.

DEPARTMENT OF COMMERCE

Domestic and International Business Administration, Shipments of Primary Nickel, DIB-920, monthly, supplies of nickel for U.S. consumption, C. Louis Kincannon, 395-3211.

PHILLIP D. LARSEN,
*Budget and Management Officer.*

[FR Doc.77-17482 Filed 6-16-77;8:45 am]

## OFFICE OF SCIENCE AND TECHNOLOGY GROUP

### EARTHQUAKE HAZARDS REDUCTION ADVISORY GROUP

#### Establishment

Pursuant to the Federal Advisory Committee Act (Public Law 92-463), it is hereby determined that the establishment of the Earthquake Hazards Reduction Advisory Group is necessary, appropriate, and in the public interest in connection with the performance of the duties imposed upon the Director, Office of Science and Technology Policy (OSTP) by the National Science and Technology Policy, Organization, and Priorities Act of 1976. This determination follows consultation with the Office of Management and Buget (OMB), pursuant to section 9(a)(2) of the Federal Advisory Committee Act and OMB Circular No. A-63, Revised.

1. *Name of Group.* Earthquake Hazards Reduction Advisory Group.

2. *Purpose.* The Office of Science and Technology Policy, together with other units in the Executive Office of the President, is commencing a review of activities and plans appropriate to the Federal, state, local governmental units and the private sector for the implementation of actions deriving from a comprehensive program of research in earthquake disaster mitigation. The initiation of this review follows earlier action by the President which led to the development of an accelerated program of research into these topics, carried out through the U.S. Geological Survey and the National Science Foundaiton. In order to provide a wide range of advice in the consideration of these elements of the implementation plan, the Advisory Group will be established to draw together experts at the state and local level and from the private sector. The advisory group will make recommendations to the Director, Office of Science and Technology Policy for his consideration in the further analysis undertaken by the Executive Office of the President and the affected Federal agencies prior to policy and budgetary recommendations to the President and the Congress.

3. *Effective Date of Establishment and Duration.* The establishment of the Earthquake Hazards Reduction Advisory Group is effective upon filing of the charter with the Director, Office of Science and Technology Policy, and with the standing committees of Congress having legislative jurisdiction over the Office of Science and Technology Policy. The Earthquake Hazards Reduction Advisory Group will continue one calendar year from the effective date.

4. *Membership.* The Earthquake Hazards Reduction Advisory Group will be composed of approximately 15 individuals selected from state and local officials and the private sector and having qualifications for providing expert knowledge.

5. *Advisory Group Operation.* The Earthquake Hazards Reduction Advisory Group will operate in accordance with provisions of the Federal Advisory Committee Act (Public Law 92-463), OSTP policy and procedures, OMB Circular No. A-63, Revised, and other directives and instructions issued in implementation of the Act.

FRANK PRESS,
*Director.*

[FR Doc.77-17347 Filed 6-16-77;8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[Administrative Proceeding File No. 3-5229]

### ATLANTIC RICHFIELD CO. AND ARCO PIPE LINE CO.

#### Application and Opportunity for Hearing

JUNE 10, 1977.

In the matter of Atlantic Richfield Company and Arco Pipe Line Company, File Nos. 2-10609 (22-1468), 2-26457 (22-4460), 2-52162 (22-8095), 2-55309 (22-8705).

Notice is hereby given that Atlantic Richfield Company ("A.R.CO.") and ARCO Pipe Line Company ("Pipe Line"), a wholly owned subsidiary of A.R.CO., have filed an application under clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding by the Commission that the trusteeships of Morgan Guaranty Trust Company of New York (the "Bank") under certain indentures which are qualified under the Act and under a new indenture which is not qualified under the Act are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as Trustee under any of such qualified indentures.

Section 310(b) of the Act provides inter alia, that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall within ninety days after ascertaining that it has such conflicting interest either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions, that a trustee is deemed to have a conflicting interest if it is acting as trustee under another indenture of the same obligor. However, pursuant to clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of such obligor are outstanding, if the issuer shall have sustained the burden of proving on application to the Commission, and after opportunity for hearing thereon, that trusteeship under the qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting under any of such indentures.

A.R.CO. and Pipe Line allege that:

1. The Bank, as Trustee, has entered into the following indentures which were qualified under the Act ("Qualified Indentures"): (i) An indenture dated January 15, 1954, pursuant to which there were issued A.R.CO.'s 3¼ percent Debentures due 1979; (ii) an indenture dated May 15, 1967, pursuant to which there were issued A.R.CO.'s 5⅝ percent Debentures due 1997; (iii) an indenture dated November 1, 1974, pursuant to which there were issued Pipe Line's 8.70 percent Guaranteed Notes due 1981; and (iv) a first supplemental indenture thereto, dated February 1, 1976, pursuant to which there were issued Pipe Line's 8 percent Guaranteed Notes due 1984.

2. On April 7, 1977 Cavalier Trading Company ("Cavalier"), A.R.CO. and the Bank, as Trustee, entered into an Indenture dated as of April 7, 1977 (the "Cavalier Indenture") pursuant to which Cavalier may issue up to $70,000,000 principal amount of its Short-term Notes. Payment of Cavalier's Short-term Notes is unconditionally guaranteed by A.R.CO. pursuant to the terms of such Notes and the Cavalier Indenture. The Cavalier Short-term Notes are also guaranteed by Sequoia Marine Corporation ("Sequoia") and are secured by (i) ship mortgages from Sequoia to the Bank, as Trustee, on two vessels which are to be owned by Sequoia and chartered to Cavalier and (ii) the assignment to the Bank, as Trustee, or bareboat charter parties pursuant to which such vessels are to be chartered by Sequoia to Cavalier and sub-chartered by Cavalier to two wholly-owned subsidiaries of A.R.CO. Pursuant to the bareboat charter parties, upon the payment in full of the Cavalier Notes or under other specified circumstances, title to the vessels is to be transferred by Sequoia to such wholly-owned subsidiaries of A.R.CO. While Sequoia is the official, registered owner of record of the vessels, as a result of the bareboat charter parties A.R.CO. is deemed to be the owner of the vessels for A.R.CO.'s Federal income tax and financial reporting purposes. The Cavalier Short-term Notes will not be registered under the Securities Act of 1933 on the basis of, among other reasons, the exemption provided by Section 4(2) thereof, and the Cavalier Indenture has not been qualified under the 1939 Act on the basis of the provisions of Section 304(b) thereof.

3. All of the Qualified Indentures contain the provision permitted by the proviso in Section 310(b)(1) of the Act.

4. Legal title to the security under the Cavalier Indenture does not reside in A.R.CO. or Pipe Line; consequently, should the Bank have occasion to proceed against the security under the Cavalier Indenture, such action would not affect the rights of the holders of securities issued pursuant to the Qualified Indentures.

5. No default has existed at any time under the Qualified Indentures or the Cavalier Indenture. A.R.CO.'s obligations in respect of the Qualified Indentures and the Cavalier Indenture are unsecured and rank equally pari passu.

6. Such differences as exist among the Qualified Indentures and the Cavalier Indenture are not so likely to involve the Bank in a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as Trustee under any of the said indentures.

A.R.CO. and Pipe Line have waived (a) notice of hearing, (b) hearing on the issues raised by said application, and (c) all rights to specify procedures under Rule 8(b) of the Commission's Rules of Practice.

For a more detailed account of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the offices of the Commission at the Public Reference Room, 1100 L Street NW., Washington, D.C.

Notice is further given that any interested person may, not later than June 30, 1977, 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 law or fact raised by such application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.77-17310 Filed 6-16-77;8:45 am]

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[Rel. No. 34-13613; File No. SR-CBOE-1977-13]

## CHICAGO BOARD OPTIONS EXCHANGE, INC.

### Proposed Rule Change By Self-Regulatory Organizations

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on June 2, 1977 the abovementioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

CBOE'S STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

OBLIGATIONS OF TERMINATING MEMBERS

Rule 3.19. Every member who sells or transfers his membership pursuant to the provisions of this Chapter must be current in all filings and payments of dues, fees and charges relating to that membership, including filing fees and charges required by the Securities and Exchange Commission and the Securities Investor Protection Corporation. If a member fails to make all such filings, or to pay all such dues, fees and charges, or to turn in his trading badge and membership certificate, the Secretary may, notwithstanding the other applicable provisions of this Chapter, withhold distribution of the proceeds of sale of said membership, or delay the effectiveness of the membership of the transferee, until such time as such failures have been remedied.

EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The purpose of the proposed rule change is to provide the CBOE with a more effective means of fulfilling its responsibility as a Securities Investor Protection Corporation collection agent, as well as to obtain completed Securities & Exchange Commission forms which the CBOE is obligated to file for those members who have either sold or transferred their memberships. Implementation of this new rule specifically is addressed to both types of problems as well as to ensure that the CBOE will have additional leverage over those persons who, although terminating their membership status, fail to hand in trading badges and membership certificates, thereby reducing the CBOE's administrative problems in this area.

Section 6(b)(5) of the Securities Exchange Act of 1934, as amended, provides the statutory basis for the proposed rule change.

Comments were not solicited, nor have comments been received from members of the CBOE or otherwise concerning this amendment.

No burden would be imposed upon competition by virtue of the implementation of this proposed Rule 3.19.

On or before July 22, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and published its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within 21 days of the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

SHIRLEY E. HOLLIS,
*Assistant Secretary.*

JUNE 9, 1977.

[FR Doc.77-17307 Filed 6-16-77;8:45 am]

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[Release No. 34-13609; File No. SR-DTC-76-8]

## DEPOSITORY TRUST CO.

### Proposed Rule Change by Self-Regulatory Organizations

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s (b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on May 26, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission Amendment No. 1 to a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The proposed rule change establishes a "third party" interface service between The Depository Trust Company (DTC) and the Midwest Securities Trust Company (MSTC). The proposed rule change is attached as Exhibit 2 to Amendment No. 1 to DTC's filing on Form 19b-4A, File No. SR-DTC-76-8.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed rule change is to implement a "third party" interface service between DTC and MSTC. This delivery service permits any participant in one depository to deliver to, or receive from, any participant in the other depository, "free" (without settlement) or for payment. Previously, only a participant affiliated with both depositories could use the interface and then only to move positions between its accounts in DTC and MSTC.

The proposed rule change facilitates the prompt and accurate clearance and settlement of securities transactions for which DTC is responsible in that the proposed rule change eliminates the need for dual participants to initiate multiple book-entry deliver orders with attendant charges to effect inter-depository movements, and it enables sole participants of one depository to effect book-entry deliveries to sole participants of the other depository, which would otherwise necessitate physical deliveries by inter-city securities drafts.

Comments on the proposed rule change were solicited by DTC Important Notice B 2808. No comments were received.

DTC believes that the proposed rule change creates no burden on competition.

Within 35 days of the date of publication of this notice in the FEDERAL REGISTER, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rules change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the public reference room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should be submitted within 21 days of the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

SHIRLEY E. HOLLIS,
*Assistant Secretary.*

JUNE 8, 1977.

[FR Doc.77-17308 Filed 6-16-77;8:45 am]

[Rel. No. 20069]

## MIDDLE SOUTH UTILITIES, INC.

### Louisiana Power and Light Co.

JUNE 9, 1977.

PROPOSAL BY SUBSIDIARY COMPANY TO ISSUE AND SELL COMMON STOCK TO ITS PARENT HOLDING COMPANY

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 225 Baronne Street, New Orleans, Louisiana 70112, a registered holding company, and a wholly-owned subsidiary company, Louisiana Power & Light Company ("Louisiana"), 142 Delaronde Street, New Orleans, Louisiana 70174, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 6(a), 7, 9(a), 10, and 12(f) and Rule 43 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

Louisiana proposes to issue and sell to Middle South, and Middle South proposes to purchase 4,700,000 additional shares of its presently authorized but unissued common stock, no par value ("Common Stock") for an aggregate cash purchase price of $30,000,000. Louisiana proposes to apply the proceeds of such sale to the payment of short-term borrowings then outstanding for the partial financing of Louisiana's construction program having estimated expenditures of $198,000,000 in 1977, and for other corporate purposes.

Middle South proposes to borrow the funds required to acquire the Common Stock pursuant to a revolving credit agreement with a group of banks headed by Manufacturers Hanover Trust Company which provides for borrowings to be evidenced by Louisiana's unsecured short-term promissory notes. All interested persons are referred to Middle South's Declaration in File No. 70-6010 for a complete statement of the transaction.

No fees and expenses are anticipated in connection with the proposed transactions except for the filing fee paid to this Commission and for legal fees of Louisiana's counsel which are expected not to exceed $1,000. It is stated that no State commission and no Federal commission other than this Commission has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than July 3, 1977, 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 upon the applicants-declarants at the above stated addresses, 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.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.77-17310 Filed 6-16-77;8:45 am]

[File No. 500-1]

## MINER INDUSTRIES, INC.

### Suspension of Trading

JUNE 9, 1977.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Miner Industries, Inc. being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 12:40 p.m. (EDT) on June 9, 1977 through June 18, 1977.

By the Commission.

GEORGE A. FITZSIMMONS,
*Secretary.*

[FR Doc.77-17311 Filed 6-16-77;8:45 am]

## SMALL BUSINESS ADMINISTRATION

[Application No. 02/02-5332]

### KING SMALL BUSINESS INVESTMENT CO.

#### Application for a License To Operate as a Small Business Investment Co.

An application for a license to operate as a small business investment company under Section 301(d) of the Small Business Investment Act of 1958, as amended (Act) (15 U.S.C. 661 et seq.) has been filed by King Small Business Investment Corporation (Applicant) with the Small Business Administration (SBA) pursuant to 13 C.F.R. 107.102 (1977).

The officers and directors are as follows:

Richard M. Mancuso, President, General Manager, Director and 47 percent Stockholder, 32 Longleat Parkway, Eggertsville, New York.

Dr. Lawrence M. Murphy, Vice President, Director and 16 percent Stockholder, 257 E. Ferry Street, Buffalo, New York 14208.

Neil Ritz, Vice President, Director, 22 percent Stockholder and Treasurer, 8407 Kimberly Drive, Williamsville, New York 14221.

Dr. Thomas V. Gullo, Secretary, Director and 10 percent Stockholder, 19 Middlesex Road, Buffalo, New York 14216.

F. Rene Alvarez, Assistant Treasurer and 5 percent Stockholder, Apartado 354, Valencia, Venezuela.

The applicant, a New York corporation, authorized to operate in the State of New York, will maintain an office at 110 Pearl Street, Buffalo, New York 14202, and will begin operations with $500,000 of paid-in capital and paid-in surplus derived from the sale of common stock to the above individuals.

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 Act, as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the Applicant include the general business reputation and character of the proposed owner and management and the probability of successful operations of the Applicant under this management, including adequate profitability and financial soundness, in accordance with the Act and SBA Rules and Regulations.

Any person may, not later than 15 days from the date of publication of this notice, submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, 1441 L Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Buffalo, New York.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: June 10, 1977.

PETER F. MCNEISH,
*Deputy Associate Administrator for Investment.*

[FR Doc.77-17304 Filed 6-16-77;8:45 am]

## DEPARTMENT OF STATE

[Public notice CM7/81]

### OCEAN AFFAIRS ADVISORY COMMITTEE

#### Meeting

Notice is hereby given pursuant to the provisions of Public Law 92-463 that a meeting of the Ocean Affairs Advisory Committee will be convened on July 6 and 7, 1977, at the Kodiak Travel Lodge Hotel, Kodiak, Alaska.

The meeting on July 6 will be open to the public. That session will include a discussion of the status of organization and staffing in the Bureau for Oceans and International Environmental and Scientific Affairs and, in particular, the Office of Oceans and Fisheries Affairs. Also discussed will be the role, function and membership of the Advisory Committee and the question of joint venture fisheries arrangements between foreign fishing concerns and American fishing interests. There will be, in addition, unclassified discussion of the 1977 session of the Law of the Sea Conference, of the status of implementation of Pub. L. 94-265, of U.S.-Canadian fisheries relations, of problems relating to tuna, shrimp and other distant water fisheries and also of pending or forthcoming fisheries negotiations.

The meeting on July 7 will not be open to the public as the discussion will involve matters exempt from public disclosure under 5 USC 552b(c)(1) and the public interest requires that such discussions be withheld from public disclosure.

These discussions will include examination and/or discussions of classified materials relating to the Law of the Sea Conference session mentioned above and to ongoing or forthcoming international fisheries negotiations.

Dated: June 10, 1977.

ROZANNE L. RIDGWAY,
*Deputy Assistant Secretary for Oceans and Fisheries Affairs.*

[FR Doc. 77-17464 Filed 6-16-77;8:45 am]

## TENNESSEE VALLEY AUTHORITY

### IMPLEMENTATION OF OFFICE OF MANAGEMENT AND BUDGET CIRCULAR A-95

#### Final Coordination Procedures

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Final procedures.

SUMMARY: The Tennessee Valley Authority has adopted the following final procedures to guide the intergovernmental coordination and review of direct TVA developmental activities and the approval of non-TVA activities having a significant impact on state, interstate, areawide, or local development plans or programs or on the environment. These procedures implement Part II of the revised Office of Management and Budget (OMB) Circular No. A-95 published January 13, 1976 (41 FR 2052), and Title IV of the Intergovernmental Cooperation Act of 1968 (Pub. L. No. 90-577, 82 Stat. 1098). Because these procedures are intended primarily for intra-agency use with copies to be made available directly to the affected state and local clearinghouses, they will not be codified for publication as a section of the Code of Federal Regulations.

EFFECTIVE DATE: These final procedures will become effective on June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

TVA, Director of Navigation Development and Regional Studies, 200A Liberty Building, Knoxville, Tennessee 37902.

SUPPLEMENTARY INFORMATION: The interim procedures upon which the final procedures are based were published for comment on June 28, 1976, and appear at 41 FR 26625. All of the comments received in response to the interim procedures were generally favorable. Several commenters, while of the opinion that the procedures would enhance future coordination, raised questions or made suggestions that indicated a need for clarification of the interim procedures.

#### DISCUSSION OF MAJOR COMMENTS

Two comments noted that while TVA's interim procedures give state and regional clearinghouses a period of 30 days for review and comment on TVA projects or land actions, OMB Circular No. A-95, Attachment A, Part I, section 4, gives two 30-day review periods. The portion of Attachment A applicable to TVA projects is Part II: Direct Federal Development. Section 5.a. of Part II provides that to the extent possible agencies will follow the general procedures of Part I. The final procedures provide that where project schedules permit, TVA will grant extensions of time for review. The final procedures also will allow sufficient flexibility so that "early informal consultation" prior to starting the formal A-95 review period may be made available.

One commenter noted that the procedures would be open to different interpretations as to significant impact if each responsible office or division within TVA was responsible for determining the need for A-95 coordination. Both the interim and final procedures provide for consultation with the Division of Navigation Development and Regional Studies as to the applicability of A-95 to a particular activity.

The remaining comments expressed the concern that the activities listed in the section Exclusions and Informal Review should not be eliminated from formal review and the comment process because particular actions had the potential to impact local economies and the environment. These comments indicate that our original statement on Exclusions and Informal Review was unclear. It has been the experience of TVA that the impacts associated with the types of activities listed under Exclusions and Informal Review are usually insignificant and therefore that the activities do not normally require A-95 coordination. However, the final procedures reaffirm and clarify that each particular action is reviewed within TVA and will undergo A-95 coordination if it is probable that it will have a significant impact on area or community development or the physical environment. Moreover, informal coordination will be available for some actions listed in the section on Exclusions and Informal Review, even though those actions will not significantly impact area or community development or the physical environment.

The final procedures are as follows:

#### OFFICE OF MANAGEMENT AND BUDGET CIRCULAR A-95, COORDINATION PROCEDURES

Office of Management and Budget Circular A-95 establishes procedures for coordination with state, regional, and local agencies of those Federal planning and developmental activities having a significant impact on area and community development or the physical environment.

Coordination is accomplished through a system of state, regional, and metropolitan clearinghouses set up under the OMB circular as intergovernmental liaison to ensure that appropriate governmental agencies, departments, and offices are given an opportunity to review and comment on the Federal proposal.

All direct TVA development activities and approval of non-TVA activities which significantly affect area and community development or the physical environment are subject to A-95 coordi-

nation. As used in this instruction, "development activities" include TVA projects and the acquisition, use, transfer, or grant of an interest in real property under TVA's control. "Approvals of non-TVA activities" include the licensing, permitting, or approval of non-Federal developments or activities. State and local activities or projects in which TVA is participating will be coordinated by the state or local agency sponsoring the activity or project if coordination is required under A–95, unless the TVA office or division responsible for the project or activity determines that TVA should assume coordination responsibility.

Where the developmental activity or approval requires the preparation of an environmental impact statement by TVA, the impact statement review and the A–95 coordination will be combined to the extent possible and the impact statement will be circulated to state and regional clearinghouses for review and comment.

COORDINATION PROCEDURES

Early in the process of planning a TVA development activity or in the processing of a request for a TVA approval the responsible office or division makes a determination as to the significance of effects upon area or community development and the need for A–95 coordination. The office or division consults with the Division of Navigation Development and Regional Studies in the event of uncertainty as to the applicability of A–95 to a particular activity or approval.

An advance alert will be of assistance in the maintenance of interagency relationships. This preliminary notice should be given in advance of providing the necessary descriptive materials for formal transmittal to the clearinghouses. Therefore, the responsible office or division should notify the Division of Navigation Development and Regional Studies as soon as a determination is made that any proposed project or action will require A–95 coordination.

The Division of Navigation Development and Regional Studies will be the primary point of contact within TVA between the state, regional, and metropolitan clearinghouses and TVA offices and divisions, except as noted in "Scheduling Review" below.

INFORMATION REQUIRED

*TVA projects.* On all projects requiring A–95 coordination materials approximately the type and scope submitted to the Office of the General Manager for project authorization should be furnished to the Division of Navigation Development and Regional Studies for transmittal to the appropriate state and regional clearinghouses. In general, the material should provide a broad description of the project (without needless reference to technical details and specifications), include any maps, charts, or other supportive data that is helpful in understanding the nature or scope of the proposal and, where relevant, include a statement of general project policies relating to land acquisition and road and utility adjustments.

*Land transactions.* Whenever land actions (not a part of an overall project) are proposed which require A–95 coordination, appropriate descriptive material and maps should be furnished to the Division of Navigation Development and Regional Studies for transmittal to the proper clearinghouses for state and local review.

*TVA permits, licenses, and approvals.* Whenever proposed actions to be carried out by other parties require a TVA permit, license, or other official TVA approval (e.g., approval pursuant to Section 26a of the TVA Act), the responsible office or division determines whether the proposed action will have such a significant effect upon area or community development as to require A–95 coordination and, if so, furnishes appropriate information to the Division of Navigation Development and Regional Studies for transmittal to the proper clearinghouses for state and local review.

*Environmental impact statements.* If coordination with state and local agencies involves projects or land actions which have a significant impact on area or community development and significant environmental impact, these two aspects of the project or action are coordinated concurrently by means of the environmental impact statement and the procedures for its review. The analysis of environmental considerations and the coordination of state, regional, and local reviews are carried out pursuant to TVA's Procedures for Environmental Planning and Assessment (39 FR 5671 (1974)).

*Cooperative projects.* With regard to state and local projects in which TVA is participating to an extent requiring the approval of the General Manager or the Board and coordination is not being handled by TVA, the office or division responsible for TVA's participation will request the state or local agency sponsoring the project or land action to furnish information to TVA to determine whether A–95 coordination is necessary or has been properly carried out.

SCHEDULING REVIEW

Many state and regional clearinghouses do not have large staffs to handle A–95 coordination; instead, the clearinghouses rely upon staffs from operating agencies for comments on specific matters. Therefore, informal consultation between TVA offices and divisions and counterpart state and local agencies will be important in TVA project planning, as these are the agencies that will eventually be asked to comment on project or land-related proposals transmitted by TVA for formal A–95 coordination. Such informal consultation will take place early in the preliminary planning of a project. At the same time, the Division of Navigation Development and Regional Studies should be notified concerning such advance discussions with state and local agencies and will, in turn, advise the appropriate state and regional clearinghouses of such preliminary planning and TVA contacts with state and local agencies.

Upon completion of general plans for a proposed TVA development activity or of the initial review of a request for approval or, where appropriate, the completion of a draft environmental impact statement, the information required for coordination will be furnished with sufficient copies by the office or division responsible to the Division of Navigation Development and Regional Studies to initiate review by the clearinghouses having jurisdiction over the area or areas concerned. Normally such review will be limited to one state and one regional clearinghouse. In the case of projects or actions affecting more than one state or subregion, all clearinghouses concerned will be included in the circulation of materials for review and comment.

*Review time.* State and regional clearing houses may have a period of 30 days after receipt of proposals for TVA projects or land actions for review and comment. Forty-five days will be allowed for review of and comment on draft environmental impact statements. In exceptional circumstances and for resaons stated at the time of transmittal by TVA, clearinghouses may be asked to expedite their review. Limited extensions of time to comment may be granted by TVA where project schedules permit.

All comments received will be forwarded to appropriate TVA offices and divisions and will be considered in further planning or modification of plans for the proposal or in processing requests for approval. Comments on draft environmental impact statements will be considered and treated in accordance with the requirements of the National Environmental Policy Act of 1969 and TVA's Procedures for Environmental Planning and Assessment (39 FR 5671 (1974)).

All steps of formal A–95 coordination should be completed prior to submission of a proposal or approval for final authorization. Generally, the entire proposal should be coordinated at one time. Separate parts of the proposal will not be resubmitted for coordination unless there are significant departures from the original or modified plans.

*Notification of clearinghouses.* Where no significant adverse comments or questions are raised by the reviewing clearinghouse, TVA will proceed to carry out the proposal or approval without further notice to the clearinghouses concerned unless notice is specifically requested. In the case of proposals or approvals where significant questions or objections were raised and not resolved or which are abandoned, postponed for a considerable length of time, or significantly modified before implementation, the clearinghouses concerned will be notified of the final action taken and the reasons therefor. Where the coordination and review was undertaken on the basis of a draft environmental impact statement, a copy of the final statement will be trans-

mitted for information to each reviewing clearinghouse.

EXCLUSIONS AND INFORMAL REVIEW

All proposed activities which have a significant impact on area or community development of the physical environment will be submitted for formal A–95 coordination. The following actions normally do not have a significant impact on area or community development or the physical environment and therefore will usually not require A–95 coordination:

1. Agricultural land-use licenses and other agreements involving minor land uses.
2. Harvesting of timber and wood products from TVA lands.
3. Watershed research experiments and demonstrations or non-Federal lands, such as strip mine reclamation and hydrologic studies.
4. Minor plan approvals under Section 26a of the TVA Act.

Some actions may be coordinated on an informal basis even though TVA determines that they will not significantly impact area or community development or the physical environment. These actions include:

1. Routing of transmission lines.
2. Location of substations.
3. Changes in public access to TVA lakes and modification of reservoir shoreland facilities for recreation use.

In addition, whenever state, regional, or metropolitan clearinghouse review is desirable but not required under this instruction, the responsible office or division may request the assistance of the Division of Navigation Development and Regional Studies in carrying out such a review.

The Tennessee Valley Authority has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A–107.

Dated: June 10, 1977.

LYNN SEEBER,
*General Manager.*

[FR Doc.77–17327 Filed 6–16–77;8:45 am]

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. RFA 505–77–8]

### PURCHASE OF REDEEMABLE PREFERENCE SHARES

### Receipt of Application

*Project.* Notice is hereby given that the Peoria and Pekin Union Railway Company ("applicant"), 101 Wesley Road, Creve Coeur, Illinois 61611, has filed an application with the Federal Railroad Administration ("FRA") under section 505 of the Railroad Revitalization and Regulatory Reform Act of 1976, 45 U.S.C. 825, seeking financial assistance through the sale to the United States of redeemable preference shares in the years 1977 through 1980 having an aggregate par value of $3,500,000. Applicant proposes to make 20 equal annual payments commencing in 1988 on each issuance of redeemable preference shares, with each payment to be applied first to dividends which accrue at the rate of 4.5 percent on the outstanding par value and thereafter to redemption of the par value of redeemable preference shares.

The proceeds of the sale of preference shares are to be used by the applicant (1) to replace 5.9 miles of 90-pound rail with 116-pound rail on its main line track between Peoria and Pekin, (2) to renew cross ties on 24 tracks in its A yard and 24 tracks on its B yard, and (3) to relay all ladder switches with 115-pound rail, in accordance with the following schedule:

| Year | Project location | FRA funding |
|---|---|---|
| 1977 | Main line track | $320,000 |
| | A & B yards | 380,000 |
| 1978 | ----do | 800,000 |
| 1979 | ----do | 800,000 |
| 1980 | ----do | 1,200,000 |
| | Total | 3,500,000 |

*Justification for project.* The applicant states that the main line track project will increase productivity of equipment and capacity for movements of coal as well as decrease derailments and transit time of coal. In addition, applicant states that the A & B Yards project will increase yard productivity as well as decrease derailment and rehabilitation projects in additional yard facilities.

*Comments.* Interested persons may submit written comments on the application to the Associate Administrator for Federal Assistance, Federal Railroad Administration, 400 Seventh Street SW., Washington, D.C. 20590, not later than the comment closing date shown below. Such submission shall indicate the docket number shown on this notice and state whether the commenter supports or opposes the application and the reasons therfor. The application will be made available for inspection during normal busines hours in Room 5415 at the above address of the FRA.

The comments will be considered by the FRA in evaluating the application. However, formal acknowledgement of comments will not be provided.

The FRA has not approved or disapproved this application, nor has it passed upon the accuracy or adequacy of the information contained therein.

(Sec. 505 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Pub. L. 94–210), as amended.)

Dated: June 14, 1977.

Comment closing date: July 18, 1977.

CHARLES SWINBURN,
*Associate Administrator for Federal Assistance, Federal Railroad Administration.*

[FR Doc.77–17456 Filed 6–16–77;8:45 am]

## DEPARTMENT OF THE TREASURY

### Customs Service

### RIGHT TO CONTEST ADMINISTRATIVE DECISIONS

### Individual Notification

AGENCY: United States Customs Service, Department of the Treasury.

ACTION: General Notice.

SUMMARY: The Customs Service, under a new procedure, will now notify each party of its right to seek judicial review of certain administrative decisions. The procedure is being adopted by the Customs Service in order to ensure that each party entitled to seek judicial review of certain administrative decisions is aware of its right to do so.

EFFECTIVE DATE: June 17, 1977.

FOR FURTHER INFORMATION CONTACT:

Richard M. Belanger, Attorney, Regulations and Legal Publications Division, United States Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202–566–8237).

SUPPLEMENTARY INFORMATION:

BACKGROUND

Under sections 514 and 515 of the Tariff Act of 1930, as amended (19 U.S.C. 1514, 1515), and Part 174 of the Customs Regulations (19 CFR Part 174), a party dissatisfied with any of certain decisions made by a district director or regional commissioner of Customs may obtain review of that decision by filing a protest in writing with that Customs officer. A party may also seek further review of a protest by a Customs officer on a level higher than that of the Customs officer who participated directly in the decision which is the subject of the protest. The appropriate Customs officer shall review the protest and shall allow or deny the protest in whole or in part. Notice of the denial of any protest will be mailed to the protesting party. The party may then contest the denial of the protest by bringing a civil action in the United States Customs Court in accordance with 28 U.S.C. 2632.

It has come to the attention of the Customs Service that occasionally a party may not be aware of its right to judicial review of a denial of a protest.

Accordingly, Customs will immediately begin to individually notify each party of its right to judicial review in writing at the time of notice of denial of the protest. Furthermore, Customs will prepare appropriate amendments to Part 174 of the Customs Regulations to reflect this new procedure.

HARVEY B. FOX,
*Acting Assistant Commissioner of Customs (Regulations and Rulings).*

[FR Doc.77–17403 Filed 6–16–77;8:45 am]

Fiscal Service

[Dept. Circ. 570, 1976 Rev., Supp. No. 16]

AMERICAN LIBERTY INSURANCE CO.

Surety Companies Acceptable on Federal Bonds: Termination of Authority

Notice is hereby given that the certificate of authority issued by the Treasury to American Liberty Insurance Company, Birmingham, Alabama, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated effective June 30, 1977.

The company was last listed as an acceptable surety on Federal bonds at 41 FR 28240 July 8, 1976.

With respect to any bonds currently in force with American Liberty Insurance Company, bond-approving officers of the Government should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding.

Dated: June 10, 1977.

D. A. PAGLIAI,
*Commissioner, Bureau of Government Financial Operations.*

[FR Doc.77-17324 Filed 6-16-77;8:45 am]

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[Dept. Circ. 570, 1976 Rev., Supp. No. 15]

PLANET INSURANCE CO.

Surety Companies Acceptable on Federal Bonds: Termination of Authority

Notice is hereby given that the certificate of authority issued by the Treasury to Planet Insurance Company, Philadelphia, Pennsylvania, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated effective June 30, 1977.

The company was last listed as an acceptable surety on Federal bonds at 41 FR 28249 July 8, 1976,

With respect to any bonds currently in force with Planet Insurance Company, bond-approving officers of the Government should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding.

Dated: June 10, 1977.

D. A. PAGLIAI,
*Commissioner, Bureau of Government Financial Operations.*

[FR Doc.77-17325 Filed 6-16-77;8:45 am]

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[Dept. Circ. 570, 1976 Rev., Supp. No. 17]

STATESMAN INSURANCE CO.

Surety Companies Acceptable on Federal Bonds: Termination of Authority

Notice is hereby given that the certificate of authority issued by the Treasury to Statesman Insurance Company, Indianapolis, Indiana, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated effective June 30, 1977.

The company was last listed as an acceptable surety on Federal bonds at 41 FR 28250 July 8, 1976.

With respect to any bonds currently in force with Statesman Insurance Company, bond-approving officers of the Government should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding.

Dated: June 10, 1977.

D. A. PAGLIAI,
*Commissioner, Bureau of Government Financial Operations.*

[FR Doc.77-17326 Filed 6-16-77;8:45 am]

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## VETERANS ADMINISTRATION

### ADVISORY COMMITTEE ON CEMETERIES AND MEMORIALS

Meeting

The Veterans Administration gives notice that a meeting of the Administrator's Advisory Committee on Cemeteries and Memorials, authorized by section 1001, title 38, United States Code, will be held in Veterans Administration Central Office, 810 Vermont Avenue NW., Washington, D.C. 20420, on July 20 and 21, 1977, in the Administrator's Conference Room, 10th floor, at 9 a.m. The meeting will be open to the public.

Those wishing to attend should contact Miss Kathy Kightlinger in the Office of the Director, National Cemetery System (phone 202-389-5202), not later than July 19, 1977. Any interested person may attend, appear before, or file a statement with the committee. Individuals wishing to make oral statements should indicate this in a letter to Miss Kightlinger in which they fully identify themselves and state the organization or association they represent or are speaking for. Written statements should be filed with Miss Kightlinger at the Washington address prior to the meeting. Oral statements will be heard only between 3 p.m. and 4 p.m. on July 20, 1977.

Dated: June 13, 1977.

By the direction of the Administrator:

RUFUS H. WILSON,
*Deputy Administrator.*

[FR Doc.77-17335 Filed 6-16-77;8:45 am]

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## INTERSTATE COMMERCE COMMISSION

[Notice No. 415]

### ASSIGNMENT OF HEARINGS

JUNE 14, 1977.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 139112 Sub 11, Calex Express, Inc. now assigned June 16, 1977 at Washington, D.C. is being postponed until August 3, 1977 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 124796 Sub 67, Continental Contract Carrier Corp. now assigned September 22, 1977 at Nashville, Tennessee is being cancelled.

MC 13028 Sub 18, Bonanza Bus Lines, Inc. now being assigned September 19, 1977 (1 week) at Providence, Rhode Island in a hearing room to be later designated.

MC 141804 Sub 44, Western Express now being assigned September 26, 1977 (1 week) at San Francisco, California in a hearing room to be later designated.

MC 121630 Sub 5, Lemore Transportation, Inc., dba Royal Trucking Co. now being assigned September 22, 1977 (2 days) at San Francisco, California in a hearing room to be later designated.

MC 136762 Sub 12, Osborne Highway Express now being asigned September 20, 1977 (2 day) at San Francisco, California in a hearing room to be later designated.

MC 134922 Sub 222, B. J. McAdams, Inc. now being assigned September 19, 1977 (1 day) at San Francisco, California in a hearing room to be later designated.

MC 125433 Sub 94, F-B Truck Line Company now being assigned September 16, 1977 (1 day) at San Francisco, California in a hearing room to be later designated.

AB 14 Sub 2, Northwestern Pacific Railroad Company Abandonment between Detour and San Rafael in Marin County, California now being assigned September 13, 1977 (3 days) at San Rafael, California in a hearing room to be later designated.

MC 140875 Sub 4, Hoke Bus Lines, Inc. now being assigned August 1, 1977 (1 week) at Lima, Ohio in a hearing room to be later designated.

MC 134922 Sub 220, B. J. McAdams, Inc. now being assigned July 29, 1977 (1 day) at Columbus, Ohio in a hearing room to be later designated.

MC 9726 Sub 8, T. F. Dunlap Trucking Co., Inc. now being assigned July 28, 1977 (1 day) at Columbus, Ohio in a hearing room to be later designated.

MC 113429 Sub 3, Mike Contris, dba Contris Trucking now being assigned July 27, 1977 (1 day) at Columbus, Ohio in a hearing room to be later designated.

MC 3854 (Sub-No. 32), Burton Lines, Inc., MC 93980 (Sub-No. 66), Vance Trucking Company, Inc., MC 107295 (Sub-No. 828), Pre-Fab Transit Co., MC 107478 (Sub-No. 27), Old Dominion Freight Line, MC 108341 (Sub-No. 53), Moss Trucking Company, Inc., MC 112588 (Sub-No. 22), Russell Trucking Line, Inc., MC 114522 (Sub-No. 123), Senn Trucking Company, MC 115311 Sub-No. 199), J & M Transportation Co., Inc. and MC 141424 (Sub-No. 2), P-Y Transport, Inc., now being assigned September 27, 1977, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 106398 Sub 769, National Trailer Convoy, Inc., MC 115162 Sub 346, Poole Truck Line, Inc., and MC 129759 Sub 17, Triangle Trucking Co. now being assigned July 26, 1977 (1 day) at Columbus, Ohio in a hearing room to be later designated.

H. G. HOMME, Jr.
*Acting Secretary.*

[FR Doc.77-17343 Filed 6-16-77;8:45 am]

## BURLINGTON NORTHERN INC. AND THE ATCHISON, TOPEKA AND SANTE FE RAILWAY CO.

### Capital Incentive Rate on Certain Coal

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Intention to File a Schedule Stating a Capital Incentive Rate on Coal from Cordero, Wyoming to Smithers Lake, Texas pursuant to Ex Parte No. 327.

SUMMARY: The filing of the notice of intention initiates the 180-day period during which the Commission must determine the lawfulness of a proposed capital incentive rate schedule, as provided by Ex Parte No. 327, decided May 23, 1977. Any interested person seeking a hearing on the proposed rate must notify the Commission on or before July 12, 1977.

FOR FURTHER INFORMATION CONTACT:

Janice M. Rosenak, Deputy Director, or Harvey Gobetz, Assistant Deputy Director, Section of Rates, Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423, (202) 275-7693 or 275-7656.

SUPPLEMENTARY INFORMATION: Burlington Northern, Inc., and The Atchison, Topeka and Santa Fe Railway Company propose to establish a new rate for the transportation of coal in unit trains from Cordero, Wyoming, to Smithers Lake, Texas. The establishment of the new rate would require a total capital investment in excess of $36 million by the aforementioned carriers. The railroad facilities to be augmented by the capital investment would consist of equipment for the proposed unit trains and necessary improvements in track structure. The proposed duration of the capital incentive rate is a minimum of 5 years. The responsible carrier representatives to whom inquiries and requests for documents relating to the proposal should be addressed are: Curtis H. Berg, 176 East Fifth Street, St. Paul, Minnesota 55101. Milton E. Nelson, Jr., 80 East Jackson Boulevard, Chicago, Illinois 60604.

Copies of the proposed tariffs are available for public inspection in the Public Tariff File, Room 6217, of the Interstate Commerce Commission, Washington, D.C. 20423.

H. G. HOMME, Jr.,
*Acting Secretary.*

[FR Doc.77-17342 Filed 6-16-77;8:45 am]

## FOURTH SECTION APPLICATION FOR RELIEF

JUNE 14, 1977.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

FSA No. 43381.—Alloys or Metals from Suspension Bridge, New York. Filed by Southwestern Freight Bureau, Agent, (No. B-677), for interested rail carriers.

Rates on alloys or metals, in carloads, as described in the application, from Suspension Bridge, New York, to Baytown, Beaumont, East Baytown, Houston and Korf, Texas.

Grounds for relief.—Truck-barge and market competition, also rate relationship.

Tariff.—Supplement 242 to Southwestern Freight Bureau, Agent, tariff 2-H, I.C.C. No. 5102.

Rates are published to become effective on July 13, 1977.

By the Commission.

H. G. HOMME, Jr.,
*Acting Secretary.*

[FR Doc.77-17345 Filed 6-16-77;8:45 am]

[Notice 75]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 13, 1977.

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 CFR 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 ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 4405 (Sub.-No. 557TA), filed May 18, 1977. Applicant: DEALERS TRANSIT, INC., 522 South Boston Ave., Enterprise Bldg., Tulsa, Okla. 74103. Applicant's representative: Leonard L. Bennett, 522 S. Boston Ave., Enterprise Bldg., Tulsa, Okla. 74103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass support structures*, from the plantsite of Antennas For Communications, Inc., Ocala (Marion County), Fla., to all points within the United States (except Alaska and Hawaii), for 180 days. Supporting shipper(s): Antennas For Communications, Inc. 486 Cypress Road, Ocala, Fla. 32670. Send protests to: District Supervisor Joe Green, Room 240, Old Post Office Building, 215 Northwest Third Street, Oklahoma City, Okla. 73102.

No. MC 19201 (Sub-No. 127TA), filed May 23, 1977. Applicant: PENNSYLVANIA TRUCK LINES, INC., 49th Street and Parkside Avenue, P.O. Box 8116, Philadelphia, Pa. 19101. Applicant's representative: S. Berne Smith & Robert H. Griswold, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities of unusual value, classes A and B explosives, and commodities requiring special equipment), between the plantsite of General Electric Company, Mount Vernon, Ind., on the one hand, and, on the other, the facilities of Consolidated Rail Corporation at or near Avon, Hendricks County, Ind., restricted to shipments covering, in addition to movement by applicant, a prior or subsequent movement in the rail service of Consolidated Rail Corporation at Avon, Ind., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): General Electric Company, Lexan Lane, Mt. Vernon, Ind. 47620. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 51146 (Sub-No. 494TA), filed April 8, 1977. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broad-

way, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper and waste paper*, from points in Missouri to Oskaloosa, Iowa, for 180 days. Supporting shipper(s): U.S. Fiber Corporation, P.O. Box 41, Oskaloosa, Iowa 52577. (Ralph W. Van Arkel, Plant Manager.) Send protests to: John E. Ryden District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, Wis. 53202.

No. MC 51146 (Sub-No. 495TA), filed April 13, 1977. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper and waste paper*, from Kansas City, Kans., and points in Missouri, Ilinois, Indiana, Kentucky, and Michigan (except those points north of Michigan Highway 21) to the facilities of Bergstrom Paper Company at West Carrollton, Ohio for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Bergstrom Paper Company, Neenah, Wis. 54956 (Dan E. Sauve). Send protests to: Gail Daugherty Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619 Milwaukee, Wis. 53202.

No. MC 51146 (Sub-No. 496TA), filed April 22, 1977. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as *a common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen packaged potatoes and potato products* (except in bulk), from the facilities of Wiscold, Inc., at or near Beaver Dam, Wis., to points in Georgia, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Wiscold, Inc., 11400 W. Burleigh Street, Wauwatosa, Wis. 53222 (James H. Kuehn). Send protests to: Gail Daugherty Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, Wis. 53202.

No. MC 51146 (Sub-No. 497TA), filed May 18, 1977. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers, aluminum, empty*, from Milwaukee, Wis., to Perry, Ga., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Continental Can Company, 10050 Regency Circle, Omaha, Nebr. 68114 (R. A. Skalla). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, Wis. 53202.

No. MC 51146 (Sub-No. 498TA), filed May 23, 1977. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures and fittings and related equipment*, from Salem and Tiffin, Ohio to Coldwater, Mich., and Mazomanie and Wausau, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): American Standard Inc. P.O. Box 2003, New Brunswick, N.J. 08903. (Gregory J. Decker). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, Wis. 53202.

No. MC 95540 (Sub-No. 984TA), filed May 24, 1977. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, Fla. 33801. Applicant's representative: Benjy W. Fincher, 1144 West Griffin Road, P.O. Box 1636, Lakeland, Fla. 33802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor sweeping compounds and absorbents*, except in bulk, (1) from the facilities of the Oil-Dri Corporation of America, at or near Ripley, Miss., to points in Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois (except Chicago), Indiana, Iowa, Kansas, Louisiana, Maryland, Masschusetts, Minnesota, Missouri (except St. Louis), Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia; (2) from the Facilities of the Oil-Dri Corporation of America, at or near Ochlocknee, Georgia, to points in Arkansas, Colorodo, Delaware, Illinois, Iowa, Indiana (except Richmond, Gary, and Hammond and points in their respective commercial zones), Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Neraska, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, Vermont, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Oil-Dri Corporation of America, 520 N. Michigan Avenue, Chicago, Ill. 60611. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission—BOp, Monterey Building, Suite 101, 8410 NW. 53rd Terrace, Miami, Fla. 33166.

No. MC 101186 (Sub-No. 15TA), filed May 25, 1977. Applicant: ARLEDGE TRANSFER, INC., P.O. Box 157, Burlington, Iowa 52601. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), over regular routes, (1) between Des Moines and Chillicothe, Iowa and points in their Commercial Zones from Des Moines, Iowa over Iowa Highway 163 to junction U.S. Highway 63, thence over U.S. Highway 63 to Ottumwa, thence from Ottumwa over Iowa Highway 23 to Chillicothe, and return over the same route, serving no intermediate points; and (2) between Ottumwa and Chillicothe, Iowa and points in their Commercial Zones, from Ottumwa over Iowa Highway 23 to Chillicothe, and return over the same route, serving no intermediate points. Parts (1) and (2) above are restricted against tacking together. Applicant will interline at Des Moines & Ottumwa, Iowa to handle interstate shipment to and from Chillicothe, Iowa, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Martin K. Eby Construction Company, Inc., P.O. Box 578, Ottumwa, Iowa 52501. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, Iowa 50309.

No. MC 107295 (Sub-No. 853TA), filed May 23, 1977. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, P.O. Box 146, 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: *Roofing and roofing materials*, (except commodities in bulk), from the plantsite of Masonite Corporation, Roofing Division, located at or near Meridian, Miss., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): George Long, Traffic Manager, Masonite Corporation, Roofing Division, P.O. Box 5777, Meridian, Miss. 39301. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 107403 (Sub-No. 1018TA), filed May 23, 1977. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representa-

tive: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, fom Bainbridge, N.Y.; to Patten, Maine, Holliston, Mass.; Baldwinville, Mass.; Rutland, Vt.; Hancock, Vt.; Bradford, Vt.; and Mechanic Falls, Maine for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper (s): Borden Chemical, Division of Borden, Inc., 180 E. Board Street, Columbus, Ohio 43215. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 110525 (Sub-No. 1193TA), filed May 24, 1977. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chicken fat*, in bulk, in tank vehicles, from Linville and Winchester, Va., to Maspeth, N.Y., for 180 days. Supporting shipper(s): Pet Food, Inc., 57–18 48th Street, Maspeth, N.Y. 11378. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 111310 (Sub-No. 23TA), filed May 23, 1977. Applicant: BEER TRANSIT, INC., P.O. Box 112, Black River Falls, Wis. 54615. Applicant's representative: Wayne W. Wilson, 329 W. Wilson Street, P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Rosemount, Minn., to Milwaukee, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Brockway Glass Co., Inc., P.O. Box L, Rosemount, Minn. 55068. Send protests to: Ronald A. Morken, District Supervisor, Interstate Commerce Commission, 139 W. Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 111401 (Sub-No. 490TA), filed May 23, 1977. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock, P.O. Box 632, Enid, Okla. 73701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulkk, in tank vehicles, from Pascagoula, Miss., to Brownsville, Tex., in foreign commerce only for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): First Chemical Corporation, P.O. Box 1427, Pascagoula, Miss. 39567. Send protests to: District Supervisor Joe Green, Room 240, Old Post Office Bldg., 215 Northwest Third Street, Oklahoma City, Okla. 73102.

No. MC 112588 (Sub-No. 25TA), filed May 19, 1977. Applicant: RUSSELL TRUCKING LINE, INC., 2011 Cleveland Road, Sandusky, Ohio 44870. Applicant's representative: John P. McMahon, of George, Greek, King, McMahon & McConnaughey, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, and building materials* (except commodities in bulk), from the plantsite of United States Gypsum Company at River Rouge, Mich., to points in Illinois, Indiana, Kentucky, and Ohio for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): U.S. Gypsum Co., 101 S. Wacker Drive, Chicago, Ill. 60606. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 113678 (Sub-No. 671TA), filed May 24, 1977. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Colo. 80022. Applicant's representative: David L. Metzler, P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery and confectionery products* (except in bulk), in vehicles equipped with mechanical refrigeration, from the storage facilities utilized by M&M/Mars, located at or near Hampden Township, Cumberland County, Pa., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, and West Virginia, restricted to traffic moving for M&M/Mars originating at the above named origin and destined to the above named destinations for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting Shipper(s): M&M/Mars, a division of Mars, Inc., High Street, Hackettstown, N.J. 07840. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 429 U.S. Customs House, 721 19th Street, Denver, Colo. 80202.

No. MC 115821 (Sub-No. 26TA), filed May 23, 1977. Applicant: FRANK BEELMAN, d.b.a., BEELMAN TRUCK CO., St. Libory, Ill. 62282. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone*, in bulk, from the facilities of GAF Corporation at or near Annapolis, Mo., to the plantsite of GAF Corporation at Mt. Vernon, Ind., for 180 days. Supporting shipper(s): Norbit Baumstark, Sales-Traffic, GAF Corporation, 9215 Riverview Drive, St. Louis, Mo. 63137. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 115975 (Sub-No. 24TA), filed May 24, 1977. Applicant: C.B.W. TRANSPORT SERVICE, INC., P.O. Box 48, Wood River, Ill. 62095. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum grease*, in bulk, in tank vehicles, from the plantsite of Exxon Company U.S.A. at Pittsburgh, Pa., to General Motors Corporation at Saginaw, Mich., under a continuing contract, or contracts with Exxon Company U.S.A., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): N. C. Dunn, Traffic Manager, Exxon Company U.S.A., P.O. Box 2180, Houston, Tex. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 119726 (Sub-No. 93TA), filed May 23, 1977. Applicant: N.A.B. TRUCKING CO., INC., 1622 W. Edgewood Avenue, Indianapolis, Ind. 46217. Applicant's representative: James L. Beattey, Suite 1000, 130 E. Washington, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and closures therefore and fiberboard boxes*, from the facilities of Owens-Illinois, Inc., at or near Streator, Ill., to Paragould, Jonesboro, Little Rock, Pine Bluff, Camden, and Mountain Valley, Ark., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Owens-Illinois, Inc., P.O. Box 1035, Toledo, Ohio 43666. Send protests to: William S. Ennis, District Supervisor.

No. MC 119726 (Sub-No. 94TA), filed May 23, 1977. Applicant: N.A.B. TRUCKING CO., INC., 1644 W. Edgewood Avenue, Indianapolis, Ind. 46217. Applicant's representative: James L. Beattey, 130 E. Washington St., Suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite of Gilman Paper Company, at or near St. Marys, Ga., to points in Tennessee, Virginia, Missouri, Illinois, Indiana, Michigan, Ohio, and Wisconsin for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Gilman Paper Company, P.O. Box 520, St. Marys, Ga. 31558. Send protests to: William S. Ennis, District Supervisor.

No. MC 124027 (Sub-No. 17TA), filed May 23, 1977. Applicant: MIDWEST BULK, INC., 901 Lyndale Avenue, P.O. Box 726, Neenah, Wis. 54956. Applicant's representative: Frank M. Coyne, 25 West Main Street, Madison, Wis. 53703. Authority sought to operate as a

*common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, from Milwaukee, Wis., to Davenport, Iowa, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Pickands-Mather & Company, 1100 Superior Avenue, Cleveland, Ohio (George Wilkin). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, Wis. 53202.

No. MC 128564 (Sub-No. 6TA), filed May 25, 1977. Applicant: KENNETH G. WOODARD, Rural Route No. 2, 420 Irving Street, Storm Lake, Iowa 50588. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese*, from Sturgis, S. Dak., to Orchard, Nebr., and Carthage, Mo.; and (2) *cheese boxes*, from Fremont, Nebr.; and Sioux City, Iowa, to Sturgis, S. Dak., restricted to a transportation service to be performed under a continuing contract, or contracts, with Orchard Dairy Products, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): David L. Nielsen, President, Orchard Dairy Products, Inc., P.O. Box 249, Orchard, Nebr. 68764. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 128878 (Sub-No. 40TA), filed May 23, 1977. Applicant: SERVICE TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant site of Farmland Industries, Inc., Farmland, La., located near Pollock, La., to points and places in Texas located east of U.S. Highway 281, for 180 days. Supporting shipper(s): Farmland Industries, Inc., 3315 North Oak Trafficway, Kansas City, Mo. 64116. Send protests to: District Supervisor Ray C. Armstrong, Jr., 701 Loyola Avenue, 9038 Federal Building, New Orleans, La. 70113.

No. MC 133566 (Sub-No. 83TA), filed May 3, 1977. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, Ind. 46947. Applicant's representative: Charles W. Beinhauer, One World Trade Center, Suite 1573, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from the plantsite and storage facilities of LaChoy Food Products Co. at or near Archbold, Ohio, to points in the states of Massachusetts, Rhode Island, Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, New York, Vermont, Ohio, Pennsylvania, Virginia, West Virginia, North Carolina, South Carolina, Tennessee, Texas, Oklahoma, Illinois, Indiana, Michigan, Wisconsin, Minnesota, Nebraska, Iowa, Kansas, Missouri, Colorado, Kentucky, Arkansas, Louisiana, Mississippi, and Washington, D.C. (restricted to traffic originating at above named origin and destined to points in names destination states), for 180 days. Supporting shippers: LaChoy Food Products, Archbold, Ohio 43502. Send protests to: P. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, Suite 113, Fort Wayne, Ind. 46802.

No. MC 134405 (Sub-No. 35TA), filed May 23, 1977. Applicant: BACON TRANSPORT CO., P.O. Box 1134, Ardmore, Okla. 73401. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 Northwest 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *170 and 230 asphalt*, from the facilities of Mobil Oil Corporation at or near Augusta, Kans., to the facilities of Weyerhaueser Co., at or near Broken Bow, Okla., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Weyerhaueser Company, Craig Box, Broken Bow, Okla. 73728. Send protests to: District Supervisor Joe Green, Room 240, Old Post Office Building, 215 Northwest Third Street, Oklahoma City, Okla. 73102.

No. MC 134592 (Sub-No. 11TA), filed May 24, 1977. Applicant: HERB AND HAZEL MOORE, d.b.a. H & H TRUCKING CO., 10360 N. Vancouver Way, Portland, Oreg. 97217. Applicant's representative: Philip G. Skofstad, 1300 Northeast Linden, P.O. Box 594, Gresham, Oreg. 97030. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty malt beverage containers*, from points in Oregon and Washington to Winters, Calif., for 180 days. Supporting shipper(s): Anheuser-Busch Company, 721 Pestalozzi Street, St. Louis, Mo. 63118. Send protests to: R. V. Dubay, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 138762 (Sub-No. 11TA), filed May 23, 1977. Applicant: MUNICIPAL TANK LINES, LTD., P.O. Box 3500, Calgary, Alberta, Canada. Applicant's representative: R. Streeter, Southern Bldg., 15th and H Streets, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Choline chloride and trimethylamine*, in bulk, in tank vehicles, from ports of entry on the United States-Canada boundary line located in the State of Michigan to points in the States of North Carolina, South Carolina, Georgia, Alabama, Louisiana, and Texas., restricted to shipments originating at the plantsite of Chinook Chemicals located at or near Sombra, Ontario, Canada.; and (2) *Tall oil and synthetic alcohol*, in bulk, in tank vehicles, from Panama City, Fla.; Springhill, La.; and Westlake, La., to ports of entry on the United States-Canada boundary line located in the States of Michigan and New York, restricted to traffic destined to points in the Provinces of Quebec and Ontario, Canada, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): J. R. Campbell, Marketing Services Manager, Bate Chemical Company, Limited, 160 Lesmill Road, Don Mills, Ontario, Canada. A. J. Minty, Distribution Manager, Chinook Chemicals, Limited, P.O. Box 160, Sombra, Ontario, Canada. Send protests to: District Supervisor Paul J. Lebane, Interstate Commerce Commission, 2602 First Avenue North, Billings, Mont. 59101.

No. MC 141871 (Sub-No. 4TA), filed May 25, 1977. Applicant: WNI, INC., 8700 Southwest Elligsen Road, Wilsonville, Oreg. 97070. Applicant's representative: Robert Cross, 8700 Southwest Elligsen Road, Wilsonville, Oreg. 97070. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile, floor covering, wallpaper, and materials, equipment, and supplies* used in the manufacture, distribution, installation, maintenance, removal, and sale of the above commodities (except in bulk), from Compton, Calif., to points in Arizona, Colorado, Idaho, New Mexico, Oregon, Utah, Washington, Nevada, and Montana, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Color Tile Super-Mart, Inc., 3 Tandy Center, 1st and Throckmorton, Fort Worth, Tex. 76102. Send protests to: District Supervisor A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 Southwest Yamhill Street, Portland, Oreg. 97204.

No. MC 142287 (Sub-No. 4TA), filed May 24, 1977. Applicant: TOM YOUNKIN, INC., 821 Sandusky Street, Ashland, Ohio 44805. Applicant's representative: William A. Nearhood, Colonial Bldg., 124 Church Street, Ashland, Ohio 44805. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex and liquid plastic* (except in bulk, in tank vehicles), from Ashland, Ohio, to Birmingham, Ala.; Pine Bluff, Ark.; Felsmere, Jacksonville, and Orlando, Fla.; Macon, Ga.; Jackson and New Albany, Miss.; Earth City and Springfield, Mo.; Greensboro, Fayetteville, and Thomasville, N.C.; Charleston, Columbia, Greenville, and Kingstree, S.C.; and Bristol, Chattanooga, Johnson City, Knoxville, Memphis, and Nashville, Tenn., under a continuing contract, or contracts, with General Latex & Chemical Corp. of Ohio for 180 days. Applicant has also filed an underlying ETA seek-

ing up to 90 days of operating authority. Supporting shipper(s): General Latex & Chemical Corp. of Ohio, Cleveland Road, P.O. Box 498, Ashland, Ohio 44805. Send protests to: James Johnson District Supervisor, Interstate Commerce Commission, Bureau of Operations, 731 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 143241 (Sub-No. 1TA), filed May 11, 1977. Applicant: SURBURBAN TRUCKING, INC., 500 Hazle Street, Wilkes-Barre, Pa. 18702. Applicant's representative: John W. Frame, P.O. Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise* as is dealt in by retail department stores (except commodities in bulk), and (2) *advertising matter, premiums, catalogs, sales brochures, printed matter, and materials and supplies* used in the manufacture and distribution of the above commodities, between Exeter, Pa. and points in its commercial zone as defined by the Commission in MC 37, on the one hand, and on the other, Mobile, Ala.; Tulsa, Okla.; Indianapolis, Ind.; Chicago, Ill.; Toledo and Columbus, Ohio; Louisville, Ky.; Fort Worth, Dallas, Houston, and San Antonio, Tex.; Phoenix, Tempe, and Tuscon Ariz.; and points in Florida and California, restricted to traffic originating at or destined to the plantsites or facilities of Jewelcor, Inc. and Suburban Publishers, a subsidiary of Jewelcor, Inc. at or near Exter, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Jewelcor, Inc., 1 Jewelcor Plaza, Exeter, Pa. 18643. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Scranton, Pa. 18503.

No. MC 143267 (Sub-No. 1TA), filed May 23, 1977. Applicant: CARLTON ENTERPRISES, INC., 4588 State Route 82, Mantua, Ohio 44255. Applicant's representative: Peter A. Greene, 900–17th Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *plastic pipe and plastic pipe fittings*, and (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of the commodities named in (1) above (except commodities in bulk), between the facilities of Carlon Products Division of Indian Head Corporation located in Mantua township (Portage County), Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted in (2) above to traffic moving in mixed loads with the commodities named in (1) above, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Carlon, An Indian Head Corporation, Three Commerce Park Square, Cleveland, Ohio 44122. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 731 Federal Office Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 143284 (Sub-No. 1TA), filed May 23, 1977. Applicant: IVAN WEHRLE, d.b.a. WEHRLE GRAIN COMPANY, Box 314, Mulberry Grove, Ill. 62262. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, in bulk and bags and in mixed loads, from the Ralston Purina Company plantsite at or near Montgomery City, Mo., to the Ralston Purina Company plantsite at or near Vandalia, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Daniel G. Eddy Regional Traffic Manager, Ralston Purina Company, 835 S. 8th Street, St. Louis, Mo. 63188. Send protests to: Harold C. Jolliff District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 143299TA, filed May 24, 1977. Applicant: FILASKY'S AG-SERVICES, Route No. 301, Middletown, Del. 19709. Applicant's representative: Gary F. Dalton, 30 The Green, Dover, Del. 19901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients*, in bulk, from Agway Feed Division plantsite in Bordentown, N.J., to Delaware and points in Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester and Somerset Counties, Md., under a continuing contract or contracts with Agway, Inc. for 180 days. Supporting shipper(s): Agway, Inc. Box 1333, Syracuse, N.Y. 13201. Send protests to: Monica A. Blodgett Transportation Assistant, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

PASSENGER APPLICATION

No. MC 134243 (Sub-No. 4TA), filed May 24, 1977. Applicant: MOORE BROS. TRANSPORTATION CO., INC., P.O. Box 5236, Greensboro, N.C. 27410. Applicant's representative: Steven L. Weiman, 4 Professional Drive, Suite 145, Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, beginning and ending at Greensboro and Salisbury, N.C., and extending to points in Tennessee for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Moose Lodge (Clubb 44-Tourist Association) Hoyle S. Bostian, President, Route 2, Box 511½, Salisbury, N.C. 28144. Youth Soccer Association, Ray Weatley Member, 2011 Downing Street, Greensboro, N.C. 27410. Send protests to: Archie W. Andrews District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 26896, Raleigh, N.C. 27611.

By the Commission.

H. G. HOMME, Jr.,
*Acting Secretary.*

[FR Doc.77-17344 Filed 6-16-77;8:45 am]

# sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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1

AGENCY HOLDING THE MEETING: Equal Employment Opportunity Commission.

TIME AND DATE: 9:30 a.m. (Eastern Time), Tuesday, June 21, 1977.

PLACE: Chairman's Conference Room, No. 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Closed to the public.

MATTERS TO BE CONSIDERED:

(1) *Litigation Authorization;* General Counsel *Recommendations.* Matters closed to the public under Sec. 1612.13(a) of the Commission's regulations. (42 FR 13830, March 14, 1977)

(2) *Audit Report No. EEO-77-460-20-015 of EEOC Financial Services for FY 1975.*

Facts presented by the Internal Audit Staff and by the Office of Financial Management will be reviewed by the Commission. If differences are not resolved, the employment of an outside expert may be considered. This matter was originally scheduled for consideration at the Meeting of June 7, but was postponed. (42 FR 30023, June 10, 1977)

NOTE.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION:

Marie D. Wilson, Executive Officer, Executive Secretariat, at 202-634-6748. This Notice Issued June 14, 1977.

[S-678-77 Filed 6-14-77;4:38 pm]

2

AGENCY HOLDING THE MEETING: Federal Communications Commission.

TIME AND DATE: Follows 9:30 a.m., Open Meeting, Wednesday, June 22, 1977.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Closed Meeting.

MATTERS TO BE CONSIDERED:

*Agenda, Item No., and Subject*

Hearing—1—Renewal applications which were dismissed March 10, 1976 and resubmitted in substantially amended form April 12, 1976; further amendments to the applications tendered October 18, 1976; the renewal applicants' request for acceptance of the amended applications and for grant or for redesignation for hearing; opposition to acceptance of the applications by the competing FM applicant; and the transcript of oral argument on October 12, 1976, in the Burbank and Pasadena, California renewal proceeding (Docket Nos. 20629-31).

General—1—*Graphnet* v. *FCC* (Case No. 77-1206) Court Decision.

General—2—*Pacifica Foundation* v. *FCC* (Case No. 75-1391); *Pasadena Broadcasting Company* v. *FCC* (Case No. 74-1002); and *American Civil Liberties Union* v. *FCC* (Case No. 76-1695) Court Decisions.

Complaints and Compliance—1— Application for renewal of license of station KARD-TV, Wichita, Kansas, licensed to Kansas State Network, Inc. (BRCT-423).

Complaints and Compliance—2—Recommendation relating to conversion of the current payola/plugola inquiry in Docket No. 16648 from a public proceeding to a non-public proceeding.

Complaints and Compliance—3—Field investigation into the operation of Radio Station KRLA, Pasadena, California.

CONTACT PERSON FOR MORE INFORMATION:

Samuel M. Sharkey, FCC Public Information Officer, telephone number 202-632-7260.

Issued June 10, 1977. June 13, 1977.

[S-674-77 Filed 6-14-77;3:19 pm]

3

AGENCY HOLDING THE MEETING: Federal Power Commission.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: (Pub. 6-14-77 (42 FR 30467) Changes 6-15-77).

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 2 p.m., June 16, 1977.

CHANGE IN THE MEETING: Addition of P-11, Project No. 2299-California Turlock Irrigation District. G-13, Docket No. CP77-216, Distrigas of Massachusetts. Docket Nos. CP77-217 and CP77-218, Distrigas Corporation. Docket No. CP77-100, et al., Tenneco Atlantic Pipeline Company, et al. G-14, Columbia Gulf Transmission Company, Natural Gas Pipeline Company of America, Tunkline Gas Company.

KENNETH F. PLUMB,
*Secretary.*

[S-679-77 Filed 6-15-77;9:09 am]

4

AGENCY HOLDING THE MEETING: Federal Reserve System.

On Wednesday, June 22, 1977, at 10 a.m. a meeting of the Board of Governors of the Federal Reserve System will be held at the Board's offices at 20th Street and Constitution Avenue, NW., Washington, D.C., to consider the following items of official Board business:

*Items open to public observation:* (1) Proposal to operate an automated clearing house facility at the Columbia, South Carolina, office of the Federal Reserve Bank of Richmond; (2) Any agenda items carried forward from a previously announced meeting.

*Items closed to public observation* because the items fall under exemptions contained in the Government in the Sunshine Act (5 U.S.C. § 552b(c)): (1) Proposed redelegation to the Board of Governors of certain authority over Federal Reserve Bank building and renovation projects; specific application of this policy to the Miami and San Francisco building projects. This matter was originally scheduled for a meeting on June 15, 1977; (2) Any agenda items carried forward from a previously announced meeting.

The closed portion of the meeting will commence at the conclusion of the open discussion.

Information with regard to this meeting may be obtained from Mr. Joseph R. Coyne, Assistant to the Board, at 202-452-3204.

Board of Governors of the Federal Reserve System, June 14, 1977.

GRIFFITH L. GARWOOD,
*Deputy Secretary of the Board.*

[S-681-77 Filed 6-15-77;11:27 am]

5

AGENCY HOLDING THE MEETING: Federal Trade Commission.

TIME AND DATE: 10 a.m., Tuesday, June 21, 1977.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

*Nonadjudicative Matters*

(1) Approval of Minutes of Nonadjudicative Matters Considered at Meeting of June 14, 1977.
(2) Consideration of Disposition of Nonpublic Part II Matter.
(3) Consideration of Acceptance of Proposed Consent Agreement in Firestone Photographs, Inc., File No. 762 3032.
(4) Consideration of Issuance of Complaint in Nonpublic Part II Matter.
(5) Consideration of Issuance of Proposed Complaint in a Nonpublic Part II Matter.

*Adjudicative Matter Under Part 3 of the Rules of Practice*

(1) Consideration of certification of Joint Motion to Withdraw Matter from Adjudication in Vital-E, et al., Docket No. 9082.
(2) Consideration of Motion to Withdraw Complaint Counsel's Motion to Amend Complaint in Block Drug Company, Inc., et al., Docket No. 9050.
(3) Consideration of Certification of Joint Motion to Withdraw Matter from Adjudication as to certain respondents in Gold Bullion International, Ltd., et al., Docket No. 9094.

CONTACT PERSON FOR MORE INFORMATION:

Leonard J. McEnnis, Jr., Office of Public Information: 202-523-3830; Recorded Message: 202-523-3806.

[S-671-77 Filed 6-14-77;11:58 am]

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6

AGENCY HOLDING THE MEETING: Federal Trade Commission.

TIME AND DATE: 10 a.m., Wednesday, June 22, 1977.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Open.

MATTERS TO BE CONSIDERED:

The Commission has not yet scheduled any matters for discussion at this meeting. If no item is placed on the agenda by 10 a.m., on Wednesday, June 22, 1977, the meeting will automatically be cancelled. Any item that is placed on the agenda before that time will be announced in accordance with the Additional Information procedures posted with Commission Meeting Notices outside Room 130 of the Federal Trade Commission Building.

CONTACT PERSON FOR MORE INFORMATION:

Leonard J. McEnnis, Jr., Office of Public Information: 202-523-3830: Recorded Message: 202-523-3806.

[S-672-77 Filed 6-14-77;11:58 am]

7

AGENCY HOLDING THE MEETING: Federal Trade Commission.

TIME AND DATE: 2 p.m., Wednesday, June 15, 1977.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Open.

MATTERS TO BE CONSIDERED:

(1) Briefing of Commissioners and certain agency personnel as to zero base budgeting techniques.

CONTACT PERSON FOR MORE INFORMATION:

Leonard J. McEnnis, Jr., Office of Public Information: 202-523-3830; Recorded Message: 202-523-3806.

[S-680-77 Filed 6-15-77;9:18 am]

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8

AGENCY HOLDING THE MEETING: Interstate Commerce Commission.

TIME AND DATE: 9:30 a.m., Tuesday, June 21, 1977.

PLACE: Commission's Offices, 12th and Constitution Avenue NW., Washington, D.C.

STATUS: Open Regular Conference.

MATTERS TO BE CONSIDERED:

(1) Trans Alaska Pipeline—Status Update; and (2) Department of Energy Legislation.

CONTACT PERSON FOR MORE INFORMATION:

Public Information Officer, Douglas Baldwin, telephone 202-275-7252.

[S-675-77 Filed 6-14-77;3:37 pm]

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9

AGENCY HOLDING THE MEETING: National Transportation Safety Board.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 29617, June 9, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: June 16, 1977, 9:30 a.m. [NM-77-15a].

CHANGE IN THE MEETING: The following agenda item has been added:

Letter to Congressman Robert N. C. Nix, Chairman, Committee on Post Office and Civil Service; comments on H.R. 2733 and H.R. 3928.

[S-677-77 Filed 6-14-77;4:23 pm]

10

AGENCY HOLDING THE MEETING: The Renegotiation Board.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 30270, June 13, 1977.

PREVIOUSLY ANNOUNCED DATE AND TIME OF MEETING: Monday, June 20, 1977, 10 a.m.

CHANGES IN MEETING: Items 7 and 8 are added to the previously announced agenda.

MATTERS TO BE CONSIDERED:

7. Recision of Interpretation 80 concerning Foreign Sales. 8. Republic Corporation Fiscal year ended October 31, 1969.

STATUS: Item 7 is open to the public. Item 8 is closed to the public.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: June 13, 1977.

GOODWIN CHASE,
*Chairman.*

[S-676-77 Filed 6-14-77;4:18 pm]

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11

AGENCY HOLDING THE MEETING: United States Parole Commission.

TIME AND DATE: 9 a.m., Thursday, June 23, 1977.

PLACE: K.C.I. Bank Bldg., 8800 NW., 112th St., Kansas City, Mo. (Kansas City, Mo., is the location of the North Central Regional Office of the Commission.)

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Budget Committee Report and consideration, deliberation, and vote on fiscal year 1979 budget.
2. Fiscal year 1978 supplemental budget.
3. Administrative function performance by other governmental units, including personnel rules and practices of the Commission and such units.
4. Approval of minutes of meeting of March 9, 1977 on subjects of personnel, reprimand, budget and consideration of an inmate's parole.

CONTACT PERSONS FOR MORE INFORMATION:

M. E. Malin Foehrkolb, Washington, D.C., 202-724-3117. Betty Freeman, Kansas City, Mo., 816-243-5690.

[S-685-77 Filed 6-15-77;2:40 pm]

Federal Register

FRIDAY, JUNE 17, 1977
PART II

# FEDERAL COMMUNICATIONS COMMISSION

■

## RADIOTELEGRAPHY IN MARITIME SERVICES

Changes in Frequencies, Operation Procedures, Technical Standards and Other Criteria

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20813; FCC 77-380]

## RADIOTELEGRAPHY IN MARITIME SERVICES

### Changes in Frequencies, Operation Procedures, Technical Standards and Other Criteria

AGENCY: Federal Communications Commission.

ACTION: Report and Order to amend Commission's Rules and Regulations as necessary to comply with treaty requirements.

SUMMARY: Amends Parts 2, 81 and 83 to implement changes in frequencies, operating procedures, technical standards and other criteria relating to the use of radiotelegraphy in the maritime services adopted at the ITU World Maritime Administrative Radio Conference, Geneva, 1974.

EFFECTIVE DATE: July 18, 1977.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Walter E. Weaver, Aviation and Marine Division, Safety and Special Radio Services Bureau (202—632-7197).

SUPPLEMENTARY INFORMATION:

Adopted: June 2, 1977.

Released: June 10, 1977.

By the Commission: Commissioner Quello absent.

In the matter of amendment of Parts 2, 13, 81 and 83 to implement changes in frequencies, operating procedures, technical standards and other criteria relating to the use of radiotelegraphy in the maritime services adopted at the ITU World Maritime Administrative Radio Conference, Geneva, 1974; *Report and Order* (Proceeding terminated). (41 FR 32434.)

1. The Commission released its Notice of Proposed Rule Making (FCC 76-455) in the instant proceeding on June 4, 1976, which was published in the FEDERAL REGISTER on June 15, 1976 (41 FR 24155). By its Order printed in the FEDERAL REGISTER on August 3, 1976 (41 FR 32434), the Commission granted an extension of time in which to file comments. The dates for filing comments and replies have passed.

2. Comments were filed by the American Commercal Barge Line Company (ACBL); American Institute of Merchant Shipping (AIMS); Collins Division of Rockwell International Corporation (Collins); Communications Associates, Inc. (CAI); ITT Mackay Marine (Mackay); ITT World Communications, Inc. (Worldcom); Mobile Marine Radio, Inc. (MMR); and Scientific Radio Systems, Inc. (SRS). No reply comments were filed.

3. CAI and Mackay in their comments provide an overview of the proposed rule amendments set forth in the Notice of Proposed Rule Making with which we heartily agree and believe should be brought to the attention of interested persons:

CAI: "* * * A review of marine communications over the last decade indicates a dramatic increase in usage. There are more users, there is more communication per user, there are completely restructured frequency assignments, and there is a marked change in the shipping industry's attitude toward their communication needs. Add to this the changes being brought about in the international political scene, past, present and future. Each of these factors continues to increase at an increasing rate making it highly probable the rise in marine communication, and the need for more change, over the next five years will substantially surpass the last five * * *."

4. CAI and Collins provide strong supportive comments in regard to the use of frequency synthesizers, as follows:

CAI: "* * * A marine communication philosophy predicated upon the use of synthesizers in the h.f. band is apparent, as well as reasonable. The technology is not new. Other services have been using synthesizers for twenty years. The popularity of synthesizers now dominant in marine v.h.f. transmitters is considerable, especially when it is considered that v.h.f. synthesizers were first proposed in 1968 and first introduced in 1971. Today the use of synthesizer technology for marine v.h.f. and h.f. communications is an accepted technique by most planners.

"The use of synthesizers does provide an additional degree of complexity and expense. This, however, is the inevitable price to be paid for accommodating more users and more communications in an inexpandable spectrum space.

"The obvious advantage, of course, is the availability of any of the authorized frequencies such that all of the services available to a voyager are truly available * * *. There are other justifying advantages as well. The ability to transmit immediately from a cold start in the event of an emergency is very important, when it is recognized that often frequencies other than those allocated to distress are used for this purpose. AMVER traffic being an example. And, of course, frequency stability is in itself almost all the justification that is needed. Many of the communication problems encountered in the marine service can be traced directly or indirectly to a lack of frequency stability."

Collins: "Technology, well within the state-of-the-art, is available to meet the technical performance requirements proposed by the Commission in this proceeding without presenting an unreasonable economic burden.

"Specifically, when considering equipment requirements to utilize the available 924 A1 and 338 F1 emission channels, the economics involved clearly indicate the use of frequency synthesizer systems, in lieu of individual crystal control on each of a number of channels. The use of such synthesizer systems is further indicated considering future changes in frequencies that are likely to occur * * * in connection with future ITU actions. A corollary benefit with synthesizer techniques is that greatly improved frequency precision and stability and, hence, tolerance can readily be achieved economically * * *."

5. In their comments ACBL notes that provision was not included in the Notice of Proposed Rule Making for operation of narrow-band direct-printing on the inland and intracoastal waterways, and requests that such provision be included in the rules. The license records for the public coast station at Jeffersonville, Ind. (WFN) show that radio-teletypewriter (narrow-band direct-printing) was initiated on a developmental basis during 1970 and has continued to the present time. We are sympathetic to the continuation of WFN use of narrow-band direct-printing, however, we feel that rule amendments to provide for this usage on a regular basis should be handled as a separate rule making proceeding. We are not, therefore, disposing of ACBL's request in this proceeding. We are making changes to the proposed § 81.204(c) to provide for requirements specified by the Government subsequent to release of the Notice of Proposed Rule Making. The changes to § 81.204(c) affect stations KFS, WAX, WLO, and WSL. Section 81.204(c), as amended, is set forth below.

6. AIMS comments that it is established procedure of many shipping companies to have a public coast telegraph station transmit a fleet call each day to have their vessels report positions, etc. Further, that there are cases when vessels of a single licensee may need to intercommunicate and therefore would need a common channel. AIMS expresses the view that under the proposed assignment of working frequencies there will no longer be a common working channel for all ships of a given licensee. We believe that proposed § 83.319(b) is fully self-explanatory in regard to which radiotelegraph working frequencies may be used by ship stations. Further, this section provides adequate flexibility to permit both of the types of operation referred to by AIMS. For communications other than the two types mentioned by AIMS, we expect the ship radiotelegraph station to comply with the basic intent of the International Telecommunication Union here involved. ITU's intent is to spread usage of the working frequencies evenly between the using ship stations. The objective of this is to avoid a bunching of ship stations on a relatively few frequencies, which would result in interference and disruption of communications. In order to do this, we have assigned two series numbers of working frequencies to each radiotelegraph station.

7. Mackay expresses the view that the action proposed in paragraph 25 of the Notice of Proposed Rule Making "discontinue consideration of transmitters such as the 2013, ET8065, and similar types" might be interpreted to mean any transmitter that uses frequency multipliers. Mackay requests that the intent be clarified for the benefit of transmitter designers. To provide the requested clarification, we refer interested persons to our intent as set forth in paragraph 25 of the Notice of Proposed Rule Making which, briefly summarized, was that transmitters using the harmonic relationship scheme of operation would not be acceptable on new ships or as new replacement transmitters on existing ships.

8. In this proceeding we are strongly recommending that ship stations, pur-

suant to 1974 WMARC Resolution Mar. 2–4, employ a frequency synthesis generator(s), in lieu of discrete crystals, as a means of providing capability to operate on all of the frequencies and to improve the frequency stability of the transmitter. We are not, however, requiring the use of a synthesizer or that a vessel be fitted with all frequencies. Ship operators will, however, be expected to fit those frequencies needed for whatever routes its vessels travel. This would include calling channel series Nos. 5 and 6 and the necessary group calling channels to establish communication over the areas traversed, as well as the necessary working channels, intership channels, channels as may be required for communication with Government stations, and other necessary frequencies to fulfill the objectives of Resolution A.283 of the Intergovernmental Maritime Consultative Organization (IMCO).

9. Frequency tolerance applicable to transmitters currently installed aboard ship. It is clear that the existing tolerance specified in Part 83 (.005 percent or 60 ppm) will not assure, for the bands 6, 8, 12, 16 and 25 MHz, that the A1 carrier will be maintained within the 500 Hz channel spacing adopted by the 1974 WMARC, as set forth in §§ 83.317 and 83.319. Thus, it is necessary that some other frequency tolerance be applied. In view of our action in reducing the number of mandatorily fitted channels, we recognize that ship stations may continue to use discrete crystals to maintain transmitter frequency stability. We recognize the difficulties associated with maintaining even reasonably tight tolerances where discrete crystals are employed, particularly in older types of shipboard transmitter. Further, this situation worsens where the normal operation calls for the removal of one and insertion of a replacement crystals. Since the transmitter must be maintained within the 500 Hz channel bandwidth, we are amending section 83.131 to change the applicable frequency tolerance from 50 parts per million to 200 Hz, as set forth in the attached Appendix 1. Further, where crystal changes are employed, we encourage the installation and use aboard ship of frequency measuring devices together with oscillator adjustment capability, so that the ship station radio operator can maintain the transmitter on the assigned frequency.

10. Frequency tolerance applicable to transmitters type accepted or type approved after November 30, 1977. Specification of frequency tolerance in terms of percent of a frequency is inadequate where a uniform channel bandwidth is applied at all megacycle orders. To avoid penalty at either the low end or at the high end, the frequency tolerance applied must be related to the channel bandwidth. Since the 1974 WMARC specified a uniform channel bandwidth independent of megacycle order, we are specifying frequency tolerance in cycles per second (Hertz).

11. In recent years it has been the general practice in the industry to install a shipboard transmitter which is capable of being used for multiple types of service, for example, for A1 Morse, radiotelephony, narrow-band direct-printing and for facsimile. Frequency tolerance is not adjusted in these transmitters depending on the type of service being used. The tolerance applied is that which is designed into the transmitter and this is independent of service usage.

12. In looking at frequency tolerance for radiotelegraphy (narrow-band direct-printing), we are basically concerned that in demodulation the transmitted tones (mark and space) fall within the limits of the (receiver) filter for each tone. While standards have not yet been adopted, these filters could have a bandwidth on the order of ±35 Hz. The 1974 WMARC adopted a tolerance for narrow-band direct-printing (NB–DP) of ±15 Hz for coast stations and ±40 Hz for ship stations. Where a tone modulated suppressed carrier SSB transmitter is used, the error would be 55 Hz; the tones (mark and space) would fall outside the receiver filter bandwidth; and, thus, the NB–DP system would not function properly.

13. Where a SSB transmitter is used aboard ship for multiple service purposes, we believe it is essential that the frequency tolerance applicable to that transmitter be such that it is capable of meeting the most stringent of the service requirements. Insofar as we know, the most stringent service requirement is that of NB–DP. With a coast station frequency tolerance of ±15 Hz, receiver filter bandwidth of ±35 Hz, the shipboard frequency tolerance must be ±20 Hz. We are, therefore, adopting a frequency tolerance of ±20 Hz for transmitters type accepted or type approved after November 30, 1977, for use in the maritime mobile service on frequencies below 27.5 MHz, except as applies to survival craft station transmitters operating on 8364 kHz. In the case of survival craft station transmitters operating on 8364 kHz and type accepted or type approved after November 30, 1977, we are adopting a frequency tolerance of ±50 Hz. Selection of the value of ±50 Hz for survival craft station transmitters, after November 30, 1977, is a compromise measure responsive to the strong comments filed by AIMS and Mackay.

14. AIMS expresses the view that vessels in the domestic trade (enrolled vessels) should not be required to fit more than seven crystals, thus providing seven series of harmonically related frequencies in the 4, 6, 8, 12, and 16 MHz bands. We know of no reason nor does AIMS advance any, why vessels in the domestic trade should be treated differently from other United States vessels. It is our view that vessels in the domestic trade, as with vessels in other trades, must fit with those frequencies which are required to satisfactorily operate in the concerned maritime mobile service. By this action it is our intention to place responsibility squarely on the shoulders of the vessel operators to assure that each vessel is fitted for the use of all frequencies needed for the service of that vessel, as well as for the use of those frequencies which are needed for communication with Government and non-Government coast stations and for intership communication.

15. Collins notes that the proposed rule amendments to Part 81 do not but should include changes in frequency tolerance applicable to coast stations employing narrow-band direct-printing, in the band 4–29.7 MHz, adopted and set forth in the revised ITU Radio Regulations (see Appendix 3, note 1) and Appendix 20B, paragraph (d). Collins is correct, the referenced sections of the revised ITU Radio Regulations for the indicated bands and type of service impose a tolerance applicable to coast station equipment: of 15 Hz, where installed after January 1, 1976; of 40 Hz, where installed prior to January 1, 1976; and of 15 Hz, to all equipment after January 1, 1985. No reply comments were filed in opposition to Collins comment, or to the inclusion in Part 81 of a frequency tolerance of 15 Hz applicable to public coast radiotelegraph stations operating narrow-band direct-printing in the maritime mobile service bands between 4 and 29.7 MHz. We agree that a tolerance of 15 Hz should be made applicable to public coast radiotelegraph coast stations operating narrow-band direct-printing.

16. With regard to the matter of frequency tolerance to be applied to coast stations employing narrow-band direct-printing, it is appropriate to note that this subject was considered at length and in depth by Special Committee 64 (SC 64) of the Radio Technical Commission for Marine Services (RTCM). The final report[1] of that group was completed prior to the 1974 World Maritime Administrative Radio Conference (WMARC) and includes the following text:

"RTCM recommends that HF radioteleprinter systems provide for the following technical characteristics and operational practices:

(1) System frequency stability of transmitters and receivers should be held to within 35 Hz, nominally (25 Hz for ship and 10 Hz for coast station equipment) and not exceed 70 Hz at any time. The system stability includes receiver frequency stability, as well as transmitter frequency stability, and does not exceed permissible FCC frequency tolerances for the latter.

17. We believe that the above referenced examination by SC 64 is adequate to establish the order of magnitude of frequency tolerance which should be applied to coast stations employing radioteleprinter (narrow-band direct-printing) in the high frequency maritime bands. The results rendered by SC 64 were available to and were used by the United States Delegation at the 1974 WMARC and contributed to the decision

[1] See Final Report of RTCM Special Committee No. 64, MF, HF and VHF Maritime Radioteleprinter and Data Systems and Operation, dated June 17, 1976.

of the WMARC to apply the 15 Hz frequency tolerance in this instance. These things considered, we believe it is appropriate, therefore, to amend § 81.131 of Part 81 to apply a frequency tolerance of 15 Hz to public coast radiotelegraph stations employing narrow-band direct-printing on high frequencies in the maritime mobile service bands. Section 81.131 presently applies a frequency tolerance of 20 Hz, thus, the amendment will tighten that tolerance by 5 Hz. To provide a reasonable period for implementation, the effective date of the new tolerance (15 Hz) is delayed until January 1, 1978. The amended § 81.131 is set forth below.

18. SRS points out that when (for radioteleprinter) audio tones centered around 1,700 Hz are applied as modulation to a single sideband suppressed carrier transmitter, the residual carrier will fall outside of the authorized bandwidth and, thus, the rules require that the carrier be suppressed to the 50 microwatt level. SRS is correct in their reconstruction of the current provisions of the rules. MMR also comments on this matter. In view of the circumstances discussed in the following two paragraphs, we believe that to include the above provisions in the rules is correct, and that a change to lower the level (towards 50 milliwatts) of permitted spurious emissions would not be in the public interest.

19. The requirement for suppression to the 50 microwatt level was imposed to avoid disruption of other radioteleprinter uses of the frequencies outside the authorized bandwidth. Since the spacing between channels is uniform on a 500 Hz basis, a carrier at 1700 Hz below the assigned frequency would fall inside the channel limits of the frequency three channels lower, and if not adequately suppressed would disrupt the use of that lower channel. This situation was anticipated and considered by RTCM SC 64 during their study of HF maritime radioteleprinter and data systems. For example, some foreign administrations permit the carrier to be suppressed to the 50 milliwatt level and we have received complaints that this steady state signal (residual carrier) has and is causing disruption of radioteleprinter use of properly authorized frequencies. This situation should worsen as greater and greater use is made of the narrow-band direct-printing (NB–DP) channels. If the future usability of the NB–DP channels is to be maintained, it will be necessary at some point that other administrations increase (towards 50 microwatts) the required suppression of the residual carrier. (Further details regarding this subject are included in the Final Report of RTCM SC 64, as referred to above.)

20. We reject MMR's comment that "As an alternative to eliminate residual carrier emission interference, the 1700 hertz standard proposed on § 81.143(c)(2) is appropriate". The two requirements are not alternatives. The off-set (FSK audio tones) are permitted so that a single sideband (SSB) voice transmitter can be used, additionally, for A1 Morse and for radioteleprinter. This permits one transmitter to be used aboard ship for multiple purposes, or conversely, it nullifies the need to install two or more types of transmitters aboard ship. Technically, an A1 Morse or radioteleprinter transmitter is substantially simpler to design and produce than a SSB transmitter. Recognizing the practical and/or economic considerations involved, we accept the use of SSB transmitters for A1 Morse and radioteleprinter, however, we apply to such SSB transmitters the same technical requirements as are applicable to non-SSB A1 Morse and radioteleprinter transmitters. Neither of the two types are permitted to radiate an interfering signal on the third lower channel.

21. Further, we do not agree with MMR's statement that the two requirements are "redundant" since we have two signals, each of which must be treated. Lastly, MMR provides no factual information in support of their statement that the imposition of these two requirements "* * * would require the redesign of certain existing transmitters * * *". Insofar as we know, all of the SSB transmitters employed for radioteleprinter operations by MMR's station WLO have been type accepted by the manufacturer for 0.3 F1 emission and, thereby, meet the 50 microwatt spurious emission level requirement.

22. In paragraph 22 of the Notice of Proposed Rule Making information was requested in regard to the tuning range capability of the harmonic relationship type shipboard transmitters to cover the 25 MHz band without modification. We indicated that if extension of the tuning range was feasible, we would expect affected ship stations to have the capability to operate in the 25 MHz band. In their comments, Mackay indicates that the Radiomarine Corporation type CRM–T1A–1000M and the ITT Mackay Marine type 2013 telegraph transmitters could not be adjusted to operate in the 25 MHz band. Further, Mackay advises that the extent of modification required to extend frequency coverage to include the 25 MHz is unknown at this time. Informal information indicates that a similar situation exists with regard to the RCA Corporation ET–3065 type transmitter. CAI corrects our NPRM to wit, their type CA–35 equipment does not cover the 25 MHz band, and further advises that it is not economically feasible to retrofit the 25 MHz band in outstanding equipment.

23. On the basis of the foregoing, we believe that it would be impractical and unreasonable to require all shipboard transmitters, with particular reference to many of those now in service, to have a capability to operate in the 25 MHz band. On the other hand, we believe it is both practical and reasonable to require a capability to operate on all radiotelegraph frequencies in all bands, including the 25 MHz band, in new equipment type accepted in the future. Accordingly, this requirement is set forth in modified § 83.315(d) below.

24. Worldcom comments, in reference to paragraphs 29 through 36, of the Notice of Proposed Rule Making, that they should not be required to fit special calling receivers to guard the ship calling bands prescribed in proposed § 81.209 (a). Further, Worldcom estimates that to fit these special receivers would involve expenditures of $70,000 per station, or a total of $350,000 for all five of their public coast radiotelegraph stations.[3] The reference paragraphs do not, nor were they intended to require that Worldcom purchase new or special receivers to monitor the ship calling frequencies. We do intend that Worldcom and other licensees of public coast radiotelegraph stations shall fulfill the requirements of § 81.209 (a), (b), and (c) at each of their public coast radiotelegraph stations. It should be noted that the other public coast radiotelegraph coast station operators are faced with the same requirements as Worldcom and they have not viewed the changes imposed by the 1974 WMARC with the same apprehension expressed by Worldcom.

25. Worldcom believes that any requirement for special receivers as contemplated in section 81.209 "* * * should be deferred pending final disposition of Docket No. 19544 and the evolvement of the ultimate coast station configuration; also, that the need for such special receivers should be reviewed in the light of operational requirements under the ultimate coast station configuration when such is determined." We have disposed of the matter of "special receivers" in the foregoing paragraph. As to deferment pending final disposition of Docket No. 19544, the rules describing the technical performance capabilities of receivers used in public coast radiotelegraph stations are necessary for those stations to provide satisfactory service to ship stations on and after June 1, 1977, the date on which the new internationally agreed calling procedure will be initiated at coast stations licensed by this Commission. Where a particular difficulty is experienced in providing full service by June 1, 1977, paragraph 50, hereof, discusses a basis for obtaining short term relief.

26. In a similar vein, Worldcom's comment that the old calling procedure (whereby the calling bands are scanned) has been fully adequate to meet the service needs, can be noted as the only dissenting opinion, or as a minority opinion. It is not necessary to discuss the merits or faults of the old calling procedure, since it has been replaced by the new procedure adopted at the 1974 WMARC. That new calling procedure is now the world standard, it has been ratified by the United States and its use is mandatory.

[3] Worldcom provides no details in regard to how these figures were derived. Further, we believe that these figures far exceed the current cost for receivers of the type that will perform in consonance with the requirements of § 81.209.

27. With regard to Worldcom's understanding that the ITU Radio Regulations as adopted at the 1974 WMARC do not require receivers as described by § 81.209, we do not concur. If the United States is to fulfill the spirit and intent of the 1974 WMARC relative to the new calling procedure, and we believe this is the only means by which the advantages of the new calling procedure can be realized, it is necessary that public coast radiotelegraph stations employ receivers as described in § 81.209. Use of wideband (covering several 0.5 kHz channels) receivers, such as are now employed for the old calling procedure, will not provide the necessary technical capability to distinguish between desired and undesired signals. There was and is an urgent need to provide a calling procedure which will make it possible for a ship station to contact a coast station within a reasonable period of time. Under the old procedure, a ship station cannot determine which frequency if any, is being guarded by a coast station. The new procedure removes this major problem. Under the new procedure, a ship station knows which frequency(s) a coast station is required to guard. In the future, following reports from ship stations, if a coast station does not respond to ship station calls, we plan to ascertain the circumstances or reasons for that lack of response.

28. Collins comments that the operating procedure used on the digital selective calling frequencies, in § 81.203, should provide for the use of error control (protected) NB–DP when it is known that a ship station employs that type of terminal equipment. We are hopeful that the forthcoming 1977 meeting of CCIR will be successful in reaching semi-final agreement on the digital selective calling system to be used by the maritime mobile service and that the 1979 WARC, or more likely the maritime conference following the 1979 WARC will adopt that system into the international Radio Regulations. During the interim period, we believe it would be premature and probably would unnecessarily complicate use of the digital selective calling frequencies to provide for the use of error control ("protected") systems. That is, if we provide for the use of "protected" systems on the digital selective calling frequencies, the coast station would almost surely be forced to make its calls in both the "protected" and "unprotected" modes. Any unnecessary increase in occupancy time, by either coast or ship stations, of the digital selective calling frequencies must be avoided. We believe that the limited number of digital selective calling frequencies versus hundreds of coast stations plus over 22,000 vessels clearly demonstrates why such unnecessary use must be avoided. Ship or coast stations fitted with error control terminals are required by the international Radio Regulations and by §§ 81.143(e) and 83.143(e), hereof, to have a simple device to bypass the error control system. Accordingly, during the interim period we are not providing at United States coast stations for the use of error control ("protected") systems on the digital selective calling frequencies. Transmissions on those frequencies by ship and coast stations during the interim period shall, therefore, be in the "unprotected" mode. We will, of course, continue to monitor the international program to establish a world-wide digital selective calling system, and if circumstances so require, will revise the foregoing policy to be in accord with that program. Further, should it develop that one or more other administration(s) require that digital selective calls to its coast station(s) be made in the "protected" mode, United States vessels fitted with error control terminals should comply with that requirement.

29. Collins submits two comments in regard to proposed section 2.303, first, that the table following § 2.303(a) should include "Limited Coast (radiotelephone)"; and second, that § 2.303(b)(3) should apply to digital selective calling systems and not to sequential single-frequency code (SSFC) systems. We concur with both comments and have amended § 2,303 to be in accord therewith, as set forth in the attached Appendix.

30. Mackay suggests in regard to proposed § 83.317(h) that the endings of the tabulated frequencies (between 2089.5 and 2092.5 kHz) be in steps of not less than one hundred (100) Hz, for example, 2089.75 kHz would read 2089.7 kHz. This arrangement would permit the use of frequency synthesizers which provide incremental steps of 100 Hz. We concur with Mackay's suggestion and have amended the table of frequencies appearing in § 83.317(h), as set forth in the attached Appendix. In the revised table we have not used the 200 Hz spacing suggested by Mackay. Instead we have used a spacing of 300 Hz, except adjacent to 2,190 kHz, where a spacing of 400 Hz has been provided. The wider spacing (400 Hz) adjacent to 2,191 will provide a slightly greater protection to 2,191 kHz, which is used by some ITU Region 3 countries for safety and radionavigation purposes.

31. MMR suggests in regard to proposed § 81.143 (e) and (f), that in lieu of recognizing Automatic Repeat Request (ARQ) and Forward Error Correcting (FEC) systems we should require standardization upon the ARQ and ITU–FEC systems. MMR feels that "unprotected" radioteleprinter and other FEC systems, permitted by the proposed rules, are wasteful of both spectrum and coast station operating time and that expansion of their use should not be tolerated. Recognizing that such systems are presently in shipboard use, MMR suggests that the existing users of such systems be given "grandfather" rights. We are sympathetic to MMR's view that it is desirable to promote and enhance the growing requirement for NB–DP radiotelegraph service. Where MMR proposes that we take this opportunity to establish appropriate technical standards, we, on the other hand, feel it would be premature at this time to impose this type of standard on an infant service. In particular, we believe that to impose the mandatory fitting of error detection-correction equipment, with the sizable economic expenditure involved, could retard the growth of this service. We are, therefore, proceeding on the basis that persons desiring or requiring an improved service will fit the error detection-correction equipment as part of the initial installation; further, that if such equipment is not installed initially, it is likely that it will be installed later as the user develops a need for an improved service.

32. MMR expresses both a general and a specific dissatisfaction with proposed § 81.204(c). MMR states that § 81.204(c)

> " * * * is premature and inappropriate. The Commission has, in this subsection of the regulations, proposed codification of the frequency assignment plan in such fashion as will serve to permanently assign the frequencies without specific regard as to the public interest, convenience and necessity. It is incongruous, for example, that frequency allocations have been proposed for eight coast stations for which applications to close are presently pending before the Commission. Moreover with respect to those stations, MMR respectfully submits that if the applications to close are granted, the frequency assignments should be made available to other licensees. All too often in the past the Commission has allowed telegraphy licensees to cross-license frequencies, thus precluding, such as occurred with respect to station WAX, the opportunity for those licensees needing frequencies to obtain additional allocations, upon a showing of need and the public interest, convenience and necessity, when they become available due to closure of another station. MMR respectfully submits that the Commission must address this issue and must amend its procedures in order to provide for a more equitable distribution of the public coast station frequencies in accordance with the requirements of section 309 of the Communications Act, rather than at the private convenience of individual licensees."

33. Treating the comments of MMR in the order presented:

(a) The arrangement set forth in § 81.204(c) is neither premature or inappropriate. MMR makes no effort to substantiate or to give support to their claim. In June 1975 the staff had prepared a draft plan for the distribution of NB–DP paired frequencies between the concerned public coast radiotelegraph stations, which was then coordinated with the concerned government agencies. In July 1975 we coordinated that draft plan with the affected communication common carriers, the results of which were included in the first draft of the Notice of Proposed Rule Making (later to become Doc. No. 20813). The instant Notice of Proposed Rule Making was released June 4, 1976. In September 1976 we requested the communication common carriers to supply the basic characteristics of coast transmitting and receiving stations in order that the appropriate notices (Standard Form 128) could be supplied to the International Frequency Registration Board, pursuant to the 1974 WMARC Resolution Mar 2–7,

showing the frequencies and areas proposed to be employed at United States public coast radiotelegraph stations. That information was supplied, included on Standard Form 128 and filed with the IFRB.

MMR has not (1) in June 1975, or (2) in response to the instant proceeding, or (3) in September 1976, indicated or stated that the NB–DP frequencies proposed for station WLO were inadequate or unsatisfactory. Further, MMR has given no basis or reason for dissatisfaction with the NB–DP frequencies proposed for ITT Worldcom, RCA Globcom, or TRT Telecommunications public coast radiotelegraph stations. In fact, MMR has not clearly stated they are opposed to the NB–DP frequencies proposed for the ITT, RCA, or TRT stations. MMR's implication in the phrase "permanently assign" is true only to the extent that the rules set forth in Part 81 are permanent. As all are aware, Part 81 is frequently amended to meet changing conditions and the public need.

(b) MMR refers to the Memorandum Opinion and Order, Docket No. 19544 (FCC 76–454) released May 27, 1976 (41 FR 22059), and to applications to close eight public coast radiotelegraph stations. MMR refers, further, to § 81.204 (c), which designates frequencies for those eight stations, and expresses the view that it is "incongruous" that the Commission has proposed "frequency allocations" for those eight stations. Noting the non-final status of the referenced Memorandum Opinion and Order, the Commission will act appropriately on this matter at such time as a decision is reached to close or not to close those stations.

(c) MMR addresses the matter of cross-licensing in the vein that it precludes other licensees from access to those frequencies and uses TRT's station WAX as an example. Cross licensing has been the standard, rather than the exception, for several decades. It was initiated on a near full scale basis for communication common carrier fixed public and aeronautical fixed stations following the 1951 Extraordinary Administrative Radio Conference. In more recent years it has been applied to various maritime mobile frequency usage. In 1952 it was agreed, in meetings convened by the Commission (at which the communication common carriers and aeronautical representatives were present) on the basis that it (cross-licensing) provided the best means for protecting international registrations of United States frequency assignments and, second, as providing maximum flexibility to FCC licensees in the use of those frequencies. In the following years we know of no reversal of or desire to reverse the 1952 decision. It is our view that the 1952 decision was then, and remains today, fully in the public interest.

We turn now to MMR's reference to TRT's station WAX as an example of procedure contrary to the public interest. We suggest that one or more of the problems associated with MMR's efforts to expand its radiotelephony operations are being applied, incorrectly, to MMR's radiotelegraphy operations. Aside from the usual crowding in the coast radiotelegraph bands, we are not aware that MMR has inadequate frequencies for its radiotelegraph operations.

(d) The last reference is to MMR's comment, quoted above, that the Commission must address this issue and must amend its procedures, etc. If we correctly construe the issue referred to, it would require that we examine in detail the frequency assignments to each of the common carriers providing public coast radiotelegraph service. In the absence of a documented need for additional coast radiotelegraph frequencies by one or more of the concerned common carriers, and we know of no such need, recognizing the substantial economic burden to each carrier which would result from reaffirmation of the current procedure or development of a new procedure (for example, formal documentation of the pertinent statistics for each station, public hearings to obtain needed facts, diversion of legal, engineering and operational personnel from normal duty assignments), it is our opinion that in the absence of a documented need such action would provide no practical benefit, would serve no useful purpose, and would not be in the public interest. In any event, we do not see that Section 309 of the Communications Act is involved.

34. MMR comments that they have learned that other administrations will use the same NB–DP frequencies as proposed for United States coast stations and suggests that prior to finalization of § 81.204(c) the Commission should coordinate that plan with foreign administrations. There are over 150 foreign administrations which potentially have access to Appendix 15A frequencies and, thus, it is clear that several administrations will employ each family of the NB–DP frequencies. The need for coordination of NB–DP frequency assignments between administrations is recognized in 1974 WMARC Resolution Mar 2–7. Recognizing that a specialized conference would be required, probably following the 1979 WARC, for the maritime mobile service, the IFRB states that entries in the Master Register are being made in a manner which will not prejudice the decisions of such conference. Considering the number of United States public coast radiotelegraph stations involved, we know of no means, other than by a worldwide conference attended by using administrations, which could be employed to effect the suggested coordination. While it is our view that a coordinated plan would reduce conflicts between user administrations in the use of NB–DP frequencies, it would (1) require a reduction in the number of frequencies to which United States stations have access, and (2) require an extended period of time in which to complete. Until a clearer picture develops as to which United States and foreign stations will provide NB–DP service, we believe that the public interest is best served by proceeding on an evolutionary basis, up to the time of convening of an international maritime conference. We do not, therefore, propose to undertake any large scale international coordination with other administrations in the use of NB–DP frequencies.

35. MMR comments in regard to proposed § 81.205 that paragraph (e) appears to be in conflict with paragraphs (a) through (d) and that the section should be rearranged to initially indicate that the format detailed therein is optional rather than mandatory. MMR appears to have misunderstood the text of paragraph (e) since under the conditions stated it is of no concern to MMR or to any other coast station what format or procedure is employed. Once the coast station has patched the ship station through to the addressee, or vice versa, the transmitting station can use any procedure that station desires to use. On the other hand, except under the conditions set forth in (e), the procedure/format in paragraphs (a) through (d) is mandatory. In view thereof, we see no need to rearrange § 81.205.

36. MMR comments that the Commission should allow coast stations having A1 Morse capability to employ A1 Morse, on a secondary basis in an operational mode, for telegraphy set up and control. Further, MMR refers to MMR comments in Doc. No. 20449, which MMR states address this requirement and requests that those comments be incorporated by reference. MMR referenced comments were submitted in Doc. No. 20449 notwithstanding the Commission's statement in the Notice of Proposed Rule Making in that proceeding that the Commission would not consider the matter of use of radiotelephone frequencies to set up and back up direct-printing (radio teleprinter). MMR referenced comments in Docket No. 20449 did not refer, in any way, to the use of A1 Morse to set up a radioteleprinter circuit.

37. MMR comments that the Commission should allow, as some European administrations are doing, coast stations having A1 Morse capability to employ A1 Morse, on a secondary basis in an operational mode, for telegraphy set up and control. By "telegraphy set up" we construe MMR's reference to be to radioteleprinter set up. Proposed § 81.204(b)(6) treats this subject. In § 81.204(b)(6) we are requiring that radioteleprinter circuits be set up by radioteleprinter calls on the digital selective calling or on NB–DP frequencies. We are not authorizing the routine use of A1 Morse to set up radioteleprinter circuits, although we are providing for the interim contingency use of A1 Morse in the case where the ship or coast station may not know which NB–DP frequency(s) is to be used. We fully expect that after accurate frequency and operational information appears in ITU's Lists of Ship Stations and Coast Stations, or that information is otherwise disseminated, and the non-standard radioteleprinter systems aboard ship have been brought into accord with these rules, that the interim

contingency need for the use of A1 Morse set up will be discontinued altogether. At that time we plan to delete this interim contingency provision from proposed § 81.204(b)(6).

38. MMR requests, in regard to proposed § 81.152, that the requirements of this section be modified to permit radioteleprinter operation by a person holding a radiotelegraph third-class operator permit (T–3) or a radiotelephone third-class operator permit (P–3), when those (T–3 or P–3) operators are under the direct supervision and responsibility of an operator holding a radiotelegraph second-class operator license (T–2) or higher class of operator license. MMR states (1) that the staffing of each radioteleprinter operating postion with a T–2 technician is unnecessary; (2) creates an undue salary expense requirement; and (3) is infeasible inasmuch as a person with a T–2 operator license is overqualified merely to serve as a radioteleprinter operator. In support thereof, MMR expresses the view (4) that the requested amendment would be consistent with existing section 81.155 which allows for operation of telephony service by an unlicensed person where that person is subject to the direct supervision of a duly licensed operator; (5) corresponds to the Commission's proposed action in Docket No. 20862; and (6) is necessary to provide adequate staffing as prescribed by the Commission's Memorandum Opinion & Order (FCC 76–454) in Docket No. 19544, released May 27, 1976 (41 FR 22059, June 1, 1976). No opposing views were filed relative to MMR's request.

39. Part 13, § 13.21(f)(2) requires that an applicant (a) for a P–3 operator permit must complete tests of written examination elements 1 and 2; or (b) for a T–3 operator permit, must complete tests of written examination elements 1, 2, and 5. Element 1 covers basic law—provisions of laws, treaties, and regulations with which every operator should be familiar. Element 2 covers basic operating practice—radio operating procedures and practices generally followed or required in communicating by means of radiotelephone stations. Element 5 covers radiotelegraph operating practice—radio operating procedures and practices generally followed or required in communicating by means of radiotelegraph stations primarily other than in the maritime mobile services of public correspondence.

40. In viewing the above test elements together with the scope of authority permitted operators holding the various categories of licenses or permits, as set forth in § 13.61 (specifically § 13.61(g), in the case of class P–3, and 13.61(d) in the case of class T–3), it is not necessary to modify §§ 13.21 or 13.61 in order to effect the modifications requested by MMR. It is necessary, however, that, as requested, § 81.152 be amended. With regard to the merit of the arguments advanced by MMR in support of the requested amendment, we are persuaded that the requested amendment would facilitate the staffing and operation of public coast radiotelegraph stations. In addition, we believe that the requested amendment would not adversely affect the quality and/or capability of operating personnel at those stations. We are, therefore, amending § 81.152 to permit the operation of radioteleprinter operating positions at public coast radiotelegraph stations by personnel holding either a P–3 or a T–3 operator authorization, subject to the limitations set forth in the appropriate paragraphs of § 13.61. Section 81.152 as amended is set forth below.

41. In paragraph 28 of the Notice of Proposed Rule Making we set forth the policy which we proposed to apply to the older ship transmitters of the harmonic relationship type. That policy, modified to be in accord with the revision herein adopted, together with the applicable exceptions, is set forth below:

(a) Discontinue the availability of the type transmitters set forth below for use in ship stations after May 31, 1977; however,

(b) We will continue to license those transmitters aboard existing ship stations if the crystal oscillator section of these transmitters is modified[1] to comply with the 200 Hz frequency tolerance and to incorporate the capability to provide all A1 Morse calling and working frequencies, including those frequencies which are harmonically related and those which are not harmonically related, which are necessary to the vessels operation, provided these transmitters meet the other applicable provisions of the rules; but that

(c) We will preclude the installation of the ship transmitters set forth below (either unmodified or modified as set forth in (b), above) aboard new ships, or as replacement transmitter(s) aboard existing ships.

42. AIMS and CAI directed comments to the above policy and/or to the transmitters listed below. With regard to the matter of harmonic relationship type transmitter, AIMS expresses the view that if this type transmitter is fitted with a frequency synthesis generator (in lieu of crystals), this type transmitter should be approved for installation aboard new ships. Based on the comments filed, these transmitters will not operate in the 25 MHz band and no encouragement is given that they can be modified, practicably and on an economically feasible basis, to operate in that band. In our view, this deficiency alone provides a fully adequate basis from which to prohibit their installation on new ships. We are, therefore, rejecting AIMS request that these type transmitters be permitted to be installed on new ships. Accordingly, that portion of Appendix 2 which relates to harmonic relationship type transmitters is adopted without charge.

43. CAI's comments are directed to inclusion in Appendix 2 of their transmitter type CA–35. CAI (1) advises that they now have available a control/exciter unit that provides a capability to be set to each of the required frequencies and (2) provides with their comments a graph of power measurements for the CA–35 MKII/CL–36 showing power output variation vs. frequency and in their comments state that low power measurement may be attributable to other factors, including: malfunctioning transmitter (components or adjustments), faulty installation, an improper antenna, an improperly tuned antenna, or a lack of understanding of test parameters.

44. Based on these actions and statements by CAI, the transmitter type CA–35 has been removed from Appendix 2, which is modified in accordance therewith, and adopted as set forth in the attached Appendix. CAI is correct that it was not the Commission's intent to present the CA–35 in an unfair light to present and potential users.

45. CAI "* * * requests that there be a type acceptance requirement to measure the power output of all transmitters (affected by this proceeding) at all band-edge and mid-band frequencies. And further, that the FCC published rated power of the transmitter be determined by these measurements and shall be no more than 1 dB above the lowest recorded power in this test." We concur that CAI's request has merit since it would assure that the public was informed as to the lower output levels of the transmitter. The public would not, however, be informed as to the upper output levels. These points notwithstanding, the Commission's rules are written around the minimization of interference based on the concept of a maximum output power. Thus, there is no practical means by which CAI's suggested approach can be incorporated into the rules short of a change in concept and a major reworking of the rules. We feel that such a major undertaking is not now justified.

46. Comments were not submitted in regard to the following proposed sections and they are, accordingly, adopted without change as set forth below.

Sec.
2.106
81.184
81.203
81.206
81.207
81.209
83.133
83.134
83.143
83.155
83.156
83.318
83.319
83.320
83.321
83.324
83.328
83.329
83.330

47. In Appendix 3 to the Notice of Proposed Rule Making we provided a (27 page) listing of ship stations currently licensed for the use of radiotelegraphy. We requested licensees to inform the Commission of vessels which should be added to or deleted from that Appendix; of transmitter types in use aboard the respective vessels which differ from the

[1] These requirements could be fulfilled by the installation of a type accepted frequency synthesis generator.

listed transmitters; or of changes which should be made in other particulars deemed appropriate. The requested information was supplied, on an informal basis, by American Telephone & Telegraph Co., ITT/Mackay Marine and RCA Frequency Bureau. The information supplied has been used to update our master copy. A new master copy will be released to the public, as a separate document, it will contain specific series numbers of working frequencies and identification numbers (selective calling) for ship stations currently licensed for telegraphy. Listed ships are now authorized the use of these assignments, in conjunction with their existing station authorization.

48. In keeping with the intent of the 1974 WMARC to improve the effectiveness of the A1 Morse calling procedure by evenly distributing calls throughout the calling bands, Series No. 4 on the East coast and Series No. 11 on the West coast will be guarded by the United States Coast Guard for AMVER purposes. This action is being taken to separate public correspondence calling channels from AMVER calling channels and to establish permanent dedicated A1 Morse calling channels for the United States Coast Guard AMVER program.

49. The Commission is fully aware of the small amount of time available to put into effect the new calling procedure.

Further, we are aware that the effectiveness of the Commission's Memorandum Opinion and Order on Docket No. 19544 is stayed for purposes of clarification. In view thereof, we recognize that some of the affected licensees may have difficulty in providing full service in accordance with the instant Report and Order, particularly where new, replacement, or additional equipment is involved. Accordingly, where such situation appertains, we will consider on a case by case basis, requests from affected licensees for an interim waiver of the rules in order to allow licensees to comply insofar as possible with the intent of these new rules.

50. In the Notice of Proposed Rule Making we had anticipated that changes (see paragraph 49) might be required to Part 13 to bring it into accord with consequential changes to §§ 81.152 and/or 83.159. As set forth in paragraph 41, above, no changes to Part 13 are required.

51. Any application for modification of license to comply with any rule amendments adopted herein may be submitted without a fee.

52. Accordingly, *it is ordered*, That, pursuant to the authority contained in section 303 (c), (f), (g), and (r) of the Communications Act of 1934, as amended, and in the Final Acts of the World Maritime Administrative Radio Conference, Geneva, 1974, Parts 2, 81 and 83 of the Commission's rules are amended effective July 18, 1977, as set forth in the attached Appendix.

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

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

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

Parts 2, 81, and 83 of Chapter I, Title 47, Code of Federal Regulations, are amended as follows:

## PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Section 2.106 is amended to read as follows:

### § 2.106 Table of frequency allocations.

FEDERAL COMMUNICATIONS COMMISSION

| Band (kHz) (7) | Service (8) | Class of station (9) | Frequency (10) | Nature (of services, of stations) (11) |
|---|---|---|---|---|
| * | * | * | * | * |
| 4063 to 4143.6 | Maritime mobile. | Ship | | Ship (telephony, duplex). |
| 4143.6 to 4146.6 (US82). | do | Ship | | Ship. |
| | | Coast | 4145 | Coast. (telephony, simplex). |
| 4146.6 to 4162.5 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 4162.5 to 4166 | do | Ship | | Ship. |
| | | Buoy | | Buoy. |
| | | Interrogating Coast. | | Interrogating coast (oceanographic data transmission) |
| 4166 to 4170 | do | Ship | 4168 | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 4170 to 4177.25 | do | do | | Ship (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 4177.25 to 4179.75 | do | do | | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 4179.75 to 4187.2 | do | do | | Ship (calling, A1 Morse telegraphy). |
| 4187.2 to 4188 | do | do | 4187.6 | Ship (digital selective calling). |
| 4188 to 4219.4 | do | do | | Ship (working, A1 Morse telegraphy). |
| 4219.4 to 4349.4 | do | Coast | | Coast (wide-band and A1 Morse telegraphy, facsimile, special and data transmission systems and direct printing telegraphy systems). |
| 4349.4 to 4356.75 | do | do | | Coast (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 4356.75 to 4357.4 | do | do | 4357 | Coast (digital selective calling). |
| 4357.4 to 4438 | do | do | | Coast (telephony, duplex). |
| * | * | * | * | * |
| 6200 to 6218.6 | do | Ship | | Ship (telephony, duplex). |
| 6218.6 to 6224.6 (US82). | do | Ship | | Ship. |
| | | Coast | | Coast. (telephony, simplex). |
| 6224.6 to 6244.5 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 6244.5 to 6248 | do | Ship | | Ship. |
| | | Buoy | | Buoy. |
| | | Interrogating Coast. | | Interrogating Coast (oceanographic data transmission) |
| 6248 to 6256 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 6256 to 6267.75 | do | do | | Ship (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 6267.75 to 6269.75 | do | do | | Ship (nonpaired, narrow-band direct printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 6269.75 to 6280.8 | do | do | | Ship (calling, A1 Morse telegraphy). |
| 6280.8 to 6282 | do | do | 6281.4 | Ship (digital selective calling). |
| 6282 to 6325.4 | do | do | | Ship (working, A1 Morse telegraphy). |
| 6325.4 to 6493.9 | do | Coast | | Coast (wide-band and A1 Morse telegraphy, facsimile, special and data transmission systems and direct-printing telegraphy systems). (NG27) |
| 6493.9 to 6505.75 | do | do | | Coast (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 6505.75 to 6506.4 | do | do | 6506 | Coast (digital selective calling). |
| 6506.4 to 6525 | do | do | | Coast (telephony, duplex). |
| * | * | * | * | * |
| 8195 to 8291.1 | do | Ship | | Ship (telephony, duplex). |
| 8291.1 to 8297.3 (US 82). | do | Ship | | Ship. |
| | | Coast | | Coast. (telephony, simplex). |
| 8297.3 to 8300 | do | Ship | | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 8300 to 8328 | do | do | | Ship (wide band telegraphy, facsimile and special transmission systems). |
| 8328 to 8331.5 | do | Ship | | Ship. |
| | | Buoy | | Buoy. |
| | | Interrogating coast. | | Interrogating coast. (oceanographic data transmission). |
| 8331.5 to 8343.5 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |

FEDERAL COMMUNICATIONS COMMISSION—Continued

| Band (kHz) (7) | Service (8) | Class of station (9) | Frequency (10) | Nature (of services, of stations) (11) |
|---|---|---|---|---|
| 8343.5 to 8357.25 | do | do | | Ship (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 8357.25 to 8357.75 | do | do | 8357.5 | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 8357.75 to 8359.75 | do | do | | Ship (working, A1 Morse telegraphy). |
| 8359.75 to 8374.4 | do | do | | Ship (calling, A1 Morse telegraphy). |
| 8374.4 to 8376 | do | do | 8375.2 | Ship (digital selective calling). |
| 8376 to 8435.4 | do | do | | Ship (working, A1 Morse telegraphy). |
| 8435.4 to 8704.4 | do | Coast | | Coast (wide-band and A1 Morse telegraphy, facsimile, special and data transmission systems and direct-printing telegraphy systems). |
| 8704.4 to 8718.25 | do | do | | Coast (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 8718.25 to 8718.9 | do | do | 8718.5 | Coast (digital selective calling). |
| 8718.9 to 8815 | do | do | | Coast (telephony, duplex). |
| * | * | * | * | * * * |
| 12330 to 12429.2 | do | Ship | | Ship (telephony, duplex). |
| 12429.2 to 12439.5 (US82). | do | do | | Ship. |
| | | Coast | | Coast (telephony, simplex). |
| 12439.5 to 12479.5 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 12479.5 to 12483 | do | do | | Ship. |
| | | Buoy | | Buoy. |
| | | Interrogating coast. | | Interrogating coast (oceanographic data transmission). |
| 12483 to 12491 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 12491 to 12519.75 | do | do | | Ship (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 12519.75 to 12526.75 | do | do | | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 12526.75 to 12539.6 | do | do | | Ship (working, A1 Morse telegraphy). |
| 12539.6 to 12561.6 | do | do | | Ship (calling, A1 Morse telegraphy). |
| 12561.6 to 12564 | do | do | 12562.3<br>12562.8 | Ship (digital selective calling). |
| 12564 to 12652.3 | do | do | | Ship (working, A1 Morse telegraphy). |
| 12652.3 to 13070.8 | do | Coast | | Coast (wide-band and A1 Morse telegraphy, facsimile, special and data transmission systems and direct-printing telegraphy systems). |
| 13070.8 to 13099.75 | do | do | | Coast (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 13099.75 to 13100.8 | do | do | 13100<br>13100.5 | Coast (digital selective calling). |
| 13100.8 to 13200 | do | do | | Coast (telephony, duplex) |
| * | * | * | * | * * * |
| 16460 to 16587.1 | do | Ship | | Ship (telephony, duplex). |
| 16587.1 to 16596.4 (US82). | do | do | | Ship. |
| | | Coast | | Coast (telephony, simplex). |
| 16596.4 to 16636.5 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 16636.5 to 16640 | do | do | | Ship. |
| | | Buoy | | Buoy. |
| | | Interrogating coast. | | Interrogating Coast. (oceanographic data transmission). |
| 16640 to 16660 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 16660 to 16694.75 | do | do | | Ship (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 16694.75 to 16705.8 | do | do | | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 16705.8 to 16719.8 | do | do | | Ship (working, A1 Morse telegraphy). |
| 16719.8 to 16748.8 | do | do | | Ship (calling, A1 Morse telegraphy). |
| 16748.8 to 16752 | do | do | 16749.9<br>16750.4 | Ship (digital selective calling). |
| 16752 to 16859.4 | do | do | | Ship (working, A1 Morse telegraphy). |
| 16859.4 to 17196.9 | do | Coast | | Coast (wide-band and A1 Morse telegraphy, facsimile, special and data transmission systems and direct-printing telegraphy systems). |
| 17196.9 to 17231.75 | do | do | | Coast (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 17231.75 to 17232.9 | do | do | 17232<br>17232.5 | Coast (digital selective calling). |
| 17232.9 to 17360 | do | do | | Coast (telephony, duplex). |
| * | * | * | * | * * * |
| 22000 to 22124 | do | Ship | | Ship (telephony, duplex). |
| 22124 to 22139.5 (US82). | do | do | | Ship. |
| | | Coast | | Coast (telephony, simplex). |
| 22139.5 to 22160.5 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 22160.5 to 22164 | do | do | | Ship. |
| | | Buoy | | Buoy. |
| | | Interrogating coast. | | Interrogating coast (oceanographic data transmission) |
| 22164 to 22192 | do | Ship | | Ship (wide-band telegraphy, facsimile and special transmission systems). |
| 22192 to 22225.75 | do | do | | Ship (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |

FEDERAL COMMUNICATIONS COMMISSION—Continued

| Band (kHz) (7) | Service (8) | Class of station (9) | Frequency (10) | Nature (of services, of stations) (11) |
|---|---|---|---|---|
| 22225.75 to 22227 | do | do | | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 22227 to 22247 | do | do | | Ship (calling, A1 Morse telegraphy). |
| 22247 to 22250 | do | do | 22248<br>22248.5 | Ship (digital selective calling). |
| 22250 to 22310.5 | do | do | | Ship (working, A1 Morse telegraphy). |
| 22310.5 to 22561 | do | Coast | | Coast (wide-band and A1 Morse telegraphy, facsimile, special and data transmission systems and direct printing telegraphy systems). |
| 22561 to 22594.75 | do | do | | Coast (paired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 22594.75 to 22596 | do | do | 22595<br>22595.5 | Coast (digital selective calling). |
| 22596 to 22720 | do | do | | Coast (telephony, duplex). |
| * | * | * | * | * * * |
| 25.01 to 25.07 | Land mobile. | Base<br>Land mobile. | 25.02-25.06 (NG32) | Industrial. |
| 25.07 to 25.76 | Maritime mobile. | Ship | | Ship (calling, A1 Morse telegraphy). |
| 25.76 to 25.0901 | do | do | | Ship (nonpaired, narrow-band direct-printing telegraph and data transmission systems, at speeds not exceeding 100 bauds). |
| 25.0901 to 25.11 | do | do | | Ship (working, A1 Morse telegraphy). |
| 25.11 to 25.33 | Land mobile. | Base<br>Land mobile. | 25.12-25.32 (NG32) | Industrial. |
| * | * | * | * | * * * |

In § 2.303, the existing paragraph is amended and designated as (a) and a new paragraph (b) is added, to read as follows:

**§ 2.303 Other forms of identification of stations.**

(a) The following table indicates forms of identification which may be used in lieu of call signs by the specified classes of stations. Such recognized means of identification may be one or more of the following: name of station, location of station, operating agency, official registration mark, flight identification number, selective call number or signal, selective call identification number or signal, characteristic signal, characteristic of emission or other clearly distinguishing form of identification readily recognized internationally. Reference should be made to the appropriate part of the rules for complete information on identification procedures for each service.

| *Class of Station* | *Identification, other than assigned call sign* |
|---|---|
| * * | * * * |
| | Ship telegraph—When an official call sign is not yet assigned; Complete name of the ship and name of licensee. On 156.65 MHz: Name of ship. Digital selective call. |
| Ship telepgraph | Digital selective call. |
| Public coast (radiotelephone) and Limited Coast (Radiotelephone). | The approximate geographic location in a format approved by the Commission.<br>Coast station identification number. |
| Public coast (radiotelegraph). | Coast station identification number. |
| * * | * * * |

(b) Digital selective calls will be authorized by the Commission and will be formed by groups of numbers (0 through 9), however, the first digit must be other than 0, as follows:

(1) Coast station identification number: 4 digits.

(2) Ship station selective call number: 5 digits.

(3) Predetermined group of ship stations: 5 digits.

## PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

1. In § 81.131, a footnote is added to paragraph (b) (3) (ii), to read as follows:

**§ 81.131 Authorized frequency tolerance.**

* * * * *

(b) * * *

| *Frequency ranges* | *Tolerance—parts in $10^6$ unless shown as hertz (Hz)* |
|---|---|
| * * * * * | |
| (3) From 4,000 to 27,500 kHz: | |
| (i) For A3A, A3B, A3H, and A3J emissions. | 20 Hz. |
| (ii) For narrow-band direct-printing telegraph and data transmission system. | 20 Hz[1]. |
| (iii) For other than (i) and (ii) above. | 15. |
| * * * * * | |

2. In § 81.143, paragraph (c) is amended and new paragraphs (d), (e) and (f) are added to read as follows:

**§ 81.143 Narrow-band direct-printing radiotelegraph equipment.**

* * * * *

(c) (1) Class F1 emission shall be used, with a total frequency shift of 170 Hertz.

(2) When frequency shift keying is effected by applying audio signals to the input of a single sideband transmitter, the suppressed (residual) carrier, when it falls outside the authorized bandwith, shall be suppressed to the level prescribed by § 81.140. Further, the center audio frequency between the ±85 Hz tones shall be 1,700 Hz, ±5 Hz, above the suppressed (residual) carrier.

(d) The higher of the emitted frequencies shall correspond to "space" (start), and the lower the emitted frequencies shall correspond to "mark" (stop).

(e) Where an error control system is employed the apparatus shall be provided with a simple device to bypass the error control system to permit transmission and reception over the radio path of uncorrected signals conforming with (a), above.

(f) When an error-detecting and correcting system is used for direct-printing telegraphy in the maritime mobile service, a 7-unit ARQ system or a 7-unit forward acting error-correcting and indicating time diversity system, using the same code, shall be employed.

[1] A frequency tolerance of 15 Hz is applicable effective January 1, 1978.

3. In § 81.152, paragraph (d) is amended to read as follows:

**§ 81.152 Operator required.**

* * * * *

| (d) *Description of Station* | *Minimum operator authorization* |
|---|---|
| Public coast telegraph, all classes. | T-2. |
| Coast telephone, all classes, except in Alaska: | |
| Exceeds 250 watts carrier power or 1,500 watts peak envelope power. | T-2 or P-2. |
| 250 watts or less carrier power; or 1,500 watts or less peak enevelope power operating on frequencies below 30 MHz. | T-3 or P-3. |
| 250 watts or less carrier power, or 1,500 watts or less peak envelope pow-operating on frequencies above 30 MHz. | RP. |
| Coast telephone, in Alaska: | |
| Exceeds 250 watts carrier power; or 1,500 watts peak envelope power, Class I station. | T-2 or P-2. |
| Exceeds 250 watts carrier power, or 1,500 watts peak envelope power, Class II or Class III station. | T-3 or P-3. |
| 250 watts or less carrier power, or 1,500 watts or less peak envelope power, all classes. | RP. |
| Marine fixed, except in Alaska. | T-3 or P-3. |
| Marine fixed in Alaska | RP. |
| Marine utility coast | RP. |
| Shipyard base | RP. |
| * * * * * | |

4. In § 81.184, paragraphs (a) and (b) are amended and note deleted, to read as follows:

**§ 81.184 Transmission of traffic lists by coast stations.**

(a) Public coast stations are authorized to transmit, on their normal working frequencies in the appropriate bands,

lists of official call-signs (or, alternatively in the use of radiotelephony, the names of the respective ships), in alphabetical order insofar as practicable, of all mobile stations for which they have traffic on hand. The use of calling frequencies for this purpose is prohibited; however, coast stations may announce on a calling frequency that they are about to transmit such call lists on a specified frequency. These traffic lists shall be transmitted at intervals of:

(1) In the case of radiotelephony, at least two hours and not more than four hours during the working hours of the coast station.

(2) In the case of radiotelegraphy, at least one hour and not more than four hours during the working hours of the coast station.

(b) An announcement on a calling frequency that a coast station is about to transmit a call list on a specified working frequency shall be as brief as practicable, but in any event shall not be repeated more than twice.

5. The present section heading and text of § 81.203 is redesignated § 81.223 and a new § 81.203 is adopted to read as follows:

**§ 81.203 Digital selective calling frequencies.**

(a) The carrier frequencies set forth in the table below are available for use by each coast station authorized to employ frequencies in the band 4—27.5 MHz for calls to ship stations by means of digital selective calling. The associated reply frequencies are also shown.

| Coast station transmit to ships (kHz): [1] | *Coast station receive from ships (kHz)* [1] |
|---|---|
| 4357 | 4187.6 |
| 6506 | 6281.4 |
| 8718.5 | 8375.2 |
| 13100 | 12562.3 |
| 13100.5 | 12562.8 |
| 17232 | 16749.9 |
| 17232.5 | 16750.4 |
| 22595 | 22248 |
| 22595.5 | 22248.5 |

[1] These frequencies are available for use effective June 1, 1977.

(b) Until such time as a digital selective calling system and associated procedures have been agreed upon and adopted into the ITU Radio Regulations, coast station authorized to employ narrow-band direct-printing (NB-DP) for communication with ship stations may, effective June 1, 1977, use the frequencies designated in paragraph (a) of this section for calls to ship stations fitted for the use of narrow-band direct-printing equipment.

(c) In using the frequencies indicated for transmission, coast stations should make reasonable effort to avoid the creation of interference to other coast stations employing the same frequencies.

(d) In calling ship stations by narrow-band direct-printing, the coast station shall use the ship station selective call number (5 digits) and effect self-identification by the use of the coast station identification number (4 digits).

(e) Calls to a ship station shall employ the following format:

(1) Ship station selective call number, repeated twice;

(2) "DE", sent once; and

(3) Coast station identification number, repeated twice.

(f) When the ship station does not reply to a call sent three times at intervals of two minutes, the calling shall cease and shall not be renewed until after an interval of fifteen minutes.

6. The present section heading and text of § 81.204 is redesignated § 81.224 and a new § 81.204 is adopted to read as follows:

**§ 81.204 Assignable frequencies—Narrow-band direct-printing radiotelegraph and data transmission systems.**

(a) Each of the specific frequencies set forth in the following table under the column headed "coast transmit" may be licensed as an assigned frequency for use by coast stations employing narrow-band direct-printing radiotelegraphy for communication with ship stations employing the same system, subject to and in accordance with the provisions of paragraph (b) of this section and Subpart E of this part, and upon the express condition that interference shall not be caused to any service or station which, in the discretion of the Commission, may have priority on the frequency or frequencies involved: *Provided,* That the use of each of these frequencies may be restricted by the Commission to specific areas or locations in order to avoid or minimize interference between stations.

| Series No. | 4 MHz band | | 6 MHz band | | 8 MHz band | |
|---|---|---|---|---|---|---|
| | Coast transmit | Coast receive | Coast transmit | Coast receive | Coast transmit | Coast receive |
| 1 | 4350 | 4170.5 | 6494.5 | 6276.5 | 8705 | 8344 |
| 2 | 4350.5 | 4171 | 6495 | 6277 | 8705.5 | 8344.5 |
| 3 | 4351 | 4171.5 | 6495.5 | 6277.5 | 8706 | 8345 |
| 4 | 4351.5 | 4172 | 6496 | 6278 | 8706.5 | 8345.5 |
| 5 | 4352 | 4172.5 | 6496.5 | 6278.5 | 8707 | 8346 |
| 6 | 4352.5 | 4173 | 6497 | 6279 | 8707.5 | 8346.5 |
| 7 | 4353 | 4173.5 | 6497.5 | 6279.5 | 8708 | 8347 |
| 8 | 4353.5 | 4174 | 6498 | 6280 | 8708.5 | 8347.5 |
| 9 | 4354 | 4174.5 | 6498.5 | 6280.5 | 8709 | 8348 |
| 10 | 4354.5 | 4175 | 6499 | 6281 | 8709.5 | 8348.5 |
| 11 | 4355 | 4175.5 | 6499.5 | 6281.5 | 8710 | 8349 |
| 12 | 4355.5 | 4176 | 6500 | 6282 | 8710.5 | 8349.5 |
| 13 | 4356 | 4176.5 | 6500.5 | 6282.5 | 8711 | 8350 |
| 14 | 4356.5 | 4177 | 6501 | 6283 | 8711.5 | 8350.5 |
| 15 | | | 6501.5 | 6283.5 | 8712 | 8351 |
| 16 | | | 6502 | 6284 | 8712.5 | 8351.5 |
| 17 | | | 6502.5 | 6284.5 | 8713 | 8352 |
| 18 | | | 6503 | 6285 | 8713.5 | 8352.5 |
| 19 | | | 6503.5 | 6285.5 | 8714 | 8353 |
| 20 | | | 6504 | 6286 | 8714.5 | 8353.5 |
| 21 | | | 6504.5 | 6286.5 | 8715 | 8354 |
| 22 | | | 6505 | 6287 | 8715.5 | 8354.5 |
| 23 | | | 6505.5 | 6287.5 | 8716 | 8355 |
| 24 | | | | | 8716.5 | 8355.5 |
| 25 | | | | | 8717 | 8356 |
| 26 | | | | | 8717.5 | 8356.5 |
| 27 | | | | | 8718 | 8357 |

| | 12 MHz band | | 16 MHz band | | 22 MHz band | |
|---|---|---|---|---|---|---|
| | Coast transmit | Coast receive | Coast transmit | Coast receive | Coast transmit | Coast receive |
| 1 | 13071.5 | 12491.5 | 17197.5 | 16660.5 | 22761.5 | 22192.5 |
| 2 | 13072 | 12492 | 17198 | 16661 | 22762 | 22193 |
| 3 | 13072.5 | 12492.5 | 17198.5 | 16661.5 | 22762.5 | 22193.5 |
| 4 | 13073 | 12493 | 17199 | 16662 | 22763 | 22194 |
| 5 | 13073.5 | 12493.5 | 17199.5 | 16662.5 | 22763.5 | 22194.5 |
| 6 | 13074 | 12494 | 17200 | 16663 | 22764 | 22195 |
| 7 | 13074.5 | 12494.5 | 17200.5 | 16663.5 | 22764.5 | 22195.5 |
| 8 | 13075 | 12495 | 17201 | 16664 | 22765 | 22196 |
| 9 | 13075.5 | 12495.5 | 17201.5 | 16664.5 | 22765.5 | 22196.5 |
| 10 | 13076 | 12496 | 17202 | 16665 | 22766 | 22197 |
| 11 | 13076.5 | 12496.5 | 17202.5 | 16665.5 | 22766.5 | 22197.5 |
| 12 | 13077 | 12497 | 17203 | 16666 | 22767 | 22198 |
| 13 | 13077.5 | 12497.5 | 17203.5 | 16666.5 | 22767.5 | 22198.5 |
| 14 | 13078 | 12498 | 17204 | 16667 | 22768 | 22199 |
| 15 | 13078.5 | 12498.5 | 17204.5 | 16667.5 | 22768.5 | 22199.5 |
| 16 | 13079 | 12499 | 17205 | 16668 | 22769 | 22200 |
| 17 | 13079.5 | 12499.5 | 17205.5 | 16668.5 | 22769.5 | 22200.5 |
| 18 | 13080 | 12500 | 17206 | 16669 | 22770 | 22201 |
| 19 | 13080.5 | 12500.5 | 17206.5 | 16669.5 | 22770.5 | 22201.5 |
| 20 | 13081 | 12501 | 17207 | 16670 | 22771 | 22202 |
| 21 | 13081.5 | 12501.5 | 17207.5 | 16670.5 | 22771.5 | 22202.5 |
| 22 | 13082 | 12502 | 17208 | 16671 | 22772 | 22203 |
| 23 | 13082.5 | 12502.5 | 17208.5 | 16671.5 | 22772.5 | 22203.5 |
| 24 | 13083 | 12503 | 17209 | 16672 | 22773 | 22204 |
| 25 | 13083.5 | 12503.5 | 17209.5 | 16672.5 | 22773.5 | 22204.5 |
| 26 | 13084 | 12504 | 17210 | 16673 | 22774 | 22205 |
| 27 | 13084.5 | 12504.5 | 17210.5 | 16673.5 | 22774.5 | 22205.5 |
| 28 | 13085 | 12505 | 17211 | 16674 | 22775 | 22206 |
| 29 | 13085.5 | 12505.5 | 17211.5 | 16674.5 | 22775.5 | 22206.5 |
| 30 | 13086 | 12506 | 17212 | 16675 | 22776 | 22207 |
| 31 | 13086.5 | 12506.5 | 17212.5 | 16675.5 | 22776.5 | 22207.5 |
| 32 | 13087 | 12507 | 17213 | 16676 | 22777 | 22208 |
| 33 | 13087.5 | 12507.5 | 17213.5 | 16676.5 | 22777.5 | 22208.5 |
| 34 | 13088 | 12508 | 17214 | 16677 | 22778 | 22209 |
| 35 | 13088.5 | 12508.5 | 17214.5 | 16677.5 | 22778.5 | 22209.5 |
| 36 | 13089 | 12509 | 17215 | 16678 | 22779 | 22210 |
| 37 | 13089.5 | 12509.5 | 17215.5 | 16678.5 | 22779.5 | 22210.5 |
| 38 | 13090 | 12510 | 17216 | 16679 | 22780 | 22211 |
| 39 | 13090.5 | 12510.5 | 17216.5 | 16679.5 | 22780.5 | 22211.5 |
| 40 | 13091 | 12511 | 17217 | 16680 | 22781 | 22212 |

| | 12 MHz band | | 16 MHz band | | 22 MHz band | |
|---|---|---|---|---|---|---|
| | Coast transmit | Coast receive | Coast transmit | Coast receive | Coast transmit | Coast receive |
| 41 | 13091.5 | 12511.5 | 17217.5 | 16680.5 | 22581.5 | 22212.5 |
| 42 | 13092 | 12512 | 17218 | 16681 | 22582 | 22213 |
| 43 | 13092.5 | 12512.5 | 17218.5 | 16681.5 | 22582.5 | 22213.5 |
| 44 | 13093 | 12513 | 17219 | 16682 | 22583 | 22214 |
| 45 | 13093.5 | 12513.5 | 17219.5 | 16682.5 | 22583.5 | 22214.5 |
| 46 | 13094 | 12514 | 17220 | 16683 | 22584 | 22215 |
| 47 | 13094.5 | 12514.5 | 17220.5 | 16683.5 | 22584.5 | 22215.5 |
| 48 | 13095 | 12515 | 17221 | 16684 | 22585 | 22216 |
| 49 | 13095.5 | 12515.5 | 17221.5 | 16684.5 | 22585.5 | 22216.5 |
| 50 | 13096 | 12516 | 17222 | 16685 | 22586 | 22217 |
| 51 | 13096.5 | 12516.5 | 17222.5 | 16685.5 | 22586.5 | 22217.5 |
| 52 | 13097 | 12517 | 17223 | 16686 | 22587 | 22218 |
| 53 | 13097.5 | 12517.5 | 17223.5 | 16686.5 | 22587.5 | 22218.5 |
| 54 | 13098 | 12518 | 17224 | 16687 | 22588 | 22219 |
| 55 | 13098.5 | 12518.5 | 17224.5 | 16687.5 | 22588.5 | 22219.5 |
| 56 | 13099 | 12519 | 17225 | 16688 | 22589 | 22220 |
| 57 | 13099.5 | 12519.5 | 17225.5 | 16688.5 | 22589.5 | 22220.5 |
| 58 | ---------- | ---------- | 17226 | 16689 | 22590 | 22221 |
| 59 | ---------- | ---------- | 17226.5 | 16689.5 | 22590.5 | 22221.5 |
| 60 | ---------- | ---------- | 17227 | 16690 | 22591 | 22222 |
| 61 | ---------- | ---------- | 17227.5 | 16690.5 | 22591.5 | 22222.5 |
| 62 | ---------- | ---------- | 17228 | 16691 | 22592 | 22223 |
| 63 | ---------- | ---------- | 17228.5 | 16691.5 | 22592.5 | 22223.5 |
| 64 | ---------- | ---------- | 17229 | 16692 | 22593 | 22221 |
| 65 | ---------- | ---------- | 17229.5 | 16692.5 | 22593.5 | 22224.5 |
| 66 | ---------- | ---------- | 17230 | 16693 | 22594 | 22225 |
| 67 | ---------- | ---------- | 17230.5 | 16693.5 | 22594.5 | 22225.5 |
| 68 | ---------- | ---------- | 17231 | 16694 | ---------- | ---------- |
| 69 | ---------- | ---------- | 17231.5 | 16694.5 | ---------- | ---------- |

(b) The procedures set forth in this paragraph shall be used, except in cases of distress, urgency or safety, when communicating by means of narrow-band direct-printing (NB–DP) radiotelegraphy with ship stations. In that regard:

(1) Traffic may be exchanged with or without the use of error-correcting equipment.

(2) For communication between two stations, the ARQ mode should be used when available.

(3) For transmissions to two or more ship stations, the forward-error-correcting mode should be used when available.

(4) When using (paired) frequencies set forth in paragraph (a) of this section, the coast station shall receive the ship station on the frequencies, indicated in the table under "coast receive", which are paired with the frequencies used by the coast station. Cross-band operation is prohibited between coast station transmissions on frequencies listed in another section of this part and ship station transmissions on frequencies listed in paragraph (a) of this section.

(5) When receiving ship station transmissions on (non-paired) NB–DP frequencies, the coast station shall transmit on one or another of the frequencies listed in § 81.206. Special arrangements may be made between a coast station and ship stations, or shipping companies, for the use of specific frequencies.

(6) Calls to ship stations by NB–DP shall normally be made by radioteleprinter on the frequencies of § 81.203 (a), or on the NB–DP frequencies assigned to the coast station. The routine use of A1 Morse radiotelegraphy frequencies for the setting up of a NB–DP circuit is not authorized. *Provided, however,* That coast stations may, when the above alternatives are unsuccessful, call ship stations by A1 Morse radiotelegraphy, shift to A1 Morse radiotelegraphy working frequencies, and complete arrangements for setting up a NB–DP circuit.

(c) Subject to and in accordance with the provisions of paragraph (a) and (b) of this section, coast radiotelegraph stations may, upon grant of a proper application, be authorized to employ the coast transmit frequencies specified in the indicated Series No., as set forth in paragraph (a) of this section, as follows:

| *Call letters of coast station:* | *NB–DP series No. available June 1, 1977* |
|---|---|
| KFS | 1, 3, 28, 47 |
| KHK | 10, 22, 42 |
| KLB | 8, 33, 50 |
| KLC | 8, 17, 48 |
| KOK | 6, 30, 49 |
| KPH | 13, 14, 21, 22, 38 |
| WAX | 10, 15, 36 |
| WCC | 13, 14, 21, 22, 38 |
| WLO | 5, 15, 25, 54 |
| WNU | 2, 19, 52, 57 |
| WOE | 6, 21, 26, 42 |
| WPA | 9, 22, 44 |
| WSC | 9, 18, 40 |
| WSL | 1, 3, 28, 47 |

7. The present section heading and text of § 81.205 is redesignated § 81.225 and a new § 81.205 is adopted to read as follows:

**§ 81.205 Narrow-band direct-printing (NB–DP) operating procedure.**

(a) When both terminals of the NB–DP circuit are satisfied that the circuit is in operable condition, the message preamble shall be transmitted in the following format:

(1) One carriage return and one line feed,

(2) Serial number or number of the message,

(3) The name of the office of origin,

(4) The number of words,

(5) The date of handing in of the message,

(6) The time of handing in of the message, and

(7) Any service instructions. (See CCITT, Geneva 1972, Section 6 of the General provisions applying to all methods of working.)

(b) Upon completion of transmission of the preamble, the address, the text and the signature shall be transmitted as received from the sender.

(c) Upon completion of transmission of the signature, the coast station shall, following the signal "COL", routinely repeat all service indications in the address and for figures or mixed groups of letters, figures or signs in the address, text or signature.

(d) In telegrams of more than 50 words, routine repetition shall be given at the end of each page.

(e) The provisions of paragraphs (a) through (d) of this section may or not, at the discretion of the user, be utilized when a direct connection between ship station and addressee, or vice versa, is employed.

8. In § 81.206, the table following paragraph (a) is amended by the deletion and, in lieu thereof, the addition of direct replacement frequencies, as follows:

§ 81.206 Assignable frequencies.

* * * * *

| Area | 90–160 (kHz) | 415–525 (kHz) | 2 MHz (kHz) | 4 MHz (kHz) | 6 MHz (kHz) | 8 MHz (kHz) | 12 MHz (kHz) | 16 MHz (kHz) | 22 MHz (kHz) |
|---|---|---|---|---|---|---|---|---|---|
| Central Pacific | 126.15 | 426 | 2037.5 | 4247 | 6348 | 8338 | 12635.5 | 17010.8 | 22125 |
| | | 436 | 2045 | 4274 | 6355.5 | 8818 | 12808.5 | 17020.0 | 22479 |
| | 147.85 | 460 | 2061.5 | 4223 | 6477.5 | 8842 | 12344.5 | 17038.8 | 22515 |
| | | 476 | | | 6488 | 8445 | 12002.0 | 16347.3 | 22557 |
| | | 500 | | | | | | | |
| | | 512 | | | | | 12663.5 | | |
| South Pacific | | 418 | 2049.5 | 4228 | 6325 | 8290 | 12531 | 17004.8 | 22413 |
| | | 461 | 2055.5 | 4283 | 6463.5 | 8800 | 12912 | 17033.8 | 22497 |
| | | 482 | | | | 8842 | 12293 | 16339.9 | |
| | | 500 | | | | | 12663.5 | | |
| | | 512 | | | | | | | |
| Gulf of Mexico | 153.0 | 410 | 2042 | 4256 | 6329 | 8473 | 12701.5 | 16918.8 | 22431 |
| | | 420 | 2048 | 4274 | 6425.5 | 8350 | 12820.5 | 17117.6 | 22497 |
| | | 434 | 2049.5 | 4310 | 6440 | 8370 | 12340 | 17170.4 | 22318.5 |
| | | 438 | 2052.5 | 4322 | 6425 | 8290 | 12263 | 17172.4 | |
| | | 478 | 2055.5 | | | 8445 | 12661.5 | 16571.3 | |
| | | 484 | 2063 | | | 8453 | 12360 | | |
| | | 500 | | | | | | | |
| | | 512 | | | | | | | |
| Great Lakes | | 482 | | 4316 | 6474 | 8334 | | | |
| | | 500 | | | | | | | |
| | | 512 | | | | | | | |
| Hawaii | | 484 | 2052.5 | 4295 | 6407.5 | 8342 | 12329 | 16978.4 | 22209 |
| | | 500 | | | | | | | |
| | | 512 | | | | | | | |
| Puerto Rico | 153.0 | 486 | 2052.5 | 4244 | | 8457 | 12700 | | |
| | | 500 | | | | | | | |
| | | 512 | | | | | | | |
| North Atlantic | 112.85 | 418 | 2058 | 4223 | 6351.5 | 8240 | 12745.5 | 16933.2 | 22197 |
| | 124.05 | 436 | 2049.5 | 4228 | 6370 | 8314 | 12224.5 | 16948.8 | 22185 |
| | 130.35 | 442 | 2049.5 | 4231 | 6414.5 | 8253 | 12948.0 | 16973.6 | 22203 |
| | 132.10 | 460 | 2051 | 4343 | 6418 | 8310 | 12551.5 | 16997.6 | 22521 |
| | 134.55 | 472 | 2054 | 4246 | 6533.5 | 8650 | 12997.5 | 17021.6 | 22248.5 |
| | 137.00 | 476 | 2060 | | 6537 | 8258 | 13020.0 | 17093.6 | 22256.5 |
| | | 482 | | | 6344 | 8283 | 13024.5 | 16994.9 | |
| | 146.80 | 500 | | | | | 12663.5 | | |
| | 147.50 | 512 | | | | | 12660.5 | | |
| Central Atlantic | | 428 | 2063 | 4346 | 6481.5 | 8502 | 12535.0 | | |
| | | 500 | | | | | | | |
| | | 512 | | | | | | | |
| South Atlantic | 137.70 | 434 | 2059 | 4250 | 6329.65 | 8189 | 12252.5 | 16918.8 | 22431 |
| | | 464 | 2043.5 | 4292 | 6407.5 | 8325 | 12670.5 | 17093.6 | 22203 |
| | | 472 | 2051 | 4295 | 6411 | 8283 | 12511.0 | 17100.8 | 22318.5 |
| | | 488 | 2057 | | | 8453 | 12630 | 17170.4 | |
| | | 500 | | | | | | 16561.7 | |
| | | 512 | | | | | | | |
| North Pacific | | 482 | 2058.5 | 4249 | 6411 | 8282 | 12297.5 | 17007.2 | 22389 |
| | | 488 | 2063 | | | 8338 | 12916.5 | | |
| | | 500 | | | | | | | |
| | | 512 | | | | | | | |

9. In § 81.207, paragraph (e) is amended and a new paragraph (f) is added to read as follows:

§ 81.207 Frequencies for call and reply.

* * * * *

(e) Pending availability of an internationally agreed plan for establishing two-way communications by radioteleprinter, the interim procedure set forth in this section may be employed until June 1, 1977.

* * * * *

(f) The frequencies set forth in the table below are available for use effective June 1, 1977, by coast radiotelegraph stations for calls to ship stations by means of digital selective calling. The associated reply frequencies are also shown.

| | *Coast receive from ships (kHz)* |
|---|---|
| 4357 | 4187.6 |
| 6506 | 6281.4 |
| 8718.5 | 8375.2 |
| 13100 | 12562.3 |
| 13100.5 | 12562.8 |
| 17232 | 16749.9 |
| 17232.5 | 16750.4 |
| 22595 | 22248 |
| 22595.5 | 22248.5 |

§ 81.208 [Redesignated]

10. The present section heading and text of § 81.208 is redesignated § 81.218 and subparagraph (d)(3) thereof is deleted.

§§ 81.208—81.214 [Redesignated]

11. The numbering of the heading and text of §§ 81.209 through 81.214 is

changed and redesignated §§ 81.219 through 81.224, as follows:

| Changed from sec.: | Changed to and redesignated sec. |
|---|---|
| 81.209 | 81.219 |
| 81.210 | 81.220 |
| 81.211 | 81.221 |
| 81.212 | 81.222 |
| 81.213 | 81.223 |
| 81.214 | 81.224 |

12. A new § 81.209 is added, to read as follows:

**§ 81.209 Watch on ship calling frequencies.**

(a) Coast stations shall maintain a continuous listening watch, subject to normal variations in radio propagation, during their working hours for calls from ship stations on frequencies as set forth in the following table:

| Area | Channel series | Kilohertz | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | 4 MHz | 6 MHz | 8 MHz | 12 MHz | 16 MHz | 22 MHz | 25 MHz |
| WAX, WCC, WMH, WOE, WSC, WSL, WSV, KLC, WLO, WNU, WPA, WPD, KHK, KFS, KLB, KOK, KPH | C3 | 4181 | 6271.5 | 8362 | 12543 | 16724 | 22228 | 25071 |
| | C5 | 4181.8 | 6272.7 | 8363.6 | 12545.4 | 16727.2 | 22232 | 25073 |
| | C6 | 4182.2 | 6273.3 | 8364.4 | 12546.6 | 16728.8 | 22234 | 25073 |
| | C5 | 4181.8 | 6272.7 | 8363.6 | 12545.4 | 16727.2 | 22232 | 25073 |
| | C6 | 4182.2 | 6273.3 | 8364.4 | 12546.6 | 16728.8 | 22234 | 25073 |
| | C9 | 4183.4 | 6275.1 | 8366.8 | 12550.2 | 16733.6 | 22236 | 25071 |
| | C5 | 4181.8 | 6272.7 | 8363.6 | 12545.4 | 16727.2 | 22232 | 25073 |
| | C6 | 4182.2 | 6273.3 | 8364.4 | 12546.6 | 16728.8 | 22234 | 25073 |
| | C13 | 4185 | 6277 | 8370 | 12555 | 16740 | 22240 | 25075 |

(b) The receiving installation employed on each designated frequency shall fulfill the following requirements:

(1) The receiving antennas provided shall be capable of effective and efficient reception of calls from ship stations on each of the designated frequencies.

(2) The transmission lines connecting antennas and receivers shall provide a minimum of attenuation of incoming signals.

(3) When more than one receiver is operated from a single antenna, means shall be provided to minimize the attenuation of incoming signals and interaction between receivers.

(c) The receivers employed shall: (1) Be capable of being accurately set to and of being reset to any one of the designated calling frequencies in each band for which the receiver is intended to operate. The time required to set or to reset the receiver to frequency shall not exceed 5 seconds.

(2) Have a selectivity capability such that it will reject signals on adjacent channels 500 Hz removed.

(3) Have a long term frequency stability of not more than 50 Hz, and shall not require recalibration more often than once each 90 days.

(4) Have a minimum sensitivity of 2 microvolts across receiver input terminals of 50 Ohms, or equivalent.

(5) Provide a power output and audio frequency response adequate to drive headphones, loudspeakers, and/or recording equipment, as necessary to meet normal station operations. The harmonic audio distortion shall not exceed five percent (5 percent) at any rated output power.

## PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

1. Section 83.131, paragraph (b) is amended to read as follows:

**§ 83.131 Authorized frequency tolerance.**

* * * * *

(b) * * *

| Frequency ranges | Tolerance, parts in $10^6$ unless shown as Hz |
|---|---|
| (1) From 100 to 535 kHz: | |
| (i) For transmitter using A2H emission, type accepted or type approved before November 30, 1977. | 50 Hz. |
| (ii) For transmitters using other than A2H emissions and classes of emission specified in (2) and (3), below, type accepted or type approved before November 30, 1977. | 1,000. |
| (iii) For transmitters, type accepted or type approved after November 30, 1977. | 20 Hz. |
| (2) From 100 to 535 kHz: Emergency transmitter only, the use of which is certified solely to safety communications or defined in § 83.6(a), type accepted or type approved: | |
| (i) Before November 30, 1977 | 3,000. |
| (ii) After November 30, 1977 | 20 Hz. |
| (3) Survival craft stations on 500 kHz: For transmitters, type accepted or type approved: | |
| (i) Before November 30, 1977 | 5,000. |
| (ii) After November 30, 1977 | 20 Hz. |
| (4) Ship stations from 1605–2070 and 2080 to 3500 kHz: | |
| (i) For transmitters using other than A3A, A3H, and A3J emissions, type accepted or type approved before November 30, 1977. | 200. |
| (ii) For transmitters using A3A, A3H and A3J emissions, type accepted or type approved before November 30, 1977. | 50 Hz. |
| (iii) For transmitters type accepted or type approved after November 30, 1977. | 20 Hz. |
| (5) Ship stations from 2070 to 2080 kHz: For transmitters type accepted or type approved: | |
| (i) Before November 30, 1977 | 50. |
| (ii) After November 30, 1977 | 20 Hz. |
| (6) Survival craft stations on 2182 kHz: For transmitters type accepted or type approved: | |
| (i) Before November 30, 1977 | 200. |
| (ii) After November 30, 1977 | 20 Hz. |
| (7) Stations when using frequencies within the band 4000–27500 kHz: | |
| (i) Ship stations using emission A1 with transmitters type accepted or type approved: | |
| (a) Before November 30, 1977 | 200 Hz. |
| (b) After November 30, 1977 | 20 Hz. |
| (ii) Ship stations using frequencies allotted for narrow-band direct-printing telegraph and data transmission system with transmitters type accepted or type approved: | |
| (a) Before November 30, 1977 | 50 Hz. |
| (b) After November 30, 1977 | 20 Hz. |
| (iii) Ship stations using A3A, A3H, or A3J emissions with transmitters type accepted or type approved: | |
| (a) Before November 30, 1977 | 50 Hz. |
| (b) After November 30, 1977 | 20 Hz |
| (iv) Ship stations using emissions other than (i), (ii), or (iii), above, with transmitters type accepted or type approved: | |
| (a) Before November 30, 1977 | 50 |
| (b) After November 30, 1977 | 20 Hz |
| (v) Survival craft stations on 8364 kHz with transmitters type accepted or type approved: | |
| (a) Before November 30, 1977 | 200. |
| (b) After November 30, 1977 | 50 Hz. |

* * * * *

2. In § 83.133, the table following paragraph (a) is amended to read as follows:

**§ 83.133 Authorized bandwidth.**

(a) Unless otherwise specified in the station license, ship stations shall use bandwidths not exceeding those set forth in this paragraph for the respective classes of emission authorized in § 83.132.

| Classes of emission | Emission designator | Authorized bandwidth (kilohertz) |
|---|---|---|
| A1 | 0.16A1 | 0.4 |
| A2 | 2.66A2 | 2.8 |
| A3 | 6A3 | 8.0 |
| A9 | 3.2A9 | 25.0 [5] |
| F1 | 0.3F1 [1] | 0.5 [1] |
| F3 | 16F3 [2] | 20.0 [2] |
| F3 | 36F3 [3] | 40.0 [3] |
| F9 | 20000F9 | 20000. |
| P0 | Variable | Variable. |
| A3A | 2.8A3A | 3.0 [4] |
| A3H | 2.8A3H | 3.0 [4] |
| A3J | 2.8A3J | 3.0 [4] |
| A3B | 5.6A3B | 7.0 [4] |

[1] * * *
[2] * * *
[3] * * *
[4] * * *
[5] * * *

* * * * *

3. In § 83.134, paragraph (d) is amended to read as follows:

§ 83.134 Transmitter Power.

* * * * *

(d) Other than for the frequencies specified in § 83.360 and as may be specified in the specific limitations in § 83.351, transmitter power for telephony on frequencies below 27.5 MHz shall not exceed the following values in watts:

| Area | Frequency band (megahertz) | Class of emission | Transmitter power |
|---|---|---|---|
| Great Lakes area and Mississippi River north of Baton Rouge, La., and connecting inland waters. | 2 to 27.5 | Any | 150 |
| Other than the above | 2 to 4 | Ship to shore: | |
| | | A3 | [1] 400 |
| | | A3H, A3A, A3J | [1] [2] 150 |
| | | Ship to ship: | |
| | | A3 | 150 |
| | | A3H, A3A, A3J | 150 |
| | 4 to 27.5 | Any | [4] 1,500 |

[1] Except for distress, urgency and safety purposes the maximum power which may be used on 2170.5, 2182, and 2191 kHz is 150 W.
[2] Except for the limitation specified in footnote 1 to this table, for cargo vessels of 300 gross tons and over this value is 500 W.
[3] Except for the limitation specified in footnote 1 to this table, passenger vessels of 5,000 gross tons and over this value is 1,000 W.
[4] For passenger vessels of 5,000 gross tons and over this value is 3,000 W.

* * * * * * *

4. In § 83.143, paragraph (c) is amended and new paragraphs (d), (e) and (f) are added to read as follows:

§ 83.143 Narrow-band direct-printing radiotelegraph equipment.

* * * * *

(c) (1) Class F1 emission shall be used, with a total frequency shift of 170 Hertz.

(2) When frequency shift keying is effected by applying audio signals to the input of a single-sideband transmitter, the suppressed (residual) carrier, when it falls outside the authorized bandwidth, shall be suppressed to the level prescribed by § 83.136. Further, the center audio frequency between the ±85 Hz tones shall be 1700 Hz, ±5 Hz, above the suppressed (residual) carrier.

(d) The higher of the emitted frequencies shall correspond to "space" (start), and the lower of the emitted frequencies shall correspond to "mark" (stop).

(e) Where an error control system is employed the apparatus shall be provided with a simple device to by-pass the error control system to permit transmission and reception over the radio path of uncorrected signals conforming with (a), above.

(f) When an error-detecting and correcting system is used for direct-printing telegraphy in the maritime mobile service, a 7-unit ARQ system or a 7-unit forward acting error-correcting and indicating time diversity system, using the same code, shall be employed.

5. In § 83.155, paragraphs (d) and (e) are amended to read as follows:

§ 83.155 Operator(s) required by Title III of Communications Act of 1934.

* * * * *

(d) Each cargo ship of the United States which in accordance with Part II of Title III of the Communications Act is equipped with a radiotelephone station shall for safety purposes carry at least one qualified operator. Where the power of the station does not exceed 250 watts carrier power or 1,500 watts peak envelope power, such operator shall hold a radiotelephone third-class operator permit or higher class of operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,500 watts peak envelope power, such operator shall, as a minimum, hold a radiotelephone second-class operator license.

(e) Each vessel of the United States transporting more than six passengers for hire, which in accordance with Part III of Title III of the Communications Act is equipped with a radiotelephone installation, shall for safety purposes carry at least one qualified operator. Where the power of the station does not exceed 250 watts carrier power or 1,500 watts peak envelope power, such operator shall hold a radiotelephone third-class operator permit or higher class of operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,500 watts peak envelope power, such operator shall, as a minimum, hold a radiotelephone second-class operator license.

6. In § 83.156, paragraph (b) is amended to read as follows:

§ 83.156 Operator(s) required by the Safety Convention.

* * * * *

(b) Each cargo ship of the United States which is not subject to Part II of Title III of the Communications Act but which in accordance with the radio provisions of the Safety Convention is equipped with a radiotelephone station, shall for safety purposes carry at least one qualified operator. Where the power of the station does not exceed 250 watts carrier power or 1,500 watts peak envelope power such operator shall hold a radiotelephone third-class operator permit or higher class of operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,500 watts peak envelope power such operator shall, as a minimum, hold a radiotelephone second-class operator license.

7. Section 83.159 is amended to read as follows:

**§ 83.159 Operator requirements for non-compulsory stations.**

| *Description of station* | *Minimum operator authorization* |
|---|---|
| Public ship telegraph, except direct-printing, all categories | T–2 |
| Public ship direct-printing telegraph | P–3 |
| Public or limited ship telephone, more than 250 watts carrier power or 1,500 watts peak envelope power | P–2 |
| Public or limited ship telephone, not more than 250 watts carrier power or 1,500 watts peak envelope power | P–3 |
| Public or limited ship telephone, not more than 100 watts carrier power or 400 watts peak envelope power | RP |
| Marine utility ship | RP |
| Ship radiolocation-test, using radar only | [1] P–2 |
| Ship earth station | RP |

[1] With ship radar endorsement or T–2, with ship radar endorsement.

8. The present section heading and text of § 83.315 is redesignated § 83.332 and a new § 83.315 is adopted to read as follows:

**§ 83.315 Authorized frequencies.**

(a) The tables in §§ 83.316, 83.317, 83.318, 83.319, 83.320 and 83.321 set forth the carrier frequencies, which, when authorized by a station license may be used by ship stations employing A1 Morse or narrow-band direct-printing radiotelegraphy for communication with ship or coast stations.

(b) Frequencies available for assignment for manual Morse radiotelegraphy in the bands between 90 kHz and 27.5 MHz are designated in the respective sections, as follows:

(1) In § 83.316, ship calling and working frequencies, 90–160 and 405–535 kHz.

(2) In § 83.317, Calling frequencies, A1 Morse radiotelegraphy (C1–C18)

(3) In § 83.318, Digital selective calling frequencies.

(4) In § 83.319, Working frequencies, A1 Morse radiotelegraphy. (W1–W62)

(5) In § 83.320, Working frequencies, Narrow-band direct-printing telegraph and data transmission systems, paired. (R1–R69)

(6) In § 83.321, Working frequencies, Narrow-band direct-printing telegraph and data transmission systems, non-paired. (P1–P28)

(c) Frequencies in the bands between 2 and 27.5 MHz assigned in accordance with this section to a station or a particular vessel will be retained on the license of that station, should the station be relicensed at a later date to a different licensee.

(d) The ship station licensee shall assure that each radiotelegraph ship station authorized to employ frequencies set forth in §§ 83.317 and 83.319 shall be fitted for operation on each of those frequencies which are necessary to provide satisfactory communication over the sea routes traversed, including:

(1) Calling channel series No. 5;

(2) Calling channel series No. 6;

(3) Group calling channel(s) necessary for communication with each national and international public coast radiotelegraph station with which service is needed;

(4) The two A1 Morse working channels designated by the Commission for use by each vessel;

(5) Each group calling channel(s) necessary for communication with each Government coast station with which service is needed;

(6) Other A1 Morse working channels required for working with other ship stations and with public radiotelegraph stations with which service is needed;

(7) Other A1 Morse working channels required for working with Government coast and ship stations; and

(8) Frequencies as necessary to fulfill the safety objectives of Resolution A.283 of the Intergovernmental Maritime Consultative Organization (IMCO).

(e) The ship station licensee shall assure that each radiotelegraph ship station authorized to employ frequencies set forth in §§ 83.318, 83.320, and 83.321 shall be fitted for operation on each of those frequencies which are necessary to provide satisfactory communication over the sea routes traversed, including;

(1) Each of the narrow-band direct-printing (NB–DP) ship station frequencies which are paired with the NB–DP frequencies employed at national or international public coast radiotelegraph stations with which service is needed;

(2) Each of the NB–DP ship station frequencies which are paired with the NB–DP frequencies employed at Government coast stations with which service is needed;

(3) Each of the NB–DP ship station frequencies needed for communication with other ship stations, both Government and non-Government; and

(4) All of the digital selective calling ship station frequencies required to provide full participation with other stations of the maritime mobile service.

9. The present section heading and text of § 83.317 is redesignated § 83.333 and a new § 83.317 is adopted to read as follows:

**§ 83.317 Calling frequencies—A1 Morse radiotelegraphy.**

(a) Ship radiotelegraph calling frequencies in the bands between 2 and 27.5 MHz are set forth in the seven tables of this section. All of these frequencies are available to all properly authorized ship stations. In paragraphs (c) through (f) of this section the calling frequencies are arranged by Channel Series numbers. The Channel Series which is routinely guarded by coast radiotelegraph stations at United States locations is marked by appropriate footnote. The specific frequencies of the Channel Series which are guarded at a coast station will vary subject to normal propagation conditions. For vessels operating internationally, the calling frequencies which are routinely guarded at coast stations at other than United States locations can be determined by reference to the ITU publication entitled "List of Coast Stations". The world-wide plan for the distribution and use of calling frequencies appears in Appendix 15C and Resolution No. MAR 2–5 to the current edition of the ITU Radio Regulations.

(b) Each ship station licensee authorized to employ A1 More radiotelegraphy on frequencies in the maritime mobile service bands between 4 and 27.5 MHz shall provide capability to operate on the required calling frequencies from among the following:

| Channel series | Band | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4 MHz | 6 MHz | 8 MHz | 12 MHz | 16 MHz | 22 MHz | 25 MHz |
| 1 | 4180.2 | 6270.3 | 8360.4 | 12540.6 | 16720.8 | 22230 | 25071 |
| 2 | 4180.6 | 6270.9 | 8361.2 | 12541.8 | 16722.4 | 22230 | 25071 |
| 3 | 4181 | 6271.5 | 8362 | 12543 | 16724 | 22223 | 25071 |
| 4 | 4181.4 | 6272.1 | 8362.8 | 12544.2 | 16725.6 | 22223 | 27071 |
| 5 | 4181.8 | 6272.7 | 8363.6 | 12545.4 | 16727.2 | 22232 | 25073 |
| 6 | 4182.2 | 6273.3 | 8364.4 | 12546.6 | 16728.8 | 22234 | 25073 |
| 7 | 4182.6 | 6273.9 | 8365.2 | 12547.8 | 16730.4 | 22233 | 25071 |
| 8 | 4183 | 6274.5 | 8366 | 12549 | 16732 | 22238 | 25071 |
| 9 | 4183.4 | 6275.1 | 8366.8 | 12550.2 | 16733.6 | 22236 | 25071 |
| 10 | 4183.8 | 6275.7 | 8367.6 | 12551.4 | 16735.2 | 22236 | 25071 |
| 11 | 4184.2 | 6276.3 | 8368.4 | 12552.6 | 16736.8 | 22242 | 25075 |
| 12 | 4184.6 | 6276.9 | 8369.2 | 12553.8 | 16738.4 | 22242 | 25075 |
| 13 | 4185 | 6277.5 | 8370 | 12555 | 16740 | 22240 | 25075 |
| 14 | 4185.4 | 6278.1 | 8370.8 | 12556.2 | 16741.6 | 22240 | 25075 |
| 15 | 4185.8 | 6278.7 | 8371.6 | 12557.4 | 16743.2 | 22240 | 25075 |
| 16 | 4186.2 | 6279.3 | 8372.4 | 12558.6 | 16744.8 | 22240 | 25075 |
| 17 | 4186.6 | 6279.9 | 8373.2 | 12559.8 | 16746.4 | 22244 | 25075 |
| 18 | 4187 | 6280.5 | 8374 | 12561 | 16748 | 22244 | 25075 |

(c) World-wide common channels:

Channel Series 5 (C5): 4181.8, 6272.7, 8363.6, 12545.4, 16727.2, 22232.0, 25073.0 kHz.[1]

Channel Series 6 (C6): 4182.2, 6273.3, 8364.4, 12546.6, 16728.8, 22234.0, 25073.0 kHz.[1]

[1] Routinely guarded by all coast radiotelegraph stations.

[2] Routinely guarded by all east coast radiotelegraph stations.

(d) East Coast:

| C1 kHz | C2 kHz | C3 kHz [2] | C4 kHz |
|---|---|---|---|
| 4180.2 | 4180.6 | 4181.0 | 4181.4 |
| 6270.3 | 6270.9 | 6271.5 | 6272.1 |
| 8360.4 | 8361.2 | 8362.0 | 8362.8 |
| 12540.6 | 12541.8 | 12543.0 | 12544.2 |
| 16720.8 | 16722.4 | 16724.0 | 16725.6 |
| 22228.0 | 22228.0 | 22228.0 | 22228.0 |
| 22230.0 | 22230.0 | ---------- | 22230.0 |
| 25071.0 | 25071.0 | 25071.0 | 25071.0 |

(e) Gulf Coast, Puerto Rico, and Virgin Islands:

| C7 | C8 | C9[3] | C10 |
|---|---|---|---|
| 4182.6 | 4183.0 | 4183.4 | 4183.8 |
| 6273.9 | 6274.5 | 6275.1 | 6275.7 |
| 8365.2 | 8366.0 | 8366.8 | 8367.6 |
| 12547.8 | 12549.0 | 12550.2 | 12551.4 |
| 16730.4 | 16732.0 | 16733.6 | 16735.2 |
| 22236.0 | 22236.0 | 22236.0 | 22236.0 |
| 22238.0 | 22238.0 | ---------- | 22238.0 |
| 25071.0 | 25071.0 | 25071.0 | 25071.0 |

[3] Routinely guarded by all gulf coast radiotelegraph stations.

(f) West Coast, Guam, and Hawaii:

| C11 | C12 | C13[4] | C14 |
|---|---|---|---|
| 4184.2 | 4184.6 | 4185.0 | 4185.4 |
| 6276.3 | 6276.9 | 6277.5 | 6278.1 |
| 8368.4 | 8369.2 | 8370.0 | 8370.8 |
| 12552.6 | 12553.8 | 12555.0 | 12556.2 |
| 16736.8 | 16738.4 | 16740.0 | 16741.6 |
| 22242.0 | 22240.0 | 22240.0 | 22250.0 |
| 22242.0 | 22242.0 | ---------- | 22242.0 |
| 25075.0 | 25075.0 | 25075.0 | 25075.0 |

[4] Routinely guarded by all west coast radiotelegraph stations.

(g) American Samoa:

| C15 | C16 | C17 | C18 |
|---|---|---|---|
| 4185.8 | 4186.2 | 4186.6 | 4187.0 |
| 6278.7 | 6279.3 | [5] 6279.9 | 6280.5 |
| 8371.6 | 8372.4 | [5] 8373.2 | 8374.0 |
| 12557.4 | 12558.6 | 12559.8 | 12561.0 |
| 16743.2 | 16744.8 | 16746.4 | 16748.0 |
| 22244.0 | 22244.0 | 22244.0 | 22244.0 |
| 22246.0 | 22246.0 | ---------- | 22246.0 |
| 25075.0 | 25075.0 | 25075.0 | 25075.0 |

[5] Routinely guarded.

(h) The frequencies set forth in this paragraph are available for use by any ship station authorized to employ A1 Morse radiotelegraphy. The conditions of use are set forth in Section 83.323 (b) and (c).

| Kilohertz | Kilohertz | Kilohertz | Kilohertz |
|---|---|---|---|
| 2089.75 | ---------- | 2090.50 | 2091.75 |
| 2090 | 2091.25 | 2090.75 | 2092 |
| 2090.25 | 2091.50 | 2091 | 2092.25 |

(i) Initial calls by ship stations shall be made on the appropriate frequencies of Channel Series 3, 9, 13, or 17. Routinely, calls shall not be made on Channel Series 5 or 6 until after calls on the appropriate frequencies of Channel Series 3, 9, 13, or 17 have been unsuccessful.

10. The present section heading and text of § 83.318 are deleted and a new § 83.318 is added to read as follows:

§ 83.318 Digital selective calling frequencies.

(a) The frequencies set forth in the table below are available for use effective June 1, 1977, by ship stations for calls to coast radiotelegraph stations by means of digital selective calling. The associated reply frequencies are also shown.

| Ship station transmit to coast (kHz): | *Ship station receive from coast (kHz)* |
|---|---|
| 4187.6 | 4357 |
| 6281.4 | 6506 |
| 8375.2 | 8718.5 |
| 12562.3 | 13100 |
| 12562.8 | 13100.5 |
| 16749.9 | 17232 |
| 16750.4 | 17232.5 |
| 22248 | 22595 |
| 22248.5 | 22595.5 |

(b) When the frequencies specified in paragraph (a) of this section are used for calling by narrow-band direct-printing, the procedures set forth in § 83.329 shall be applicable.

11. The present section heading and text of § 83.319 are deleted and a new § 83.319 is adopted to read as follows:

§ 83.319 Working frequencies—A1 Morse radiotelegraphy.

(a) Ship radiotelegraph working frequencies are set forth in Tables (d) (1) through (d) (6) of this section. The first line in each Series Nos. 1–53, inclusive, indicates the harmonically related assignable carrier frequencies in the 4, 6, 8, 12, and 16 MHz bands. The other frequencies listed: in Series Nos. W1–W53 opposite (a), (b) and (c); all 22 and 25 MHz frequencies; and the frequencies indicated in Series Nos. W54–W62, inclusive, are not necessarily harmonically related.

(b) Two Series Nos. of working frequencies, for example W1 and W31, are assigned to each radiotelegraph ship station. Frequencies from the two Series Nos. assigned to each radiotelegraph ship station should be used for normal working. Other Series Nos., and frequencies therefrom, may be used by a ship station when the frequencies of the two assigned Series Nos. are not adequate.

(c) The transition by ship stations from the A1 Morse radiotelegraph working frequencies set forth in § 83.333 (H1 through H11) and § 83.335 (L1 through L49) to the working frequences set forth in this section (W1 through W62) shall be effected in an orderly manner and shall be completed on or before May 31, 1977. During the interim period prior to June 1, 1977, both the old frequencies (§§ 83.333 and 83.335) and the new frequencies (§ 83.319) are available for use by ship stations. Effective June 1, 1977. §§ 83.333 and 83.335 are deleted.

| Series No. | Bands | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4 MHz | 6 MHz | 8 MHz | 12 MHz | 16 MHz | 22 MHz | 25 MHz |
| **(d)(1)—KILOHERTZ** | | | | | | | |
| W1 | 4188.5 | 6282.7 | 8377 | 12563.5 | 16734 | 22230.5 | 25091.5 |
| (a) | | | | 12564 | 16734.5 | 22231 | |
| (b) | | | 8377.5 | | 16735 | | |
| (c) | | | | 12564.5 | 16735.5 | | |
| W2 | 4189 | 6283.5 | 8378 | 12567 | 16736 | 22231.5 | 25092 |
| (a) | | | | 12567.5 | 16736.5 | 22232 | |
| (b) | | | 8378.5 | | 16737 | | |
| (c) | | | | 12568 | 16737.5 | | |
| W3 | 4189.5 | 6284.2 | 8379 | 12568.5 | 16738 | 22232.5 | 25092.5 |
| (a) | | | | 12569 | 16738.5 | 22233 | |
| (b) | | | 8379.5 | | 16739 | | |
| (c) | | | | 12569.5 | 16739.5 | | |
| W4 | 4190 | 6285 | 8380 | 12570 | 16740 | 22233.5 | 25093 |
| (a) | | | | 12570.5 | 16740.5 | 22234 | |
| (b) | | | 8380.5 | | 16741 | | |
| (c) | | | | 12571 | 16741.5 | | |
| W5 | 4190.5 | 6285.7 | 8381 | 12571.5 | 16742 | 22234.5 | 25093.5 |
| (a) | | | | 12572 | 16742.5 | 22235 | |
| (b) | | | 8381.5 | | 16743 | | |
| (c) | | | | 12572.5 | 16743.5 | | |
| W6 | 4191 | 6286.5 | 8382 | 12573 | 16744 | 22235.5 | 25094 |
| (a) | | | | 12573.5 | 16744.5 | 22236 | |
| (b) | | | 8382.5 | | 16745 | | |
| (c) | | | | 12574 | 16745.5 | | |
| W7 | 4191.5 | 6287.2 | 8383 | 12574.5 | 16746 | 22236.5 | 25094.5 |
| (a) | | | | 12575 | 16746.5 | 22237 | |
| (b) | | | 8383.5 | | 16747 | | |
| (c) | | | | 12575.5 | 16747.5 | | |
| W8 | 4192 | 6288 | 8384 | 12576 | 16748 | 22237.5 | 25095 |
| (a) | | | | 12576.5 | 16748.5 | 22238 | |
| (b) | | | 8384.5 | | 16749 | | |
| (c) | | | | 12577 | 16749.5 | | |
| W9 | 4192.5 | 6288.7 | 8385 | 12577.5 | 16750 | 22238.5 | 25095.5 |
| (a) | | | | 12578 | 16750.5 | 22239 | |
| (b) | | | 8385.5 | | 16751 | | |
| (c) | | | | 12578.5 | 16751.5 | | |
| W10 | 4193 | 6289.5 | 8386 | 12579 | 16752 | 22239.5 | 25096 |
| (a) | | | | 12579.5 | 16752.5 | 22240 | |
| (b) | | | 8386.5 | | 16753 | | |
| (c) | | | | 12580 | 16753.5 | | |
| **(d)(2)—KILOHERTZ** | | | | | | | |
| W11 | 4193.5 | 6290.2 | 8387 | 12580.5 | 16754 | 22240.5 | 25096.5 |
| (a) | | | | 12581 | 16754.5 | 22241 | |
| (b) | | | 8387.5 | | 16755 | | |
| (c) | | | | 12581.5 | 16755.5 | | |
| W12 | 4194 | 6291 | 8388 | 12582 | 16756 | 22241.5 | 25097 |
| (a) | | | | 12582.5 | 16756.5 | 22242 | |
| (b) | | | 8388.5 | | 16757 | | |
| (c) | | | | 12583 | 16757.5 | | |

| Series No. | Bands | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4 MHz | 6 MHz | 8 MHz | 12 MHz | 16 MHz | 22 MHz | 25 MHz |
| W13 | 4194.5 | 6291.7 | 8389 | 12583.5 | 16778 | 22262.5 | 25097.5 |
| (a) | | | | 12584 | 16778.5 | 22263 | |
| (b) | | | 8389.5 | | 16779 | | |
| (c) | | | | 12584.5 | 16779.5 | | |
| W14 | 4195 | 6292.5 | 8390 | 12585 | 16780 | 22263.5 | 25098 |
| (a) | | | | 12585.5 | 16780.5 | 22264 | |
| (b) | | | 8390.5 | | 16781 | | |
| (c) | | | | 12586 | 16781.5 | | |
| W15 | 4195.5 | 6293.2 | 8391 | 12586.5 | 16782 | 22264.5 | 25098.5 |
| (a) | | | | 12587 | 16782.5 | 22265 | |
| (b) | | | 8391.5 | | 16783 | | |
| (c) | | | | 12587.5 | 16783.5 | | |
| W16 | 4196 | 6294 | 8392 | 12588 | 15784 | 22265.5 | 25099 |
| (a) | | | | 12588.5 | 16784.5 | 22266 | |
| (b) | | | 8392.5 | | 16785 | | |
| (c) | | | | 12589 | 16785.5 | | |
| W17 | 4196.5 | 6294.7 | 8393 | 12589.5 | 16786 | 22266.5 | 25099.5 |
| (a) | | | | 12590 | 16786.5 | 22267 | |
| (b) | | | 8393.5 | | 16787 | | |
| (c) | | | | 12590.5 | 16787.5 | | |
| W18 | 4197 | 6295.5 | 8394 | 12591 | 16788 | 22267.5 | 25100 |
| (a) | | | | 12591.5 | 16788.5 | 22268 | |
| (b) | | | 8394.5 | | 16789 | | |
| (c) | | | | 12592 | 16789.5 | | |
| W19 | 4197.5 | 6296.2 | 8395 | 12592.5 | 16790 | 22268.5 | 25100.5 |
| (a) | | | | 12593 | 16790.5 | 22269 | |
| (b) | | | 8395.5 | | 16791 | | |
| (c) | | | | 12593.5 | 16791.5 | | |
| W20 | 4198 | 6297 | 8396 | 12594 | 16792 | 22269.5 | 25101 |
| (a) | | | | 12594.5 | 16792.5 | 22270 | |
| (b) | | | 8396.5 | | 16793 | | |
| (c) | | | | 12595 | 16793.5 | | |

(d)(3)—KILOHERTZ

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| W 21 | 4198.5 | 6297.7 | 8397 | 12595.5 | 16794 | 22270.5 | 25101.5 |
| (a) | | | | 12596 | 16794.5 | 22271 | |
| (b) | | | 8397.5 | | 16795 | | |
| (c) | | | | 12596.5 | 16795.5 | | |
| W 22 | 4199 | 6298.5 | 8398 | 12597 | 16696 | 22271.5 | 25102 |
| (a) | | | | 12597.5 | 16796.5 | 22272 | |
| (b) | | | 8398.5 | | 16797 | | |
| (c) | | | | 12598 | 16797.5 | | |
| W 23 | 4199.5 | 6299.2 | 8399 | 12598.5 | 16798 | 22272.5 | 25102.5 |
| (a) | | | | 12599 | 16798.5 | 22273 | |
| (b) | | | 8399.5 | | 16799 | | |
| (c) | | | | 12599.5 | 16799.5 | | |
| W 24 | 4200 | 6300 | 8400 | 12600 | 16800 | 22273.5 | 25103 |
| (a) | | | | 12600.5 | 16800.5 | 22274 | |
| (b) | | | 8400.5 | | 16801 | | |
| (c) | | | | 12601 | 16801.5 | | |
| W 25 | 4200.5 | 6300.7 | 8401 | 12601.5 | 16802 | 22274.5 | 25103.5 |
| (a) | | | | 12602 | 16802.5 | 22275 | |
| (b) | | | 8401.5 | | 16803 | | |
| (c) | | | | 12602.5 | 16803.5 | | |
| W 26 | 4201 | 6301.5 | 8402 | 12603 | 16804 | 22275.5 | 25104 |
| (a) | | | | 12603.5 | 16804.5 | 22276 | |
| (b) | | | 8402.5 | | 16805 | | |
| (c) | | | | 12604 | 16805.5 | | |
| W 27 | 4201.5 | 6302.2 | 8403 | 12604.5 | 16806 | 22276.5 | 25104.5 |
| (a) | | | | 12605 | 16806.5 | 22277 | |
| (b) | | | 8403.5 | | 16807 | | |
| (c) | | | | 12605.5 | 16807.5 | | |
| W 28 | 4202 | 6303 | 8404 | 12606 | 16808 | 22277.5 | 25105 |
| (a) | | | | 12606.5 | 16808.5 | 22278 | |
| (b) | | | 8404.5 | | 16809 | | |
| (c) | | | | 12607 | 16809.5 | | |
| W 29 | 4202.5 | 6303.7 | 8405 | 12607.5 | 16810 | 22278.5 | 25105.5 |
| (a) | | | | 12608 | 16810.5 | 22279 | |
| (b) | | | 8405.5 | | 16811 | | |
| (c) | | | | 12608.5 | 16811.5 | | |
| W 30 | 4203 | 6304.5 | 8406 | 12609 | 16812 | 22279.5 | 25106 |
| (a) | | | | 12609.5 | 16812.5 | 22280 | |
| (b) | | | 8406.5 | | 16813 | | |
| (c) | | | | 12610 | 16813.5 | | |

(d)(4)—KILOHERTZ

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| W31 | 4203.5 | 6305.2 | 8407 | 12610.5 | 16814 | 22280.5 | 25106.5 |
| (a) | | | | 12611 | 16814.5 | 22281 | |
| (b) | | | 8407.5 | | 16815 | | |
| (c) | | | | 12611.5 | 16815.5 | | |
| W32 | 4204 | 6306 | 8408 | 12612 | 16816 | 22281.5 | 25107 |
| (a) | | | | 12612.5 | 16816.5 | 22282 | |
| (b) | | | 8408.5 | | 16817 | | |
| (c) | | | | 12613 | 16817.5 | | |
| W33 | 4204.5 | 6306.7 | 8409 | 12613.5 | 16818 | 22282.5 | 25107.5 |
| (a) | | | | 12614 | 16818.5 | 22283 | |
| (b) | | | 8409.5 | | 16819 | | |
| (c) | | | | 12614.5 | 16819.5 | | |
| W34 | 4205 | 6307.5 | 8410 | 12615 | 16820 | 22283.5 | 25108 |
| (a) | | | | 12615.5 | 16820.5 | 22284 | |
| (b) | | | 8410.5 | | 16821 | | |
| (c) | | | | 12616 | 16821.5 | | |
| W35 | 4205.5 | 6308.2 | 8411 | 12616.5 | 16822 | 22284.5 | 25108.5 |
| (a) | | | | 12617 | 16822.5 | 22285 | |
| (b) | | | 8411.5 | | 16823 | | |
| (c) | | | | 12617.5 | 16823.5 | | |

| Series No. | Bands | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4 MHz | 6 MHz | 8 MHz | 12 MHz | 16 MHz | 22 MHz | 25 MHz |
| W36 | 4206 | 6309 | 8412 | 12618 | 16824 | 22283.5 | 25091.5 |
| (a) | | | | 12618.5 | 16824.5 | 22286 | |
| (b) | | | 8412.5 | | 16825 | | |
| (c) | | | | 12619 | 16825.5 | | |
| W37 | 4206.5 | 6309.7 | 8413 | 12619.5 | 16826 | 22286.5 | 25092 |
| (a) | | | | 12620 | 16826.5 | 22287 | |
| (b) | | | 8413.5 | | 16827 | | |
| (c) | | | | 12620.5 | 16827.5 | | |
| W38 | 4207 | 6310.5 | 8414 | 12621 | 16828 | 22287.5 | 25092.5 |
| (a) | | | | 12621.5 | 16828.5 | 22288 | |
| (b) | | | 8414.5 | | 16829 | | |
| (c) | | | | 12622 | 16829.5 | | |
| W39 | 4207.5 | 6311.2 | 8415 | 12622.5 | 16830 | 22288.5 | 25093 |
| (a) | | | | 12623 | 16830.5 | 22289 | |
| (b) | | | 8415.5 | | 16831 | | |
| (c) | | | | 12623.5 | 16831.5 | | |
| W40 | 4208 | 6312 | 8416 | 12624 | 16832 | 22289.5 | 25093.5 |
| (a) | | | | 12624.5 | 16832.5 | 22290 | |
| (b) | | | 8416.5 | | 16833 | | |
| (c) | | | | 12625 | 16833.5 | | |
| W41 | 4208.5 | 6312.7 | 8417 | 12625.5 | 16834 | 22290.5 | 25094 |
| (a) | | | | 12626 | 16834.5 | 22291 | |
| (b) | | | 8417.5 | | 16835 | | |
| (c) | | | | 12626.5 | 16835.5 | | |
| W42 | 4209 | 6313.5 | 8418 | 12627 | 16836 | 22291.5 | 25094.5 |
| (a) | | | | 12627.5 | 16836.5 | 22292 | |
| (b) | | | 8418.5 | | 16837 | | |
| (c) | | | | 12628 | 16837.5 | | |
| W43 | 4209.5 | 6,314.2 | 8419 | 12628.5 | 16838 | 22292.5 | 25095 |
| (a) | | | | 12629 | 16838.5 | 22293 | |
| (b) | | | 8419.5 | | 16839 | | |
| (c) | | | | 12629.5 | 16839.5 | | |
| W44 | 4210 | 6315 | 8420 | 12630 | 16840 | 22293.5 | 25095.5 |
| (a) | | | | 12630.5 | 16840.5 | 22294 | |
| (b) | | | 8420.5 | | 16841 | | |
| (c) | | | | 12631 | 16841.5 | | |
| W45 | 4210.5 | 6315.7 | 8421 | 12631.5 | 16842 | 22294.5 | 25096 |
| (a) | | | | 12632 | 16842.5 | 22295 | |
| (b) | | | 8421.5 | | 16843 | | |
| (c) | | | | 12632.5 | 16843.5 | | |
| W46 | 4211 | 6316.5 | 8422 | 12633 | 16844 | 22295.5 | 25096.5 |
| (a) | | | | 12633.5 | 16844.5 | 22296 | |
| (b) | | | 8422.5 | | 16845 | | |
| (c) | | | | 12634 | 16845.5 | | |
| W47 | 4211.5 | 6317.2 | 8423 | 12634.5 | 16846 | 22296.5 | 25097 |
| (a) | | | | 12635 | 16846.5 | 22297 | |
| (b) | | | 8423.5 | | 16847 | | |
| (c) | | | | 12635.5 | 16847.5 | | |
| W48 | 4212 | 6318 | 8424 | 12636 | 16848 | 22297.5 | 25097.5 |
| (a) | | | | 12636.5 | 16848.5 | 22298 | |
| (b) | | | 8424.5 | | 16849 | | |
| (c) | | | | 12637 | 16849.5 | | |
| W49 | 4212.5 | 6318.7 | 8425 | 12637.5 | 16850 | 22298.5 | 25098 |
| (a) | | | | 12638 | 16850.5 | 22299 | |
| (b) | | | 8425.5 | | 16851 | | |
| (c) | | | | 12638.5 | 16851.5 | | |
| W50 | 4213 | 6319.5 | 8426 | 12639 | 16852 | 22299.5 | 25098.5 |
| (a) | | | | 12639.5 | 16852.5 | 22231 | |
| (b) | | | 8426.5 | | 16853 | | |
| (c) | | | | 12640 | 16853.5 | | |

(d)(6)—KILOHERTZ

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| W51 | 4213.5 | 6320.2 | 8427 | 12640.5 | 16854 | 22231.5 | 25099 |
| (a) | | | | 12641 | 16854.5 | 22232 | |
| (b) | | | 8427.5 | | 16855 | | |
| (c) | | | | 12641.5 | 16855.5 | | |
| W52 | 4214 | 6321 | 8428 | 12642 | 16856 | 22232.5 | 25099.5 |
| (a) | | | | 12642.5 | 16856.5 | 22233 | |
| (b) | | | 8428.5 | | 16857 | | |
| (c) | | | | 12643 | 16857.5 | | |
| W53 | 4214.5 | 6321.7 | 8429 | 12643.5 | 16858 | 22233.5 | 25100 |
| (a) | | | | 12644 | | 22234 | |
| (b) | | | 8429.5 | | | | |
| (c) | | | | 12644.5 | 16719 | | |
| W54 | 4215 | 6322.5 | 8430 | 12645 | 16707 | 22234.5 | 25100.5 |
| (a) | | | | 12645.5 | 16707.5 | 22235 | |
| (b) | | | 8430.5 | 12330 | 16708 | | |
| (c) | | | | 12646 | 16708.5 | | |
| W55 | 4215.5 | 6323.2 | 8431 | 12646.5 | 16709 | 22235.5 | 25101 |
| (a) | | | | 12647 | 16709.5 | 22236 | |
| (b) | | | 8431.5 | 12330.5 | 16710 | | |
| (c) | | | | 12647.5 | 16710.5 | | |
| W56 | 4216 | 6324 | 8432 | 12648 | 16711 | 22236.5 | 25101.5 |
| (a) | | | | 12648.5 | 16711.5 | 22237 | |
| (b) | | | 8432.5 | 12331 | 16712 | | |
| (c) | | | | 12649 | 16712.5 | | |
| W57 | 4216.5 | 6324.7 | 8433 | 12649.5 | 16713 | 22237.5 | 25102 |
| (a) | | | | 12650 | 16713.5 | 22238 | |
| (b) | | | 8433.5 | 12331.5 | 16714 | | |
| (c) | | | | 12650.5 | 16714.5 | | |
| W58 | 4217 | | 8434 | 12651 | 16715 | 22238.5 | 25102.5 |
| (a) | | | | 12652 | 16715.5 | 22239 | |
| (b) | | | 8434.5 | 12332.5 | 16716 | | |
| | | | | | 16716.5 | | |
| W59 | 4217.5 | | 8435 | 12323 | 16717 | 22239.5 | 25103 |
| W60 | 4218 | | 8358.5 | 12323.5 | 16717.5 | 22240 | 25103.5 |
| W61 | 4218.5 | | 8359 | 12329 | 16718 | 22240.5 | 25104 |
| W62 | 4219 | | 8359.5 | 12329.5 | 16718.5 | 22241 | 25104.5 |

12. The present section heading and text of § 83.320 are deleted and a new § 83.320 is adopted to read as follows:

**§ 83.320 Working frequencies—narrow-band direct-printing telegraph and data transmission systems—paired.**

(a) Ship radiotelegraph working frequencies—narrow-band direct-printing telegraph and data transmission systems—paired with coast station frequencies, for use in the bands between 4 and 23 MHz are set forth in paragraph (d), below. The use of these frequencies is subject to the applicable provisions of Subpart E of this Part and to §§ 83.329 and 83.330.

(b) The transition by ship stations from the narrow-band direct-printing working frequencies set forth in § 83.336 (N1 through N10) to the NB-DP working frequencies set forth in this section (R1 through R69) shall be effected in an orderly manner and shall commence June 1, 1977 and be completed on or before June 30, 1977. During the interim period prior to July 1, 1977, the old frequencies set forth in § 83.336 will be available until July 1, 1977, and the new frequencies set forth in this section will be available commencing June 1; 1977. Effective July 1, 1977, § 83.336 is deleted.

(c) The frequencies set forth in paragraph (d), below, are available for use by radiotelegraph ship stations authorized to employ narrow-band direct-printing. The ship station shall transmit to a coast station on the frequencies which are paired with the Series No. used by the coast station for transmission.

(d) The frequencies set forth in the following table are available for communication by radioteleprinter with coast stations when used in accordance with the technical criteria set forth in § 83.143 and other sections of Subpart E of this part.

| Series No. | 4 MHz band | | 6 MHz band | | 8 MHz band | |
|---|---|---|---|---|---|---|
| | Ship receive | Ship transmit | Ship receive | Ship transmit | Ship receive | Ship transmit |
| R1 | 4350 | 4170.5 | 6494.5 | 6256.5 | 8705 | 8344 |
| R2 | 4350.5 | 4171 | 6495 | 6257 | 8705.5 | 8344.5 |
| R3 | 4351 | 4171.5 | 6495.5 | 6237.5 | 8706 | 8345 |
| R4 | 4351.5 | 4172 | 6496 | 6258 | 8706.5 | 8345.5 |
| R5 | 4352 | 4172.5 | 6496.5 | 6258.5 | 8707 | 8346 |
| R6 | 4352.5 | 4173 | 6497 | 6259 | 8707.5 | 8346.5 |
| R7 | 4353 | 4173.5 | 6497.5 | 6259.5 | 8708 | 8347 |
| R8 | 4353.5 | 4174 | 6498 | 6260 | 8708.5 | 8347.5 |
| R9 | 4354 | 4174.5 | 6498.5 | 6260.5 | 8709 | 8348 |
| R10 | 4354.5 | 4175 | 6499 | 6261 | 8709.5 | 8348.5 |
| R11 | 4355 | 4175.5 | 6499.5 | 6261.5 | 8710 | 8349 |
| R12 | 4355.5 | 4176 | 6500 | 6262 | 8710.5 | 8349.5 |
| R13 | 4356 | 4176.5 | 6500.5 | 6262.5 | 8711 | 8350 |
| R14 | 4356.5 | 4177 | 6501 | 6263 | 8711.5 | 8350.5 |
| R15 | | | 6501.5 | 6263.5 | 8712 | 8351 |
| R16 | | | 6502 | 6264 | 8712.5 | 8351.5 |
| R17 | | | 6502.5 | 6264.5 | 8713 | 8352 |
| R18 | | | 6503 | 6265 | 8713.5 | 8352.5 |
| R19 | | | 6503.5 | 6265.5 | 8714 | 8353 |
| R20 | | | 6504 | 6266 | 8714.5 | 8353.5 |
| R21 | | | 6504.5 | 6266.5 | 8715 | 8354 |
| R22 | | | 6505 | 6267 | 8715.5 | 8354.5 |
| R23 | | | 6505.5 | 6267.5 | 8716 | 8355 |
| R24 | | | | | 8716.5 | 8355.5 |
| R25 | | | | | 8717 | 8356 |
| R26 | | | | | 8717.5 | 8356.5 |
| R27 | | | | | 8718 | 8357 |

| | 12 MHz band | | 16 MHz band | | 22 MHz band | |
|---|---|---|---|---|---|---|
| | Ship receive | Ship transmit | Ship receive | Ship transmit | Ship receive | Ship transmit |
| R1 | 13071.5 | 12491.5 | 17197.5 | 16660.5 | 22561.5 | 22192.5 |
| R2 | 13072 | 12492 | 17198 | 16661 | 22562 | 22193 |
| R3 | 13072.5 | 12492.5 | 17198.5 | 16661.5 | 22562.5 | 22193.5 |
| R4 | 13073 | 12493 | 17199 | 16662 | 22563 | 22194 |
| R5 | 13073.5 | 12493.5 | 17199.5 | 16662.5 | 22563.5 | 22194.5 |
| R6 | 13074 | 12494 | 17200 | 16663 | 22564 | 22195 |
| R7 | 13074.5 | 12494.5 | 17200.5 | 16663.5 | 22564.5 | 22195.5 |
| R8 | 13075 | 12495 | 17201 | 16664 | 22565 | 22196 |
| R9 | 13075.5 | 12495.5 | 17201.5 | 16664.5 | 22565.5 | 22196.5 |
| R10 | 13076 | 12496 | 17202 | 16665 | 22566 | 22197 |
| R11 | 13076.5 | 12496.5 | 17202.5 | 16665.5 | 22566.5 | 22197.5 |
| R12 | 13077 | 12497 | 17203 | 16666 | 22567 | 22198 |
| R13 | 13077.5 | 12497.5 | 17203.5 | 16666.5 | 22567.5 | 22198.5 |
| R14 | 13078 | 12498 | 17204 | 16667 | 22568 | 22199 |
| R15 | 13078.5 | 12498.5 | 17204.5 | 16667.5 | 22568.5 | 22199.5 |
| R16 | 13079 | 12499 | 17205 | 16668 | 22569 | 22200 |
| R17 | 13079.5 | 12499.5 | 17205.5 | 16668.5 | 22569.5 | 22200.5 |
| R18 | 13080 | 12500 | 17206 | 16669 | 22570 | 22201 |
| R19 | 13080.5 | 12500.5 | 17206.5 | 16669.5 | 22570.5 | 22201.5 |
| R20 | 13081 | 12501 | 17207 | 16670 | 22571 | 22202 |
| R21 | 13081.5 | 12501.5 | 17207.5 | 16670.5 | 22571.5 | 22202.5 |
| R22 | 13082 | 12502 | 17208 | 16671 | 22572 | 22203 |
| R23 | 13082.5 | 12502.5 | 17208.5 | 16671.5 | 22572.5 | 22203.5 |
| R24 | 13083 | 12503 | 17209 | 16672 | 22573 | 22204 |
| R25 | 13083.5 | 12503.5 | 17209.5 | 16672.5 | 22573.5 | 22204.5 |
| R26 | 13084 | 12504 | 17210 | 16673 | 22574 | 22205 |
| R27 | 13084.5 | 12504.5 | 17210.5 | 16673.5 | 22574.5 | 22205.5 |

| | 12 MHz band | | 16 MHz band | | 22 MHz band | |
|---|---|---|---|---|---|---|
| | Ship receive | Ship transmit | Ship receive | Ship transmit | Ship receive | Ship transmit |
| R28 | 13085 | 12505 | 17211 | 16074 | 22575 | 22200 |
| R29 | 13085.5 | 12505.5 | 17211.5 | 16074.5 | 22575.5 | 22200.5 |
| R30 | 13086 | 12506 | 17212 | 16075 | 22576 | 22207 |
| R31 | 13086.5 | 12506.5 | 17212.5 | 16076.5 | 22576.5 | 22207.5 |
| R32 | 13087 | 12507 | 17213 | 16076 | 22577 | 22208 |
| R33 | 13087.5 | 12507.5 | 17213.5 | 16076.5 | 22577.5 | 22208.5 |
| R34 | 13088 | 12508 | 17214 | 16077 | 22578 | 22209 |
| R35 | 13088.5 | 12508.5 | 17214.5 | 16077.5 | 22578.5 | 22209.5 |
| R36 | 13089 | 12509 | 17215 | 16078 | 22579 | 22210 |
| R37 | 13089.5 | 12509.5 | 17215.5 | 16078.5 | 22579.5 | 22210.5 |
| R38 | 13090 | 12510 | 17216 | 16079 | 22580 | 22211 |
| R39 | 13090.5 | 12510.5 | 17216.5 | 16079.5 | 22580.5 | 22211.5 |
| R40 | 13091 | 11511 | 17217 | 16080 | 22581 | 22212 |
| R41 | 13091.5 | 12511.5 | 17217.5 | 16080.5 | 22581.5 | 22212.5 |
| R42 | 13092 | 12512 | 17218 | 16081 | 22582 | 22213 |
| R43 | 13092.5 | 12512.5 | 17218.5 | 16081.5 | 22582.5 | 22213.5 |
| R44 | 13093 | 12513 | 17219 | 16082 | 22583 | 22214 |
| R45 | 13093.5 | 12513.5 | 17219.5 | 16082.5 | 22583.5 | 22214.5 |
| R46 | 13094 | 12514 | 17220 | 16083 | 22584 | 22215 |
| R47 | 13094.5 | 12514.5 | 17220.5 | 16083.5 | 22584.5 | 22215.5 |
| R48 | 13095 | 12515 | 17221 | 16084 | 22585 | 22216 |
| R49 | 13095.5 | 12515.5 | 17221.5 | 16084.5 | 22585.5 | 22216.5 |
| R50 | 13096 | 12516 | 17222 | 16085 | 22586 | 22217 |
| R51 | 13096.5 | 12516.5 | 17222.5 | 16085.5 | 22586.5 | 22217.5 |
| R52 | 13097 | 12517 | 17223 | 16086 | 22587 | 22218 |
| R53 | 13097.5 | 12517.5 | 17223.5 | 16086.5 | 22587.5 | 22218.5 |
| R54 | 13098 | 12518 | 17224 | 16087 | 22588 | 22219 |
| R55 | 13098.5 | 12518.5 | 17224.5 | 16087.5 | 22588.5 | 22219.5 |
| R56 | 13099 | 12519 | 17225 | 16088 | 22589 | 22220 |
| R57 | 13099.5 | 12519.5 | 17225.5 | 16088.5 | 22589.5 | 22220.5 |
| R58 | | | 17226 | 16089 | 22590 | 22221 |
| R59 | | | 17226.5 | 16089.5 | 22590.5 | 22221.5 |
| R60 | | | 17227 | 16090 | 22591 | 22222 |
| R61 | | | 17227.5 | 16090.5 | 22591.5 | 22222.5 |
| R62 | | | 17228 | 16091 | 22592 | 22223 |
| R63 | | | 17228.5 | 16091.5 | 22592.5 | 22223.5 |
| R64 | | | 17229 | 16092 | 22593 | 22224 |
| R65 | | | 17229.5 | 16092.5 | 22593.5 | 22224.5 |
| R66 | | | 17230 | 16093 | 22594 | 22225 |
| R67 | | | 17230.5 | 16093.5 | 22594.5 | 22225.5 |
| R68 | | | 17231 | 16094 | | |
| R69 | | | 17231.5 | 16094.5 | | |

13. The present Section heading and text of § 83.321 are deleted and a new § 83.321 is adopted to read as follows:

**§ 83.321 Working frequencies—narrow-band direct-printing telegraph and data transmission systems—non-paired.**

(a) Ship radiotelegraph working frequencies—narrow-band direct-printing telegraph and data transmission systems—non-paired with coast station frequencies, for use in the bands between 4 and 25.5 MHz are set forth in paragraph (b), below. The frequencies are available for use by radiotelegraph ship stations authorized to employ narrow-band direct-printing and are subject to the applicable provisions of Subpart E of this Part and to §§ 83.329 and 83.330.

(b)

| | Narrow-band Direct-printing—Nonpaired | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4 MHz | 6 MHz | 8 MHz | 12 MHz | 16 MHz | 22 MHz | 26 MHz |
| P1 | 4177.5 | 6268 | 8297.6 | 12520 | 16695 | 22220 | 25070.3 |
| P2 | 4178 | 6268.5 | 8298.1 | 12520.5 | 16695.5 | 22220.5 | 25070.8 |
| P3 | 4178.5 | 6269 | 8298.6 | 12521 | 16696 | | 25077.3 |
| P4 | 4179 | 6269.5 | 8299.1 | 12521.5 | 16696.6 | | 25077.8 |
| P5 | 4179.5 | | 8299.6 | 12522 | 16697 | | 25078.3 |
| P6 | | | 8357.5 | 12522.5 | 16697.5 | | 25078.8 |
| P7 | | | | 12523 | 16698 | | 25079.3 |
| P8 | | | | 12523.5 | 16698.5 | | 25079.8 |
| P9 | | | | 12524 | 16699 | | 25080.3 |
| P10 | | | | 12524.5 | 16699.5 | | 25080.8 |
| P11 | | | | 12525 | 16700 | | 25081.3 |
| P12 | | | | 12525.5 | 16700.5 | | 25081.8 |
| P13 | | | | 12526 | 16701 | | 25082.3 |
| P14 | | | | 12526.5 | 16701.5 | | 25082.8 |
| P15 | | | | | 16702 | | 25083.3 |
| P16 | | | | | 16702.5 | | 25083.8 |
| P17 | | | | | 16703 | | 25084.3 |
| P18 | | | | | 16703.5 | | 25084.8 |
| P19 | | | | | 16704 | | 25085.3 |
| P20 | | | | | 16704.5 | | 25085.8 |
| P21 | | | | | 16705 | | 25086.8 |
| P22 | | | | | 16705.5 | | 25086.8 |
| P23 | | | | | | | 25087.3 |
| P24 | | | | | | | 25087.8 |
| P25 | | | | | | | 25088.3 |
| P26 | | | | | | | 25088.8 |
| P27 | | | | | | | 25089.3 |
| P28 | | | | | | | 25089.8 |

(c) The frequencies set forth in paragraph (b) of this section are available for use by ship stations effective July 16, 1977.

14. In § 83.324, paragraph (d) is deleted and designated "reserved"; and paragraph (e) is amended to read as follows:

**§ 83.324 Frequencies for working.**

* * * * *

(d) [Reserved]

(e) Working frequencies in the band 2 to 27.5 MHz are listed in § 83.319. Frequencies in the band 2065–2107 kHz are not available for assignment to aircraft.

* * * * *

15. The present section heading and text of § 83.328 are deleted and a new § 83.328 is adopted to read as follows:

**§ 83.328 Al Morse radiotelegraph operating procedure.**

(a) Except for the transmission of distress or urgency signals, all transmission from stations on board ship must cease within the band 485–515 kHz during each 500 kilohertz silence period, i.e., for three minutes twice an hour beginning at x h. 15 and x h. 45, Greenwich mean time.

(b) In order to facilitate radiotelegraph communication in the maritime mobile service, all ship stations transmitting by means of telegraphy shall, whenever practicable, use the service abbreviations ("Q" signals) listed in Appendix 13A to the ITU Radio Regulations.

(c) Before transmitting a ship station shall take precautions to ensure that its emissions will not interfere with transmissions already in progress; if such interference is likely, the station shall await an appropriate break in the communications in progress. This requirement does not apply to stations where unattended operation is possible through automatic means on frequencies dedicated to narrow-band direct-printing.

(d) In order to reduce interference, ship stations shall, within the means at their disposal, endeavour to select for calling the band with the most favorable propagational characteristics for effecting reliable communication. In the absence of more precise data, a ship station shall, before making a call, listen for the signals of the station with which it desires to communicate. The strength and intelligibility of such signals are useful as a guide to propagational conditions and indicate which is the preferable band for calling.

(e) Method of calling. The call consists of: (1) The call sign of the station called, not more than twice; the word "DE"; the call sign of the calling station, not more than twice; if useful, the frequency on which the called station should reply; and the letter "k".

(2) When the calling station has more than one radiotelegram to transmit to the station called, the service abbreviation followed by the figure giving the number of such telegrams (i.e., "QTC2"), should precede the letter "k".

line feed; "DIRTLX"; telex destination

(3) For normal calling, the call may be transmitted twice at an interval of not less than one minute; thereafter it shall not be repeated until after an interval of three minutes.

(4) A ship station calling a coast station in any of the frequency bands allocated to the maritime mobile service between 4 and 27.5 MHz shall use one of the frequencies set forth in § 83.317.

(f) Method of reply. The reply to calls consists of: The call sign of the calling station, not more than twice; the word "DE"; and the call sign of the station called, once only.

(g) In addition to compliance with all applicable sections of this part, the operation of ship stations using radiotelegraphy shall comply with the applicable provisions of Article 39 of the ITU Radio Regulations.

16. The present section heading and text of § 83.329 are deleted and a new § 83.329 is adopted to read as follows:

**§ 83.329 Calling by Narrow-band direct-printing.**

(a) Until such time as a digital selective calling system and associated procedures have been agreed upon and adopted into the ITU Radio Regulations, ship stations employing narrow-band direct-printing (NB–DP) may, effective June 1, 1977, use the frequencies designated in § 83.318 to call United States coast radiotelegraph stations.

(b) Where it is known that the coast station maintains a watch on other frequencies for ship station calls by NB–DP, the ship station should make its initial NB–DP call on those frequencies.

(c) Calls to a coast station or other ship station shall employ the following format: Coast station identification number, repeated twice; "DE", sent once; and ship station selective call number, repeated twice.

(d) When the coast station does not reply to a call sent three times at intervals of two minutes, the calling shall cease and shall not be renewed until after an interval of fifteen minutes.

17. The present section heading and text of § 83.330 is redesignated § 83.340 and a new § 83.330 is adopted to read as follows:

**§ 83.330 Narrow-band direct-printing operating procedure.**

(a) The procedures set forth in this section shall be used, except in cases of distress, urgency or safety, when communicating by means of narrow-band direct-printing (NB–DP) radiotelegraphy with a coast radiotelegraph station or with other ship stations. In that regard:

(1) Traffic may be exchanged with or without the use of error-correcting equipment.

(2) For communication between two stations, the ARQ mode should be used when available.

(3) For transmissions from one coast station or ship station to two or more other stations, the forward-error-correcting mode should be used when available.

(4) Information regarding the services provided by each station open to public correspondence is indicated in the I.T.U. List of Coast Stations and in the List of Ship Stations, together with information on charging.

(b) Calls to coast stations shall normally be made by radioteleprinter on the NB–DP frequencies on which the coast station maintains a watch.

(1) The transmit frequencies and frequencies on which coast stations maintain a watch are indicated in the List of Coast Stations.

(2) When using (paired) frequencies set forth in § 83.320, the ship station shall employ the ship station frequencies paired with the frequencies in use by the coast station, that is, when the coast station employs, for example, Series No. 1, the ship station shall also employ Series No. 1. Cross-band operation between a coast station on, for example, Series No. 1 and a ship station on, for example, Series No. 14 is prohibited.

(3) When using (non-paired) frequencies set forth in § 83.321, the coast station will transmit on one of the frequencies set forth in § 81.206.

Special arrangements may be made between ship stations, or shipping companies, and coast stations for the use of specific frequencies.

(c) As an exception to the procedure specified in paragraph (b), above, under other than normal circumstances, ship stations may call coast stations on A1 Morse radiotelegraphy calling frequencies, shift to A1 Morse radiotelegraphy working frequencies, and complete arrangements for setting up a NB–DP circuit.

(1) The routine use of A1 Morse radiotelegraph frequencies for the setting up of a NB–DP circuit with United States coast stations is not authorized: *Provided, however,* That A1 Morse radiotelegraph frequencies may be used by a ship station to set up a NB–DP circuit when efforts to establish the circuit on NB–DP frequencies has proven unsuccessful.

(d) In calling the coast station by NB–DP, the ship station shall use the coast station indentification number (4 digits) and effect self-identification by the use of the ship station selective call number (5 digits).

(e) When both terminals of the NB–DP circuit are satisfied that the circuit is in operable condition, the ship station shall indicate by the following procedure, prior to transmission of the message preamble, which of two modes are to be used in the exchange of traffic:

(1) Conversational mode, where the stations concerned are connected directly either automatically or under manual control; or

(2) Store-and-forward mode, where traffic is stored at the coast station until the circuit to the called station can be set up, either automatically or under manual control.

(3) When the conversational mode is selected, this shall be supplied to the receiving station by transmission of the following: One carriage return and one code (2 or 3 numbers). (See CCITT, Geneva 1972, Annex to Recommendation F69); the land subscribers telex number; and "+", indicating end of sequence.

(4) When the store-and-forward mode is selected, this shall be supplied to the receiving station by transmission of the following: One carriage return and one line feed; "TLX"; telex destination code (2 or 3 numbers). (See CCITT, Geneva 1972, Annex to Resolution F69); the land subscribers telex number; and "+", indicating end of sequence.

(f) Following completion of the procedure set forth in subparagraphs (e)(3) or (e)(4), above, the message preamble shall be transmitted as follows: Serial number or number of the message; the name of the office of origin; the number of words; the date of handing in of the message; the time of handing in of the message; and any service instructions. (See CCITT, Geneva 1972, section 6 of the General provisions applying to all methods of working.)

(g) Upon completion of transmission of the preamble, the address, text, and signature shall be transmitted as received from the sender.

(h) Upon completion of transmission of the signature, the transmitting station shall, following the signal "COL," routinely repeat all service indications in the address and for figures or mixed groups of letters, figures, or signs in the address, text or signature.

(i) In telegrams of more than 50 words, routine repetition shall be given at the end of each page.

(j) The provisions of paragraphs (f) through (i) of this section may or not, at the discretion of the user, be utilized when a direct connection between ship station and addressee is employed.

APPENDIX 2

Effective July 18, 1977, the following type transmitters are not available for use for radiotelegraphy aboard a ship station:

(1) As a transmitter to be installed initially aboard a new ship; or

(2) As a transmitter to be installed to replace an existing transmitter.

| Manufacturer | Base type No. | Remarks |
|---|---|---|
| TT Mackay Marine Division, Mackay Radio & Telegraph Co. | 156<br>167<br>2003<br>2006<br>2013 | (1) |
| RCA Corp. | ET-8019<br>ET-8023<br>ET-8039<br>ET-8052<br>ET-8063<br>ET-8065 | (1) |
| Radiomarine Corp. | ET-8065<br>CRM-T1A-1000<br>CRM-T1B-1000<br>CRM-T1C-1000 | (1) |

[1] A number of grants have been made for type acceptance of modifications of the basic transmitter. Each modification granted retained the basic identification number (for example 2013), but added suffix letters, or a combination of letters and numbers (for example, 2013AP, 2013AP1, 3013BP, 2013BP1, etc.). Withdrawal of authority, under the conditions specified above, is applicable to all transmitters the identification of which includes the basic type number listed. Such transmitters which were licensed and in use aboard ship prior to July 18, 1977 may continue to be used when modified to meet the frequency tolerance specified in sec. 83.131 and operate on the frequencies below 22,720 kHz as set forth in secs. 83.317 and 83.319.

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FRIDAY, JUNE 17, 1977

PART III

# DEPARTMENT OF AGRICULTURE

## Animal and Plant Health Inspection Service

■

# ANIMAL WELFARE

## Definition of Terms and Regulations

Title 9—Animals and Animal Products

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

SUBCHAPTER A—ANIMAL WELFARE

PART 1—DEFINITION OF TERMS

PART 2—REGULATIONS

**Health Certification, C.O.D., Minimum Age, Recordkeeping, Annual Reports Required of Research Facilities, and Certain Other Governmental Instrumentalities, and Other Requirements for Certain Animals**

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: The Animal and Plant Health Inspection Service (APHIS) is amending the regulations under the Animal Welfare Act concerning health certification, minimum age, and C.O.D. shipments of certain animals transported in commerce. APHIS is also amending the regulations under the Animal Welfare Act concerning recordkeeping requirements, annual reports required of certain facilities, departments, agencies and instrumentalities which use animals in research, and the definitions contained in the regulations. Such amendments to the regulations are authorized by the Animal Welfare Act or required by the Animal Welfare Act Amendments of 1976, to assure the humane care, treatment and transportation of certain animals.

EFFECTIVE DATE: September 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. Dale F. Schwindaman, Senior Staff Veterinarian, Animal Care Staff, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Room 703, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. (301–436–8271).

SUPPLEMENTARY INFORMATION: On March 15, 1977, APHIS published proposed new and revised regulations under the Animal Welfare Act (42 FR 14126). This rule amends Parts 1 and 2 of Subchapter A, Chapter 1, Title 9, Code of Federal Regulations to (1) require persons required to be licensed or registered under the Act and Federal, State and local governmental agencies or instrumentalities to provide a health certificate by a licensed veterinarian for live dogs, cats, or nonhuman primates presented to any carrier or intermediate handler for transportation in commerce, (2) require a minimum age of eight (8) weeks be established for dogs and cats presented by any person to any carrier or intermediate handler for transportation, in commerce, except to registered research facilities, (3) require all C.O.D. type arrangements for shipping animals in commerce by any intermediate handler or carrier to be prohibited unless, the consignor guarantees in writing, payment of all transportation costs, including any return transportation and any other incidental or out-of-pocket expense for any animals shipped in commerce by any intermediate handler or carrier, (4) change recordkeeping requirements for dealers, exhibitors, research facilities, and operators of auction sales to allow the flexibility of using their systems of recordkeeping, (5) to change and clarify the annual reporting requirements for research facilities and certain governmental instrumentalities and the responsibilities of the institutional committee and attending veterinarian, (6) amend definitions in the regulations to conform with the Animal Welfare Act Amedments of 1976, (7) add certain new definitions, and (8) rearrange the definitions in an appropriate order of associated subjects.

A total of 59 comments were received within the comment period in response to the proposed changes. Many of the comments received raised questions or made suggestions which because of their validity, warranted a number of changes from the proposed regulations.

DISCUSSION OF COMMENTS

HEALTH CERTIFICATES

APHIS proposed health certification for certain live dogs, cats, and nonhuman primates which are delivered to an intermediate handler or carrier for transportation in commerce by any dealer, research facility, exhibitor, operator of an auction sale or any department, agency, or instrumentality of the United States or any State or local government. Several comments were received as to why all persons were not required to provide a health certificate for live dogs, cats, and nonhuman primates presented for transportation in commerce. Section 10 of the Animal Welfare Act Amendments of 1976 (Pub. L. 94–279) which added dealers, inter alia, a new subsection (b) to section 13 of the Act (7 U.S.C. 2143) only requires dealers, research facilities, exhibitors, operators of auction sales and departments, agencies or instrumentalities of the United States or of any State or local governments to provide health certificates issued by a licensed veterinarian. The certificate must be provided by such parties with the delivery of any live dog, cat, or additional kinds or classes of animals designated by the Secretary, to any intermediate handler or carrier for transportation in commerce. Such section gives the Secretary authority to name additional kinds and classes of animals which require health certification, but no authority to require such health certification from other than those persons named.

APHIS proposed a form for the required health certification and identified such form as the USDA Individual Health Certificate and Identification Form (VS Form 18–1). A majority of the comments received criticized the proposed VS Form 18–1 because it was limited to the health certification of only one animal at a time and would create additional costs for shipment of certain animals by carriers or intermediate handlers. This inflationary cost was attributed to the additional time required of a licensed veterinarian to complete and execute a health certification form for each animal presented to a carrier or intermediate handler for transportation in commerce. Carriers also complained that such an individual health certificate would increase the quantity of paperwork processed and filed and would create additional labor and overhead costs.

APHIS believes it important to offer forms which may be used at a minimal cost for health certification as well as for identification of animals and recordkeeping by persons subject to the Act. Therefore, APHIS will offer two new forms for the required health certification which may also be used for recordkeeping purposes. The forms are the USDA Individual Health Certificate and Identification Form (VS Form 18–1) and the USDA Multianimal Health Certificate and Identification Form (VS Form 18–2).

C.O.D.

APHIS proposed that no C.O.D. type arrangement be used in the transportation of animals by intermediate handlers or carriers in commerce unless the consignor guarantees, in writing, the payment of all transportation costs, including any return transportation and any other incidental or out-of-pocket expenses involved for the care, feeding and storage or housing of the animal if the consignee fails to accept delivery of the shipment within 48 hours of notification of the arrival of the animal. It was further proposed that the intermediate handler or carrier must return to the consignor, or to his designee, any C.O.D. animal shipment not claimed within 48 hours after notice to the consignee of the animal's arrival at destination.

Several comments were received which viewed the 48 hours claim period for C.O.D. shipments of animals as excessive. However, the provisions of the Animal Welfare Act Amendments of 1976 (Pub. L. 94–279) concerning C.O.D. shipments specifically provide for a period of 48 hours after notice to the consignee of the arrival of an animal, for the consignee to claim the animal. APHIS therefore, cannot provide for less than a 48 hour claim period.

A maximum period of 24 hours was proposed for consignee notification of C.O.D. animal shipments. It was also proposed that the intermediate handler or carrier at destination be required to attempt to notify the consignee of a C.O.D. animal shipment at least every 6 hours after their arrival at destination for a maximum period of 24 hours. Thereafter, if the consignee cannot be located, the animal or animals involved would be required to be returned to the consignor or such other person designated by the consignor.

Comments received have indicated some confusion as to the meaning of the term "at destination", used in connection with C.O.D. live animal shipments as it relates to the carrier or intermediate handler initiating the consignee notifica-

tion procedure. To clarify this problem, the phrase "at the animal holding area of the terminal cargo facility" has been substituted for the phrase "at destination" in § 2.80(b) of the regulations. This change clarifies the point in time at which the 24-hour notification period of the consignee shall begin following the arrival of C.O.D. animal shipments.

One commenter also suggested that a record of attempted consignee notifications relative to C.O.D. live animal shipments be required. The language of the proposed regulations does not clearly reflect the intent of APHIS with respect to this matter. However, it is the intent that such records of notification and attempts to notify consignees be made and kept. Without such information, it would be virtually impossible to establish whether or not compliance with the provision has occurred. Therefore, the regulations are amended specifically to require records of attempted notifications of and the final notification to consignees of C.O.D. shipments of animals.

Furthermore, comments regarding § 280(b) of the proposed regulations, indicate a need to clarify the phrase, "form accompanying the C.O.D. shipment." Therefore, the words "shipping document" are being substituted for the word "form." The term "shipping document," which is the airbill, waybill, or other similar document, specifically designates the form on which the time, date, method, and identity of the person attempting notification and the final notification, if accomplished, to the consignee shall be recorded. Such information shall also appear on the copy of the shipping document retained by the carrier or intermediate handler at destination.

Several comments were received which expressed a desire for more immediate initiation of notification to the consignee of the arrival of C.O.D. live animal shipments so as to expedite pickup of the animal. They argued that such a procedure would minimize lengthy storage of such animals at destination. APHIS recognizes the validity of these comments; however, the regulations in indicating that the carrier or intermediate handler shall attempt to notify the consignee at least once every 6 hours does allow immediate notification to occur. Available information indicates that carriers and intermediate handlers, in a very competitive effort to provide the best service available to the customer, notify the consignee of live animal shipments as soon as possible, usually in far less than 6 hours. In the absence of information which would indicate that past notification practices of the carriers and intermediate handlers has been cause for animal suffering, the APHIS finds no basis to change the notification requirements for C.O.D. shipments.

RECORDKEEPING

The Amendments to the Act deleted the requirements that records be maintained on forms supplied by the Secretary, and the proposed regulations require that records for dealers, exhibitors, research facilities and operators of auction sales be kept by one of three alternative methods: The first would be to utilize records created and used by such dealer, exhibitor, research facility, or operator of an auction sale unless they do not contain the information required by the regulations; the second would allow any such person who handles dogs and cats to continue using current forms which are supplied by the Secretary; and the third would provide for the use of new forms which are also being developed for health certification.

It was proposed that specific information, similar to that required on VS Form 18–5 and 18–6, revised, for dogs and cats, and similar to that required on VS Forms 18–19 and 18–20 for animals other than dogs and cats, must be maintained by dealers, exhibitors, research facilities, and operators of auction sales. One comment was received indicating confusion about requisite information relative to birth dates of dogs and cats, as required in proposed §§ 2.75(a)(1)(ii) and 2.75(a)(1)(iv)(C), as opposed to the approximate age of such animals. It appears that the date of birth of some animals may not be known; in such instances a statement of the approximate age of the animal will be sufficient. Accordingly, reference to the dates of birth in § 2.75(a)(1)(ii) is deleted and the term "if known" is added in § 2.75(a)(1)(iv)(C) to follow the phrase "the date of birth."

An additional comment was received regarding the making, keeping and maintenance of records and information by dealers, exhibitors, and research facilities concerning each dog or cat purchased or otherwise acquired or sold or otherwise disposed of, as related specifically to identifying the method of transportation utilized to transport such dog or cat (reference §§ 2.75(a)(1)(v) and 2.76(b)(c)). Since the expeditious transportation of dogs and cats in commerce may require the use of several different carriers and intermediate handlers, unknown to the shipper at the time of consignment of such animals, commenters argued that the dealer, exhibitor, or research facility should only be required to identify the initial carrier or intermediate handler to whom the shipment was consigned. Comments received also indicate a need to clarify the requirements for identification of privately owned conveyances used by dealers, exhibitors, and research facilities to transport dogs and cats. APHIS recognizes these arguments as sound and will require in §§ 2.75(a)(1)(v) and 2.76(b)(3) that only the initial carrier or intermediate handler to whom a shipment of animals is consigned be named, and that if a privately owned conveyance is used to transport animals, that only the name of the owner of the vehicle need be indicated.

USDA licensees and registrants commented that the required disclosure of the name and address of the person from whom dogs or cats or other animals were purchased or otherwise acquired on the copy of the record which accompanies the shipment of such animal sold or otherwise disposed of by a dealer, exhibitor, or research facility is unlawful disclosure of proprietary information.

Such disclosure reveals the sources of animals to competitors and the purchaser; thus allowing the customer to circumvent the USDA licensee or registrant and deal directly with the source of such animals. The Department has access to a licensee's or registrant's records to obtain such information and agrees that disclosure of the source of dogs and cats or other animals to a purchaser is not necessary to effectuate the purposes of the Act. Sections 2.75(a)(4), 2.75(b)(3), 2.76(d) and 2.77(b) therefore, include a provision which does not require that the source and date of acquisition of dogs, cats, or other animals appear on the copy of a record accompanying shipments of animals.

DISPOSITION OF RECORDS

Comments from dealers and air carriers were critical of the proposed requirement in § 2.81(a) that dealers, research facilities, exhibitors, operators of auction sales, carriers and intermediate handlers be required to keep and maintain records in connection with the requirements of the regulations and standards for a period of 2 years. The criticism is based on the undue burden created by the quantity of records accumulated and the cost involved in maintaining such quantities of accumulated records, e.g. storage equipment and space.

APHIS recognizes the validity of these arguments and also now believes that the need for keeping records in excess of one year for purposes of documenting alleged violation cases has generally proven to be unnecessary. Therefore, the regulations require records, documents, or other papers to be maintained and kept for only one year unless the Deputy Administrator notifies in writing, the person subject to the Act that specified records be retained in excess of one year pending completion of an investigation or proceeding under the Act.

MINIMUM AGE REQUIREMENTS

Many comments were received concerning the proposal that any live dog or cat delivered by any person (including private owners) to any carrier or intermediate handler for transportation in commerce shall be at least eight weeks of age and have been weaned for a period of at least five days. There was no disagreement with the meaning requirement of the proposal.

Many commenters urged the Department to increase the minimum age requirement for puppies to ten weeks and in some instances, up to twelve weeks. Some people based such comments on data which purported to show that physical and psychological stress applied to a puppy around eight weeks of age may have long lasting effects on the temperament of the dog. However, scientific data also indicates that a puppy's familiari-

zation with the environment and association with man occurs between five and eight weeks of age and that this conditioning to the normal environment determines the animal's ability to function in its adult environment. No scientific information or data is currently available which shows that the normal stress resulting from the shipment of an eight week old puppy adversely affects its temperament, either as a puppy or an adult dog.

The other comments received urging a higher minimum age requirement for puppies were based upon the opinion of that the population explosion of dogs could be curbed if puppies were not allowed to be transported from the producer to pet shops during the "cute and desirable" age which generally is less than ten to twelve weeks of age. The fact that the problem of overpopulation of dogs may be curbed if puppies were not allowed to be transported to pet ships during their "cute and desirable age" is not within the Secretary's discretion under the Act, and, therefore, such comments cannot be considered in establishing the minimum age requirement.

Some commenters argued that minimum age requirements should be established on the basis of the individual breed of dog's maturity capability, e.g., larger breeds of dogs such as Saint Bernards and others could be transported at an earlier age (six weeks), while small breeds of dogs such as the Chihuahua and others should not be subjected to transportation in commerce before ten weeks of age. However, there is insufficient information and data available upon which to categorize all breeds of dogs in such a scheme and it would not take into consideration unrecognized breeds of dogs, cross breed, and dogs of varied and unknown heredity.

One commenter suggested that certain breeds of dogs can be shipped in commerce at six weeks of age if the expected adult weight will be twenty pounds or more; therefore, no puppies will be shipped under eight weeks of age unless they weigh two and one-half pounds, each. Minimum age requirements which would be based on breed identification, age, and weight would appear to create a very complicated situation requiring the receiving employee of the carrier or intermediate handler accepting dogs for transportation in commerce to be able to recognize breeds, ascertain ages, and compute individual animal weights. The administrative and enforcement problems of such a system, both to the Department and to carriers and intermediate handlers, militate against its adoption.

Available information also indicates that major producers of puppies already observe the eight week minimum age requirement within their industry and that many States have regulations which prohibit dogs and cats less than eight weeks of age from entering their States.

Although there was a divergence of opinions expressed regarding the minimum age requirement for dogs, there was a general consensus of opinion that eight weeks is an acceptable minimum age for transportation of cats by a carrier or intermediate handler.

While APHIS has decided to adopt an eight week minimum age requirement for dogs and cats delivered to any carrier or intermediate handler for transportation in commerce at this time, we will consider amending such minimum age requirements as additional information and data becomes available.

ANNUAL REPORT OF RESEARCH

The proposed regulations would require that each segment of a research facility or department, agency, or instrumentality of the United States using or intending to use live animals in research, testing, or experimentation under an attending veterinarian or institutional committee submit an annual report. One comment was received which indicated that consolidation of individual unit reports by a research facility or department, agency or instrumentality of the United States would provide a single point of contact at which data from widely separated units of the facility could be assembled and consolidated for submission of one annual report.

While this procedure may have its benefits, APHIS has learned from past experience that such benefits are far exceeded by its detriments. Such a consolidated annual report requires certification by an attending veterinarian or institutional committee. No one veterinarian or institutional committee is likely to have the requisite personal knowledge of all of the research, testing or experimentation conducted by each such individual unit of the facility and the care and treatment of the animals used, including whether or not appropriate anesthetics, analgesics, and tranquilizing drugs were used, to make such certification. Therefore, the certification of such a consolidated annual report would have to be done on the assumption that such procedures as required were followed or upon the assurances of others who may or may not have such knowledge or be qualified to make such determinations, that such required procedures were followed. In either case, there would be no way for APHIS to ascertain whether or not there was actual compliance with the Act, regulations, and standards at each individual unit of a facility, nor whether such report actually covered all such individual units of a facility.

Furthermore, requiring the actual attending veterinarian or institutional committee of each individual unit to sign the annual report covering such unit assures that their recommendations as to the appropriate care and treatment required for such animals at each such unit will be followed since the failure to do so will mean that such attending veterinarian or institutional committee cannot certify the annual report for such unit as required.

No other comments were received with respect to any other matter contained in the proposal.

Accordingly, Parts 1 and 2 of Subchapter A, Chapter 1, Title 9, of the Code of Federal Regulations are amended in the following respects:

1. § 1.1 is amended to read as follows:

**§ 1.1 Definitions.**

For the purpose of this subchapter, the following terms shall be construed, respectively, to mean:

(a) "Act" means the Act of August 24, 1966 (Pub. L. 89-544), commonly known as the Laboratory Animal Welfare Act, as amended by the Act of December 24, 1970 (Pub. L. 91-579), the Animal Welfare Act of 1970, and the Act of April 22, 1976 (Pub. L. 94-279), the Animal Welfare Act Amendments of 1976.

(b) "Department" means the U.S. Department of Agriculture.

(c) "Secretary" means the Secretary of Agriculture of the United States or his representative who shall be an employee of the Department.

(d) "Administrator" means Administrator of the Animal and Plant Health Inspection Service, U.S. Department of Agriculture, or any other official of the Animal and Plant Health Inspection Service to whom authority has heretofore been delegated or to whom authority may hereafter be delegated, to act in his stead.

(e) "Veterinary Services" means the office of the Animal and Plant Health Inspection Service to which is assigned responsibility for the performance of functions under the Act.

(f) "Deputy Administrator" means the Deputy Administrator for Veterinary Services or any other official of Veterinary Services to whom authority has heretofore been delegated or to whom authority may hereafter be delegated, to act in his stead.

(g) "Veterinarian in Charge" means a veterinarian of Veterinary Services who is assigned by the Deputy Administrator to supervise and perform the official work of Veterinary Services in a given State or States. As used in Part 2 of this subchapter, the Veterinarian in Charge shall be deemed to be the one in charge of the official work of Veterinary Services in the State in which the dealer, exhibitor, research facility, intermediate handler, carrier, or operator of an auction sale has his principal place of business.[2]

(h) "Veterinary Services representative" means any inspector or other person employed full time by the Department who is responsible for the performance of the function involved.

(i) "Licensed veterinarian" means a doctor of veterinary medicine who has a valid license to practice veterinary medicine in any State.

(j) "State" means a State of the United States, the District of Columbia, Commonwealth of Puerto Rico, the Vir-

[2] The name and address of the Veterinarian in Charge in the State concerned can be obtained by writing to the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Federal Building, Hyattsville, MD 20782.

gin Islands, Guam, American Samoa, or any other territory or possession of the United States.

(k) "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

(l) "Dog" means any live or dead dog (*Canis familiaris*).

(m) "Cat" means any live or dead cat (*Felis catus*).

(n) "Animal" means any live or dead dog, cat, monkey (nonhuman primate mammal), guinea pig, hamster, rabbit, or any other warmblooded animal, which is domesticated or raised in captivity or which normally can be found in the wild state, and is being used, or is intended for use, for research, testing, experimentation, or exhibition purposes, or as a pet. Such term excludes birds, aquatic animals, rats and mice, and horses and other farm animals, such as, but not limited to, livestock or poultry, used or intended for use as food or fiber, or livestock, or poultry used or intended for use for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. With respect to a dog, the term means all dogs, including those used for hunting, security, or breeding purposes.

(o) "Farm animal" means any warmblooded animal (other than a dog, cat, monkey (nonhuman primate mammal), guinea pig, hamster, or rabbit) normally raised on farms in the United States and used or intended for use as food or fiber.

(p) "Wild state" means living in its original, natural condition; not domesticated.

(q) "Nonhuman primate" means any nonhuman member of the highest order of mammals, including prosimians, monkeys, and apes.

(r) "Commerce" means trade, traffic, transportation, or other commerce—(1) between a place in a State and any place outside of such State, or between points within the same State but through any place outside thereof, or within any territory, possession, or the District of Columbia; or (2) which affects trade, traffic, transportation, or other commerce described in (1).

(s) "Research facility" means any school (except an elementary or secondary school), institution, organization, or person that uses or intends to use live animals in research, tests, or experiments, and that: (1) purchases or transports live animals in commerce, or (2) receive funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments. *Provided, however,* That a "research facility" shall not include any such school, institution, organization, or person that does not use or intend to use live dogs or cats and which is exempted by the Administrator, upon application to him in specific cases and upon his determination that such exemption does not vitiate the purpose of the Act, except that the Administrator will not exempt any school, institution, organization, or person that uses substantial numbers of live animals-the principal function of which school, institution, organization, or person is biomedical research or testing.[3]

(t) "Dealer" means any person who, in commerce, for compensation or profit, delivers for transportation, or transports, except as a carrier, buys, or sells, or negotiates the purchase or sale of, (1) any dog or other animal whether alive or dead for research, teaching, exhibition, or use as a pet, or (2) any dog for hunting, security, or breeding purposes, except that this term does not include—

(i) A retail pet store except such store which sells any animals to a research facility, an exhibitor, or a dealer; or

(ii) Any person who does not sell or negotiate the purchase or sale of any wild animal, dog, or cat, and who derives no more than $500 gross income from the sale of other animals during any calendar year.

(u) "Retail pet store" means any retail outlet where animals are sold only as pets at retail. Those species from the wild state (e.g. primates, anteaters, and ocelots) and which as adults in captivity require special conditions to provide safety in handling to either humans or the subject animals shall not be considered as pet animals.

(v) "Operator of an auction sale" means any person who is engaged in operating an auction at which animals are purchased or sold, in commerce.

(w) "Exhibitor" means any person (public or private) exhibiting any animals, which were purchased in commerce or the intended distribution of which affects commerce, or will affect commerce, to the public for compensation, as determined by the Secretary in specific instances, and such term includes carnivals, circuses, animal acts, and zoos exhibiting such animals whether operated for profit or not; but such term excludes retail pet stores, organizations sponsoring and all persons participating in State and county fairs, livestock shows, rodeos, purebred dog and cat shows, and any other fairs or exhibitions intended to advance agricultural arts and sciences, as may be determined by the Secretary in specific instances.

(x) "Licensee" means any person licensed pursuant to the provisions of the Act and the regulations in Part 2 of this subchapter.

(y) "Class 'A' dealer" means a dealer whose business involving animals includes only those animals that he breeds and raises as a closed or stable colony and those animals that he acquires for the sole purpose of maintaining or enhancing his breeding colony.

(z) "Class 'B' dealer" means any dealer who does not meet the definition of a Class "A" dealer.

(aa) "Class 'C' licensee" means any exhibitor subject to the licensing requirements.

(bb) "Intermediate handler" means any person, including a department, agency, or instrumentality of the United States or of any State or local government (other than a dealer, research facility, exhibitor, or any person excluded from the definition of a dealer, research facility, exhibitor, an operator of an auction sale, or a carrier) who is engaged in any business in which he receives custody of animals in connection with their transportation in commerce.

(cc) "Carrier" means the operator of any airline, railroad, motor carrier, shipping line, or other enterprise which is engaged in the business of transporting any animals for hire.

(dd) "Registrant" means any research facility, carrier, intermediate handler, or exhibitor registered pursuant to the provisions of the Act and the regulations in Part 2 of this subchapter.

(ee) "Attending veterinarian" means a person who has graduated from a veterinary school accredited by the American Veterinary Medical Association's Council on Education or has a certificate issued by the American Veterinary Medical Association's Education Commission for Foreign Veterinary Graduates and who is responsible for evaluating the type and amount of anesthetic, analgesics, and tranquilizing drugs used on animals during actual research, testing, or experimentation where appropriate to relieve all unnecessary pain and distress in the subject animals.

(ff) "Standards" means the requirements with respect to the humane handling, care, treatment, and transportation of animals by dealers, exhibitors, research facilities, carriers, intermediate handlers, and operators of auction sales as set forth in Part 3 of this subchapter.

(gg) "Primary enclosure" means any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, compartment, or hutch.

(hh) "Housing facility" means any room, building, or area used to contain a primary enclosure or enclosures.

(ii) "Sanitize" means to make physically clean and to remove and destroy, to the maximum degree that is practical, agents injurious to health.

(jj) "Ambient temperature" means the temperature surrounding the animal.

(kk) "Euthanasia" means the humane destruction of an animal accomplished by a method which produces instantaneous unconsciousness and immediate death without visible evidence of pain or distress, or a method that utilizes anesthesia produced by an agent which cause painless loss of consciousness, and death following such loss of consciousness.

(ll) "Nonconditioned animals" means animals which have not been subjected to special care and treatment for sufficient time to stabilize and, where neces-

[3] A list of such exempted schools institutions, organizations, or persons shall be published periodically by Veterinary Services in the FEDERAL REGISTER. Such lists may also be obtained upon request from the Veterinarian in Charge.

sary, to improve their health to make them more suitable for research purposes.

(mm) "Weaned" means that an animal has become accustomed to take solid food, and has so done, without nursing, for a period of at least five (5) days.

(nn) "Dwarf hamster" means any species of hamster, such as the Chinese and Armenian species, whose adult body size is substantially less than that attained by the Syrian or Golden species of hamsters.

(oo) "Handling" means petting, feeding, manipulation, crating, shifting transferring, immobilizing, restraining, treating, training, working or performing any similar activity with respect to any animal.

(pp) "Business year" means a 12-month period during which business is conducted, either on a calendar or fiscal year basis.

2. The Table of Contents cited in Part 2—Regulations is amended to read as follows:


Sec.
2.1 Application.
2.2 Acknowledgement of standards.
2.3 Demonstration of compliance with standards.
2.4 Issuance of licenses.
2.5 Duration of license.
2.6 Annual fees; and termination of licenses.
2.7 Annual report by licensees.
2.8 Notification of change of name, address, control, or ownership of business.
2.9 Officers, agents, and employees of licensees whose licenses have been suspended or revoked.
2.10 Licensees whose licenses have been suspended or revoked.
2.11 Denial of license.

REGISTRATION

2.25 Requirements and procedures.
2.26 Acknowledgement of standards.
2.27 Notification of change of operation.
2.28 Annual report of research facilities.

IDENTIFICATION OF ANIMALS

2.50 Time and method of identification.
2.51 Form of official tag.
2.52 How to obtain tags.
2.53 Use of tags.
2.54 Lost tags.
2.55 Removal of tag.

RECORDS

2.75 Records, dealers (except operators of auction sales) and exhibitors.
2.76 Records, research facilities.
2.77 Records, operators of auction sales.
2.78 Records, carriers and intermediate handlers.
2.79 Health certification and identification.
2.80 C.O.D. shipments.
2.81 Records, disposition.

COMPLIANCE WITH STANDARDS AND HOLDING PERIOD

2.100 Compliance with standards.
2.101 Holding period.

MISCELLANEOUS

2.125 Information as to business: Furnishing of by dealers, exhibitors, operators of auction sales, and research facilities.
2.126 Access and inspection of records and property.
2.127 Publication of names of persons subject to the provisions of this part.
2.128 Inspection for missing animals.
2.129 Confiscation and destruction of animals.
2.130 Minimum age requirements.


AUTHORITY: The provisions of this Part 2 issued under secs. 3, 5, 6, 10, 11, 12, 13, 14, 16, 17, 21; 80 Stat. 351, 352, 353, 84 Stat. 1561, 1562, 1563, 1564; 90 Stat. 418, 419, 420, 423; 7 U.S.C. 2133, 2135, 2136, 2140, 2141, 2142, 2143, 2144, 2146, 2147, 2151.

3. Throughout Part 2 of the regulations (9 CFR, Part 2) wherever the term "affecting commerce" appears, the term "in commerce" is substituted in lieu thereof.

4. Section 2.25 (9 CFR 2.25) is amended to read as follows:

§ 2.25 Requirements and procedures.

Each research facility, carrier, and intermediate handler and each exhibitor, not required to be licensed under section 3 of the Act and the regulations of this subchapter, shall register with the Secretary by completing and filing a properly executed form which will be furnished, upon request, by the Veterinarian in Charge. Such registration form shall be filed with the Veterinarian in Charge for the State in which the registrant has his principal place of business. Where a school or department of a university or college uses or intends to use animals for research, tests, or experiments, the university or college rather than the school or department will generally be considered the research facility and be required to register with the Secretary. In any situation in which a school or department of a university or college is a separate legal entity and its operations and administration are independent of those of the university or college, upon a proper showing thereof to the Secretary, the school or department will be registered rather than the university or college. A subsidiary of a business corporation, rather than a parent corporation, will be registered as a research facility or exhibitor unless the subsidiary is under such direct control of the parent corporation that to effectuate the purposes of the Act, the Secretary determines that it is necessary that the parent corporation be registered.

5. Section 2.28 (9 CFR 2.28) is amended to read as follows:

§ 2.28 Annual report of research facilities.

(a) The reporting facility shall be that segment of the research facility, or that department, agency, or instrumentality of the United States, that uses or intends to use live animals in research, tests, or experiments and for which an attending veterinarian has responsibility. Each reporting facility shall submit on or before December 1 of each calendar year to the Veterinarian in Charge for the State where the reporting facility is located, an annual report signed by a legally responsible official covering the previous Federal fiscal year of October 1 through September 30. Such report shall show that professionally acceptable standards governing the care, treatment, and use of animals, including appropriate use of anesthetic, analgesic, and tranquilizing drugs, during actual research, testing, or experimentation, were followed by the research facility, department, agency, or instrumentality of the United States. Such report shall include:

(1) The location of the facility or facilities where animals were used in actual research, testing, or experimentation;

(2) The common names and approximate numbers of animals upon which research, experiments, or tests were conducted involving no pain, distress, or use of pain relieving drugs: *Provided, however,* That routine procedures (e.g., injections, tattooing, and blood sampling) do not need to be reported;

(3) The common names and approximate numbers of animals upon which experiments or tests were conducted involving accompanying pain or distress to the animals and for which appropriate anesthetic, analgesic, or tranquilizing drugs were used: *Provided, however,* That routine procedures (e.g., injections, tattooing, and blood sampling) do not need to be reported;

(4) The common names and approximate numbers of animals upon which experiments or tests were conducted involving accompanying pain or distress to the animals and for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would adversely affect the procedures, results, or interpretation of the research, experiments, or tests and a brief statement explaining the reasons for the same: *Provided, however,* That routine procedures (e.g., injections, tattooing, and blood sampling) do not need to be reported; and

(5) Certification by the attending veterinarian of the research facility, or the department, agency, or instrumentality of the United States having laboratory animal facilities, or by an institutional committee of at least three members, one of whom is a Doctor of Veterinary Medicine, established for the purpose of evaluating the care, treatment, and use of all warmblooded animals held or used for research, testing, or experimentation, that the type and amount of anesthetic, analgesic, and tranquilizing drugs used on animals during actual research, testing, or experimentation was appropriate to relieve pain and distress for the subject animals.

6. In § 2.50(f) subparagraph (3) is amended by deleting the words "a form" and substituting the phrase "or a record, as required by § 2.75," therefor, and deleting footnote 2.

7. In § 2.52 the reference to footnote 3 and footnote 3 is redesignated as footnote 2.

8. § 2.75 (9 CFR 2.75) is amended to read as follows:

§ 2.75 Records, dealers, and exhibitors.

(a) (1) Every dealer and exhibitor shall make, keep, and maintain systems

of records or forms which fully and correctly disclose the following information concerning each dog or cat purchased or otherwise acquired, owned, held, or otherwise in his possession or under his control, including any offspring born of such animal while in his possession or under his control, transported, or sold, or otherwise disposed of:

(i) The name and address of the person, whether or not required to be licensed or registered under the Act, from whom such dog or cat was purchased or otherwise acquired, and his license number, if licensed under the Act, and when sold or otherwise disposed of, the person to whom sold or otherwise disposed of, and his license number, if licensed under the Act;

(ii) The dates of acquisition and disposition of such dog or cat;

(iii) The official USDA tag number or tattoo assigned to such dog or cat pursuant to §§ 2.50 and 2.54;

(iv) A description of each dog or cat which shall include:

(A) The species;

(B) The sex;

(C) The date of birth (if known) or approximate age;

(D) The color and any distinctive markings; and

(E) The breed or type.

(v) The method of transportation including the name of the initial commercial carrier or intermediate handler or if a privately owned conveyance is used to transport the dog or cat, the name of the owner of such privately owned conveyance.

(vi) The date and method of disposition of such dog or cat, e.g., sale, death, euthanasia, or donation.

(2) Record of Dogs and Cats on Hand (VS Form 18–5) and Record of Disposition of Dogs and Cats (VS Form 18–6) are forms which may be used by dealers and exhibitors upon which to make, keep, and maintain the information required by paragraph (a) (1) hereof concerning dogs and cats except as provided in § 2.79.

(3) The USDA Individual Health Certificate and Identification Form (VS Form 18–1) and the USDA Multianimal Health Certificate and Identification Form (VS Form 18–2) are forms which may be used by dealers and exhibitors upon which to make, keep, and maintain the information required by paragraph (a) (1) of this section and § 2.79.

(4) One copy of the record containing the information required by paragraph (a) (1) of this section shall accompany each shipment of any dog or cat purchased or otherwise acquired by a dealer or exhibitor. One copy of the record containing the information required by paragraph (a) (1) of this section shall accompany each shipment of any dog or cat sold or otherwise disposed of by a dealer or exhibitor: *Provided, however,* That information which indicates the source and date of acquisition of such dog or cat is not required to appear on the copy of the record accompanying the shipment. One copy of the record containing the information required by paragraph (a) (1) of this section shall be retained by the dealer or exhibitor.

(b) (1) Every dealer and exhibitor shall make, keep, and maintain systems of records or forms which fully and correctly disclose the following information concerning animals other than dogs and cats, purchased or otherwise acquired, owned, held, or otherwise in his possession or under his control, including any offspring born of such animals while in his possession or under his control, transported, or sold or otherwise disposed of:

(i) The name and address of the person, whether or not required to be licensed or registered under the Act, from whom such animals other than dogs or cats, were purchased or otherwise acquired, and his license number, if licensed under the Act, and when sold or otherwise disposed of, the person to whom sold or otherwise disposed of, and his license number, if licensed under the Act;

(ii) The species of such animals other than dogs and cats, and

(iii) The number of such animals other than dogs and cats.

(2) Record of Animals on Hand (Other Than Dogs and Cats) (VS Form 18–19) and Record of Acquisition, Disposition, or Transport of Animals (Other Than Dogs and Cats) (VS Form 18–20) are forms which may be used by dealers, and exhibitors upon which to keep and maintain the information required by paragraph (b) (1) hereof concerning animals other than dogs and cats except as provided in § 2.79.

(3) One copy of the record containing the information required by paragraph (b) (1) of this section shall accompany each shipment of any animal other than a dog or cat purchased or otherwise acquired by a dealer or exhibitor. One copy of the record containing the information required by paragraph (b) (1) of this section shall accompany each shipment of any animal other than a dog or cat sold or otherwise disposed of by a dealer or exhibitor: *Provided, however,* That information which indicates the source and date of acquisition of any animal other than a dog or cat is not required to appear on the copy of the record accompanying the shipment. One copy of the record containing the information required by paragraph (b) (1) of this section shall be retained by the dealer or exhibitor.

9. § 2.76 (9 CFR 2.76) is amended to read as follows:

§ 2.76 Records, research facilities.

(a) Every research facility shall make, keep, and maintain systems of records or forms which fully and correctly disclose the following information concerning each live dog or cat purchased or otherwise acquired, owned, held, or otherwise in its possession or under its control, including any offspring born of such live dog or cat while in its possession or under its control:

(1) The name and address of the person, whether or not required to be licensed or registered under the Act, from whom such live dog or cat was purchased or otherwise acquired and his license number, if licensed under the Act;

(2) The date of acquisition of each live dog or cat;

(3) The official USDA tag number or tattoo assigned to each live dog or cat pursuant to §§ 2.50 and 2.54;

(4) A description of each live dog or cat which shall include:

(i) The species;

(ii) The sex;

(iii) Date of birth (if known) or approximate age;

(iv) The color and any distinctive markings; and

(v) The breed or type.

(5) Any identification number or mark assigned to each live dog or cat by such research facility.

(b) In addition to the information required to be kept and maintained by every research facility concerning each live dog or cat, pursuant to paragraph (a) of this section, every research facility transporting, selling, or otherwise disposing of any live dog or cat to another person, shall make, keep, and maintain systems of records or forms which fully and correctly disclose the following information:

(1) The name and address of the receiver to whom such live dog or cat is transported, sold or otherwise disposed of;

(2) The date of such transportation, sale or other disposition, and

(3) The method of transportation including the name of the initial commercial carrier or intermediate handler or if a privately owned conveyance is used to transport the dog or cat, the name of the owner of such privately owned conveyance.

(c) The USDA Individual Health Certificate and Identification Form (VS Form 18–1), the USDA Multianimal Health Certificate and Identification Form (VS 18–2), and Record of Dogs and Cats on Hand (VS Form 18–5) are forms which may be used by research facilities upon which to keep and maintain the information required by paragraph (a) of this section. The USDA Individual Health Certificate and Identification Form. (VS Form 1), the USDA Multianimal Health Certificate and Identification Form (VS Form 18–2), and Record of Disposition of Dogs and Cats (VS Form 18–6) are forms which may be used by research facilities upon which to keep and maintain the information required by paragraph (b) of this section.

(d) One copy of the record containing the information required by paragraphs (a) and (b) of this section shall accompany each shipment of any live dog or cat sold, or otherwise disposed of by a research facility: *Provided, however,* That information which indicates the source and date of acquisition of any dog or cat is not required to appear on the copy of the record accompanying the shipment. One copy of the record containing the information required by paragraph (a) and (b) of this section shall be retained by the research facility.

10. Section 2.77 (9 CFR 2.77) is amended to read as follows:

§ 2.77 Records, operators of auction sales.

(a) Every operator of an auction sale shall make, keep, and maintain systems of records or forms which fully and correctly disclose the following information concerning each animal consigned for auction, whether or not a fee or commission is charged:

(1) The name and address of the person who owned or consigned the animal for sale and his USDA license number, if licensed under the Act;

(2) The date of the consignment;

(3) The official USDA tag number or tattoo assigned to the animal pursuant to sections 2.50 and 2.54;

(4) A description of the animal which shall include:

(i) The species of the animal;

(ii) The sex of the animal;

(iii) The color and any distinctive markings on the animal;

(iv) The breed or type of the animals, if a dog or cat.

(5) The auction sales number assigned to the animal;

(6) The name and address of the buyer of the animal and his license number, if licensed under the Act.

(b) One copy of the record containing the information required by paragraph (a) of this section shall be given to the consignor of each animal, one copy of the record shall be given to the purchaser of each animal: *Provided, however,* That information which indicates the source and date of consignment of any animal is not required to appear on the copy of the record given to the purchaser of any animal. One copy of the record containing the information required by paragraph (a) of this section shall be retained by the operator of such auction sale for each animal sold by the auction sale.

11. Section 2.78 is amended to read as follows:

§ 2.78 Records, carriers and intermediate handlers.

(a) In connection with all live animals accepted for shipment on a C.O.D. basis or other arrangement or practice under which the cost of such animal or the cost of the transportation of such animal is to be paid and collected upon delivery of the animal to the consignee, the accepting carrier or intermediate handler, if any, shall keep and maintain a copy of the guarantee in writing of the consignor of such shipment for the payment of transportation charged for any animal not claimed, as provided in §.2.80, including, where necessary, both the return transportation charges and an amount sufficient to reimburse the carrier for out-of-pocket expenses incurred for the care, feeding, and storage of such animal. The carrier or intermediate handler at destination shall also keep and maintain a copy of the shipping document containing the time, date, and method of each attempted notification and the final notification to the consignee and the name of the person notifying the consignee, as provided in § 2.80.

(b) In connection with all live dogs, cats, or nonhuman primates delivered for transportation, in commerce, to any carrier or intermediate handler, by any dealer, research facility, exhibitor, operator of an auction sale, or department, agency, or instrumentality of the United States or of any State or local government, the accepting carrier or intermediate handler shall keep and maintain a copy of the health certification completed as required by § 2.79, tendered with each such live dog, cat, or nonhuman primate.

12. Section 2.79 (9 CFR 2.79) is amended to read as follows:

§ 2.79 Health certification and identification.

(a) No dealer, research facility, exhibitor, operator of an auction sale, or department, agency, or instrumentality of the United States or of any State or local government shall deliver to any intermediate handler or carrier for transportation, in commerce, any dog, cat, or nonhuman primate unless such dog, cat, or nonhuman primate shall be accompanied by a health certificate executed and issued by a licensed veterinarian. Such health certificate shall state that (1) the licensed veterinarian inspected such dog, cat, or nonhuman primate on a specified date, which shall not be more than 10 days prior to the delivery of such dog, cat, or nonhuman primate for transportation, in commerce, and (2) when so inspected that such dog, cat, or nonhuman primate appeared to the licensed veterinarian to be free of any infectious disease or physical abnormality which would endanger the animal or animals or other animals or endanger public health.

(b) No intermediate handler or carrier to whom any live dog, cat, or nonhuman primate is delivered for transportation, in commerce, by any dealer, research facility, exhibitor, operator of an auction sale, or department, agency, or instrumentality of the United States or any State or local government shall receive such live dog, cat, or nonhuman primate for transportation, in commerce, unless and until it is accompained by a health certificate issued by a licensed veterinarian pursuant to paragraph (a) of this section.

(c) The USDA Individual Health Certificate and Identification Form (VS Form 18–1) and the USDA Multianimal Health Certificate and Identification Form (VS Form 18–2) are forms which may be used for health certification by a licensed veterinarian as required by this section.

13. A new § 2.80 (9 CFR 2.80) is added to read as follows:

§ 2.80 C.O.D. shipments.

(a) No carrier or intermediate handler shall accept any animal for transportation, in commerce, upon any C.O.D. or other basis where the cost of the animal or the cost for any such transportation or any other incidental or out-of-pocket expense is to be paid and collected upon delivery of such animal to the consignee, unless the consignor guarantees in writing the payment of all transportation, including any return transportation, if such shipment is unclaimed or the consignee cannot be notified in accordance with paragraphs (b) and (c) of this section, including reimbursing the carrier or intermediate handler for all out-of-pocket expenses incurred for the care, feeding, and storage or housing of such animal.

(b) Any carrier or intermediate handler receiving any animal at destination on a C.O.D. or other basis where the cost of the animal or the cost for any transportation or other incidental or out-of-pocket expense is to be paid and collected upon delivery of such animal to the consignee shall attempt to notify such consignee for period of 24 hours after arrival of the animal at the animal holding area of the terminal cargo facility, at least once every 6 hours during that period. The time, date, and method of each attempted notification and the final notification to the consignee and the name of the person notifying the consignee shall be recorded by the carrier or intermediate handler on the shipping document and a copy thereof, accompanying the C.O.D. shipment. If the consignee cannot be notified of the C.O.D. shipment within 24 hours after arrival of the shipment, the carrier or intermediate handler shall return the animal to the consignor, or to whomever the consignor has designated, on the next practical available transportation, in accordance with the written agreement required in paragraph (a) of this section and so notify the consignor.

Any carrier or intermediate handler which has notified a consignee of the arrival of a C.O.D. or other shipment of an animal, where the cost of the animal, or the cost for any transportation, or other incidental or out-of-pocket expense is to be paid and collected upon delivery of such animal to the consignee, which is not claimed by such consignee within 48 hours from the time of such notification, shall return the animal to the consignor, or to whomever the consignor has designated, on the next practical available transportation, in accordance with the written agreement required in paragraph (a) of this section and so notify the consignor.

(c) It shall be the responsibility of any carrier or intermediate handler to provide proper care, feeding, and storage or housing for any animal accepted for transportation, in commerce, under a C.O.D. or other arrangement where the cost of the animal or the cost for any transportation or other incidental or out-of-pocket expense is to be paid and collected upon delivery of such animal until the consignee accepts shipment at destination or until returned to the consignor or his designee should the consignee fail to accept delivery of the animal or the consignee could not be notified as prescribed in paragrah (b) of this section.

(d) Nothing in this section shall be construed as prohibiting any carrier or intermediate handler from requiring any additional guarantee than that required in paragraph (a) of this section for the payment of the cost of any transportation or out-of-pocket or other incidental expenses incurred in the transportation of any animal in commerce.

14. A new § 2.81 is added to read as follows:

§ 2.81 Records, disposition.

(a) No dealer, exhibitor, operator of an auction sale, research facility, carrier, or intermediate handler shall, within a period of one year from the making thereof, destroy or dispose of, without the consent in writing of the Deputy Administrator, any books, records, documents, or other papers required to be kept and maintained under this part.

(b) The records required to be kept and maintained under this part shall be held for such period in excess of the period specified in paragraph (a) of this section as necessary to comply with any other Federal, State, or local law. Whenever the Deputy Administrator notifies a dealer, exhibitor, operator of an auction sale, research facility, carrier, or intermediate handler in writing that specified records shall be retained pending completion of an investigation or proceeding under the Act, such dealer, exhibitor, operator of an auction sale, research facility, carrier, or intermediate handler shall hold such records until their disposition is authorized by the Deputy Administrator.

15. A new § 2.130 is added to read as follows:

§ 2.130 Minimum age requirements.

No dog or cat shall be delivered by any person to any carrier or intermediate handler for transportation, in commerce, except to a registered research facility, unless such dog or cat is at least eight (8) weeks of age and has been weaned.

* * * * * *

(Secs. 3, 5, 6, 10, 11, 12, 13, 14, 16, 17, 21; 80 Stat. 351, 352, 353, 84 Stat. 1561, 1562, 1563, 1564, 90 Stat. 418, 419, 420, 423 (7 U.S.C. 2133, 2135, 2136, 2140, 2141, 2142, 2143, 2144, 2146, 2147, 2151); 37 FR 28464, 38 FR 19141.)

It does not appear that further public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further notice and other public procedure with respect to these amendments are impracticable and unnecessary.

The reporting and recordkeeping requirements of these regulations have been approved by the Office of Management and Budget as required by the Federal Reports Act of 1942.

Done at Washington, D.C., this 9th day of June 1977.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

PIERRE A. CHALOUX,
*Acting Deputy Administrator,*
*Veterinary Services.*

[FR Doc.77-17113 Filed 6-16-77;8:45 am]

Federal Register

FRIDAY, JUNE 17, 1977
PART IV

# DEPARTMENT OF DEFENSE

## Department of the Army, Corps of Engineers

■

## REAL ESTATE

### Leasing of Military Real Estate

## DEPARTMENT OF DEFENSE

### Corps of Engineers, Department of the Army

[AR 405-80]

### [32 CFR Part 643]

### REAL ESTATE

### Granting Use of Real Estate

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Proposed rules.

SUMMARY: We are proposing a complete revision to the above identified Army regulation which was originally published under date of August 9, 1965, including all changes. Change 4, April 18, 1974, is the latest change. This regulation relates principally to the leasing of Army military real estate. This regulation is needed to provide current policy and procedural guidance for the administration of military real estate under the control of the Department of the Army. Moreover, it defines the responsibilities of the Chief of Engineers in the discharge of these functions, in consonance with pertinent Department of Defense Directives and Instructions concerning use of military real estate. The effect of this action is to make the public aware of policies and procedures governing the management of Army military real estate. It is also desired to inform the public concerning the conditions under which Army military real estate may be made available for limited public use.

DATES: Comments must be received on or before July 15, 1977.

ADDRESSES: Send comments to: HQDA (DAEN-REM-C) Washington, D.C. 20314.

FOR FURTHER INFORMATION CONTACT:

William P. Bannister, Chief, Military Branch, Office of the Chief of Engineers, Forrestal Building, Washington, D.C. 20314 (202-693-6159).

NOTE.—The Corps of Engineers has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Dated: June 8, 1977.

ALFRED F. LAWRENCE, Jr.
*Colonel, Corps of Engineers,*
*Executive.*

Accordingly, we propose to establish regulations under 32 CFR 643 as follows:

## PART 643—REAL ESTATE

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643.126 Quarters.
643.127 Veterans' conventions.
643.128 Youth groups.
643.129 Joint carrier military traffic offices (JAMTO, JBMTO, JRMTO, SAM TO).

AUTHORITY: 10 U.S.C. 2667.

### Subpart A—General

#### § 643.1 Purpose.

(a) This regulation sets forth the authority, policy, responsibility, and procedure for making military real estate, under the control of the Department of the Army, available for use by other military departments, Federal agencies, State and local governmental agencies, private organizations or individuals.

(b) This regulation implements Department of Defense Directives and Instructions (4165 series), which include policies and procedures concerning use of military real estate.

#### § 643.2 Applicability.

This regulation is applicable to Army military real estate, which includes land and improvements thereon and is also referred to as real property.

#### § 643.3 Authority to grant use of real estate.

(a) The United States Constitution (Article IV, Section 3), provides that the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

(b) One of the principal authorities for the use of military real estate for commercial purposes is Title 10, United States Code, Section 2667, which authorizes the Secretary of the Army (SA), whenever it is considered to be advantageous to the United States, to lease such real or personal property under Army control, which is not for the time needed for public use, upon such terms and conditions as the SA considers will promote the national defense or be in the public interest.

(c) Grants under statutory authorities cited in this regulation of real property

pertaining to river and harbor, water resource development and flood control projects, will be under the policies and general guidelines set forth in this regulation.

(d) The SA may, under the general administrative powers vested in the office, authorize the use of real estate in the absence of statutory authority, in unusual circumstances, provided the property is not for the time being required for public use, the grant conveys no interest in the real estate and the proposed use will be of a direct benefit to the United States. Under this authority, the right to use real estate may also be granted to other military departments or Federal agencies.

(e) Except as otherwise provided in this regulation, an interest in real estate will not be granted unless authorized by law.

(f) Other laws authorizing grants for non-Army use of real estate for various purposes and Table of Related Army Regulations are set forth in Appendixes A and B, respectively.

### § 643.4 Responsibilities of the Chief of Engineers (COE).

(a) After it is determined that real estate located in the United States, Puerto Rico, American Virgin Islands and the Panama Canal Zone, is available for nonArmy use, the COE, except as otherwise provided in this regulation, is charged with responsibility for arranging for the use of real estate within the scope of this regulation. In the performance of this function, the COE is authorized to obtain such technical assistance from the using service as may be deemed necessary.

(b) COE has staff responsibility over real estate matters in Guam, American Samoa, Trust Territory of the Pacific Islands (TTPI), and in foreign countries.

(c) Except as otherwise provided in this regulation, determinations that real estate is available for non-Army use must be approved by the COE.

(d) The authority of the COE to grant use of real estate will be delegated, to the extent feasible, to U.S. Army Division and District Engineers (DE).

(e) The COE is responsible for the granting of temporary use of real estate reported excess to the General Services Administration (GSA), to the extent authorized by regulations issued pursuant to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471, et seq.), and as provided in Title 10, United States Code, Section 2667 (f). The COE is also responsible for supervision and the issuance of instructions covering the granting of use of real estate within the scope of this regulation. Where Army or installation commanders are authorized to grant use of real estate, they are authorized to obtain technical assistance from the appropriate DE.

(f) In reviewing Army requirements for real estate (AR 405–10), the COE will consider the availability and adequacy of other military or federally-owned real estate to satisfy Army requirements before leasing privately-owned real estate, or renewing existing leases.

### § 643.5 Responsibilities of major commands (MACOMS) and special staff agencies.

Except as otherwise provided herein, determinations of availability will be approved by the COE or higher authority. MACOMS and special staff agencies are responsible for determining the real estate which can be made available for non-Army use, specifying the authorized uses of the property which will not be incompatible with military requirements for the property, the length of the term and any restrictions to be imposed on the grantee's use. Upon approval of the determination of availability, the real estate grant will be issued by the DE or as otherwise provided in this regulation.

### § 643.6 Responsibilities of overseas commanders.

Overseas commanders are charged with responsibility for the granting of use of real estate in overseas areas (Puerto Rico, Guam, the American Virgin Islands, American Samoa, TTPI, and the Canal Zone), and in foreign countries, for non-Army use under the policy and guidance expressed in this regulation, provided such use is consistent with the Status of Forces Agreements, Treaties, or the Agreements under which the Army controls such real estate.

### § 643.7 Preparation of report of availability.

A report of availability will be prepared by the installation commander or head of the special staff agency, when it is determined that for the time being the real estate is not required for Army use and can be made available, either concurrently with the Army, or exclusively, for use by another military department, by other Federal agencies, by State or local governmental agencies, private organizations or individuals. The installation commander's recommendation will be made as far in advance as possible so as to minimize the time lapse between the determination of availability and the date of use of the property by the grantee. Where real estate suitable for agricultural or grazing purposes is involved, the normal season for planting and grazing should be taken into consideration so that the property may be advertised in a timely manner. A copy of each report will be furnished to the appropriate DE for information. The report of availability will contain the information outlined in Appendix C.

### § 643.8 Approval of report of availability.

The recommendation that real estate is determined available for non-Army use will be submitted by the installation commander to the major commander for approval, through the echelon of command. The major commander will approve such recommendation and submit it to the appropriate DE for action, except recommendations involving the following actions will be forwarded to the COE:

(a) A lease or license, including licenses to States for National Guard purposes, if the estimated annual rental value exceeds $50,000.

(b) A permit, license, or other grant of real estate, regardless of value, which results in a significant reduction or redirection of installation mission objectives;

(c) A lease of land where the proposed lease term is in excess of 25 years for banks and Federal credit unions and/or the building to be constructed exceeds DOD space criteria;

(d) Any permit, license, agreement, or other grant to another military department or to a Federal agency of large or significant real estate holdings for a period in excess of five years (including renewal options);

(e) A grant of an easement which involves the replacement or relocation of Army facilities at an estimated cost in excess of $100,000;

(f) A grant of an easement where the estimated annual fair market value of the easement exceeds $50,000.

(g) A grant which is controversial or unusual in nature and may embarrass the DA;

(h) A grant involving search for treasure trove;

(i) A grant for vehicle speed contests;

(j) A grant at an active industrial installation, excluding unimproved land areas.

NOTE.—The Commander, U.S. Army Materiel Development & Readiness Command (DARCOM), is authorized to approve determinations of availability at standby industrial installations where the estimated annual rental value does not exceed $50,000.

### § 643.9 Approval of availability outside the United States.

Overseas commanders may authorize the use by another military department or a Federal agency of an installation or portion thereof located in designated overseas areas and in foreign countries when the real estate is not for the time needed for Army purposes or its concurrent use for other purposes will not interfere with the mission of the installation and such other use is not inconsistent with the agreement under which the property was acquired. Overseas commanders may also authorize any use of such property which is necessary in the accomplishment of the DA mission for which the property was acquired. All other proposed uses will be coordinated with the United States diplomatic mission in the country involved prior to submission to HQDA (DAEN–REM) WASH DC 20314, for approval. Where the overseas commander is authorized to approve such use, the commander or designee will prepare and execute the necessary grant.

§ 643.10 Reports to DOD and the congressional committees on Armed Services.

(a) The grants set forth in 1–8a. through f., with respect to real estate in the United States, Puerto Rico, American Virgin Islands, Guam, American Samoa, and the TTPI, require prior approval of the Assistant Secretary of Defense (I&L), and recommendations should contain information in justification thereof.

(b) The grants set forth in 1–8a., with respect to real estate in the United States and in designated overseas areas (excluding the Canal Zone), except leases for agricultural or grazing purposes, require a report to the Committees on Armed Services of the Senate and House of Repesentatives as provided in Title 10, United States Code, Section 2662.

§ 643.11 Rights of entry.

Pending the signing of the formal instrument, no right of entry will be granted unless authorized by the office wherein the instrument will be signed, except where contrary instructions have previously been issued by the DA. When authorized, rights of entry will be granted by the DE, or overseas commander, as appropriate.

§ 643.12 Preparation and Signing of Instruments.

Instruments granting temporary use of real estate will be prepared as provided in this temporary use of real estate will be prepared as provided in this regulation. Except where authority has been otherwise granted, the COE or designee will approve, execute, and distribute instruments to the extent authorized by the SA; otherwise, they will be prepared and submitted for execution by direction of the appropriate Assistant Secretary of the Army.

§ 643.13 Military requirement for real estate under grant.

When a military requirement arises for real estate which is being used under a grant for non-Army use, the withdrawal of availability will be approved at the same level of command as that required for determining the property available for non-Army use. The office responsible for effecting temporary use of the property should be promptly notified of the withdrawal of availability for non-Army use and the latest date the property will be required for military purposes. Termination of the use will be in accordance with the provisions of the grant unless military necessity requires other action. In order to avoid possible claims for damages and in the interest of good community relations and in furtherance of the Army's leasing program, the grantee will be allowed, when practicable, a reasonable time after notice of revocation, to vacate the premises, remove his property and, if required, restore the premises. In controversial cases, or where a claim for damages or litigation is anticipated, HQDA (DAEN–REM) WASH DC 20314, will be notified of the circumstances prior to sending notification of termination of the grant to the grantee.

§ 643.14 Inspection to assure compliance with terms of outgrants.

Commanders will provide general surveillance over areas made available for non-Army use and will advise the DE if and when there are any irregularities. Real estate which is being used for non-military purposes will be inspected at least once each year by the COE, or by his representative, to determine whether grantees or occupants are complying with the terms of the instruments authorizing use and occupancy, except with respect to easements and licenses for rights-of-way for roads, streets, powerlines, pipelines, underground communication lines and similar facilities. The COE will make compliance inspections for such easements and licenses at least once during each 5-year period. However, the DE will check with installation commanders annually to assure that there are no situations which might need correction prior to the inspection. The installation commander will make interim inspections of all real estate being used for non-military purposes as are necessary for timely observation of the extent of compliance with grant provisions designed to protect and preserve the real estate for military requirements, and will furnish the appropriate DE a copy of a written report of the inspection reflecting findings and recommendations. In order that the grantee's operations not be unreasonably disrupted, the annual compliance inspection made by the DE will be coordinated with the installation commander so that, if feasible, only one inspection will be made. Where necessary, corrective action in accordance with applicable regulations will be taken for the enforcement of the terms of the grant by the responsible officer who granted the use. Overseas commanders are responsible for inspection of real estate under their jurisdiction and necessary corrective action.

§ 643.15 Unauthorized use.

Whenever it is observed that real estate under the control of the DA is being used and/or occupied by private parties without proper authority, corrective action will be taken to cause such unauthorized use to be discontinued or to formalize such use and occupancy by an appropriate grant in accordance with this regulation. In either event, compensation will be obtained for the unauthorized use of such property.

Subpart B—Policy

§ 643.21 Policy—Surveillance.

Installation Commanders will maintain constant surveillance over real estate under their jurisdiction to determine whether any of it is excess to requirements, or may be made available for other Army use, or may be made available for use for other than Army purposes and will process such determinations expeditiously in accordance with the provisions of this regulation. From time to time DOD, DA and GSA surveys will be made pursuant to Executive Order 11954, 7 January 1977, which enunciated a uniform policy for the Executive Branch of the Federal Government with respect to the identification of excess and under-utilized real estate (AR 405–70). Real estate for which is retained for future use will be quirement will be disposed of in accordance with AR 405–90. Real estate which the Army does not currently need but which is retained for future use will be made available to others for use either exclusively or concurrently with the Army. When an installation is in an inactive status, the presumption is that it is available for other military or Federal use or for leasing unless there are cogent reasons that such action should not be taken. The purpose of this rule is to put to beneficial use Federal property, which is not for the time required for its basic use, for the benefit of other Federal agencies, the local economy, or for the benefits accruing to the United States from the income and/or savings of maintenance, protection, repair, or restoration.

§ 643.22 Policy—Public safety: Requirement for early identification of lands containing dangerous materials.

(a) DA will not make available to others any real estate which is contaminated with explosives or with toxic materials or other innately or potentially harmful elements until such elements have been removed or have been rendered harmless, unless the proposed user of the area is aware of the condition of the area and is technically qualified and certified to make use of the area in its contaminated state.

(b) It is imperative that commanders keep records on and have a continuing awareness of the state of contamination of lands by explosives, military chemical or other dangerous materials.

(c) Procedures with respect to action to neutralize or decontaminate the area are set forth in AR 405–90.

§ 643.23 Policy—Preference.

Army real estate under the control of DA which is made available for use for other than Army purposes will be made available for use by other military departments or DOD activities and agencies, other Federal departments, activities or agencies, State or local governmental bodies and other private parties, in that order.

§ 643.24 Policy—Competition.

The use of real estate under the control of DA for private purposes will be granted only after reasonable efforts have been made to obtain competition for its use, through advertising. Advertising is any method of public announcement intended to aid directly or indirectly in obtaining offers on a competitive basis. Advertising may be accomplished by circulating and posting notices and by paid advertising in news-

papers and trade journals. The purpose of seeking competition is to afford all qualified persons equal opportunity to bid for the use of the property, to secure for the Government the benefits which flow from competition, and to prevent criticism that favortism has been shown by officers or employees of the Government in making public property available for private use. Although the lease of Government real estate to civilians employed by the military departments or officers or enlisted personnel of the Armed Forces is not prohibited by law, it is essential that extreme care be exercised to avoid favoritism or the appearance of favoritism. Generally leases to Federal Government personnel will be granted only after competitive bid under the sealed bid method. The provisions of this paragraph do not affect the authority contained in AR 210–10 and 210–50 for furnishing quarters to civilian employees of DA. Also the provisions of this paragraph do not affect the use of Federal facilities by uniformed personnel as may be otherwise provided for. Other exceptions to the advertising policy are as follows:

(1) Granting easements, leases and licenses to public agencies and public utilities.

(2) Granting permits to other Federal agencies.

(3) Leasing cable pairs.

(4) Leases or licenses to utility companies having an exclusive franchise in the area, for space on Government-owned poles for attaching their electric transmission communication lines.

(5) COE is authorized to grant a waiver of competition upon a determination that it will promote the national defense or will be in the public interest or upon a determination that competition is impracticable.

**§ 643.25 Policy—Grants which may embarrass the Department of the Army.**

The use of property under DA control will not be authorized for any purpose when the proposed use or the revocation thereof might prove embarrassing to the DA.

**§ 643.26 Policy—Commercial advertising on reservations.**

DA will not authorize the posting of notices or erection of billboards or signs for commercial purposes on property under its control.

**§ 643.27 Policy—Environmental considerations.**

DA will not authorize the use of real estate, water and other natural resources when such use is not in harmony with the goals and intent of the following legislation and/or similar legislation which establishes a firm Federal policy and provides procedures to enhance the overall environmental quality.

(a) National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321) (AR 200–1, Chapter 1 and 2).

(b) Federal Water Pollution Control Act of 1972, as amended, (33 U.S.C. 1251) (AR 200–1, Chapter 3 and 9).

(c) Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) Coastal Zone Management Act of 1972 (16 U.S.C. 1451).

(e) Clean Air Act of 1970, as amended (42 U.S.C. 1857) (AR 200–1, Chapter 4).

(f) Marine Protection, Research and Sanctuaries Act of 1072 (16 U.S.C. 1431) (AR 200–1, Chapter 3).

(g) Solid Waste Disposal Act, as amended, (42 U.S.C. 3251) (AR 200–1, Chapter 5).

(h) Federal Insecticide, Fungicide and Rodenticide Act, as amended, by the Federal Environmental Pesticide Control Act of 1972 (7 U.S.C. 136) (AR 200–1, Chapter 6).

(i) Noise Control Act of 1972 (42 U.S.C. 4901) (AR 200–1, Chapter 7). As a minimum, each Determination of Availability Report will include an environmental assessment evaluating the environmental consequences of the proposed outgrant action. When an environmental assessment reveals that the proposed action may significantly affect the quality of the human environment, is highly controversial or is anticipated to evoke litigation based upon environmental issues, a detailed environmental impact statement will be prepared and processed in accordance with NEPA. (AR 200–1, Chapter 2) (See AR 405–90, App. A and B).

**§ 643.28 Policy—Historic and cultural environment.**

(a) Executive Order No. 11593, 36 FEDERAL REGISTER 8921 (Appendix D) provides in part that the Federal Government shall provide leadership in preserving, restoring and maintaining the historic and cultural environment of the Nation; that Federal agencies shall:

(1) Administer the cultural properties under their control in a spirit of stewardship and trusteeship for future generations;

(2) Initiate measures necessary to direct their policies, plans and programs in such a way that federally owned sites, structures and objects of historical, architectural or archaeological significance are preserved, restored and maintained for the inspection and benefit of the people; and

(3) In consultation with the Advisory Council on Historic Preservation (16 U.S.C. 470i) institute procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archaeological significance (AR 200–1, Chapter 8 and App. A).

(b) Outgrants will include conditions to assure protection of real estate as contemplated in a. above.

**§ 643.29 Policy—Archeological surveys.**

The SA under the authority of Title 16, U.S.C., Section 432, may allow the examination of ruins, the excavation of archeological sites, and the gathering of objects of antiquity upon Army lands by institutions which are deemed properly qualified to conduct such examinations, excavations and gatherings (AR 200–1, Chapter 8).

**§ 643.30 Policy—Construction projects and activities; protection of historical and archeological data.**

The Archeological and Historical Preservation Act of 1974 (16 U.S.C. 469 et seq.) provides for the preservation of historical and archeological data on all Federal or Federally-assisted construction projects or in connection with any federally licensed activities or programs.

**§ 643.31 Policy—Flood hazards.**

Each Determination of Availability Report will include an evaluation of the flood hazards, if any, relative to the property involved in the proposed outgrant action, pursuant to the provisions of Executive Order 11296, 10 August 1966. DA will not authorize the use of lands in flood plains for habitation purposes or any other use which may be uneconomical, hazardous or unnecessary.

**§ 643.32 Policy—Endangered species.**

The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), declares the intention of Congress to conserve threatened and endangered species of fish, wildlife and plants, and the ecosystems on which those species depend. The Act provides that Federal agencies must utilize their authorities in furtherance of its purposes by carrying out programs for the conservation of endangered or threatened species, and by taking such necessary action to insure that any action authorized by that agency will not jeopardize the continued existence of such endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretaries of the Departments of Commerce or Interior, as appropriate, to be critical.

**§ 643.33 Policy—Coastal zone management.**

(a) The Coastal Zone Management Act of 1972 (16 U.S.C. 1456), directs all Federal agencies conducting or supporting activities directly affecting the coastal zone of a state, to conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs. The opinion of the Attorney General of the Unied States is that Federal lands are excluded from mandatory compliance with the state's coastal zone management program, regardless of the type of Federal jurisdiction exercised thereover. However, it is Army policy that its activities will comply, to the extent practicable, with a state's approved coastal zone management program.

(b) Applications for grants for use of real estate affecting land or water uses in the coastal zone of a state will include a certification that the proposed activity complies with the state's approved program and that applicant's activity will be conducted in a manner consistent with the law.

(c) An activity affecting land or water uses in the coastal zone of a state which will not be conducted in a manner consistent with an approved state program will be exempted from this certification requirement only if the Secretary of Commerce, on his own initiative or upon appeal of the applicant, determines that the activity is consistent with the objectives of the Coastal Zone Management Act or is otherwise necessary in the interest of national security.

**§ 643.34 Policy—Public utilities on installations.**

(a) Contracting officers, with the approval of Installation Commanders, are authorized to permit the extension of public utilities upon installations, as part of the contract for furnishing to the Government electricity, water and gas, where such extension is necessary solely to serve the installation and not in part to serve private consumers outside the installation. The above authorization is covered by the provisions of the contract for purchase of utilities services contained in Armed Services Procurement Regulations.

(b) Contracts or agreements for the sale of surplus utilities services as authorized by law or regulations will include similar authority for the purchaser to install and maintain such facilities on the installation as necessary in connection with the sale of such utilities services, in accordance with AR 420–41 and AR 105–23.

**§ 643.35 Policy—Restriction against leasing for mineral purposes.**

Title 10, U.S.C., section 2667, does not permit leasing for exploitation of oil, mineral, or phosphate lands but does not prohibit the lease of lands that may contain oil, mineral or phosphate provided the lease is granted for purposes not involving the use or taking of such substances. Title 30, U.S.C., Section 181, et seq., gives the Secretary of the Interior (SI) certain authority to lease oil, gas, and mineral deposits on public domain land provided it does not interfere with Federal use of the land. Title 30, U.S.C., Section 352, gives the SI certain authority to lease coal, phosphate, oil, oil shale, gas sodium, potassium and sulfur on acquired land, but such deposits on acquired lands which have been set aside for military or naval purposes are specifically excluded from leasing. Hence, there is no authority to lease minerals in acquired lands under the control of the DA. The only exception is where there is drainage of oil and gas deposits under such lands. In this event, the DE should be advised immediately in order that the Department of the Interior may be informed so that the interests of the United States will be protected.

**§ 643.36 Policy—Interim leasing of excess properties to facilitate economic readjustment.**

Interim outleasing of excess real property is authorized to lessen the economic impact on the local community, caused by an installation inactivation, closure or realignment. These outleases may be granted to State or local governmental bodies in consideration for care, custody, management and routine maintenance. Income derived from the use of the property in excess of the cost of care, custody, management and routine maintenance will be covered into the Treasury as miscellaneous receipts. The outleasing will generally conform to an economic recovery plan outlined by the Office of Economic Adjustment, OASD(I&L), will require coordination with the DASD-(I&H) and concurrence by the GSA. Leases are limited to one year and must be revocable by the Government on 30 days notice.

**§ 643.37 Policy—Requests to search for treasure trove.**

Subject to approval of the SA, the Administrator of General Services is authorized to make contracts with private parties to search for treasure trove on lands under the jurisdiction of the DA. Such searches will be subject to the regulation and control of the Installation Commander or officer having jurisdiction over the property.

**§ 643.38 Policy—Utility rates.**

(a) Rates for utilities furnished by the Army will be in accordance with AR 420–41.

(b) Payments for utilities or services furnished will be deposited to the Treasurer of the United States to the credit of the appropriation from which the costs of furnishing them was paid. Collection for utilities and services furnished by the Army is the responsibility of the officer having immediate jurisdiction over the property in accordance with AR 37–19 and AR 37–27.

**§ 643.39 Policy—American National Red Cross.**

(a) Title 10, U.S.C., Section 2670, authorizes the SA to grant revocable licenses permitting the erection and maintenance by the American National Red Cross on military reservations, of buildings suitable for the storage of supplies for the aid of the civilian population in case of serious national disaster, or the occupation for that purpose of buildings erected by the United States.

(b) Installation Commanders will furnish office space and quarters for Red Cross activities and personnel when assigned to duty with the Armed Forces in accordance with AR 930–5.

**§ 643.40 Policy—Young Men's Christian Association (YMCA).**

Title 10, U.S.C., Section 4778, authorizes the SA to grant revocable licenses permitting the erection and maintenance by the YMCA on military reservations, of such buildings as their work for the promotion of the social, physical, intellectual, and moral welfare of the garrisons may require.

**§ 643.41 Policy—National Guard use.**

Pursuant to the authority contained in Title 32, U.S.C., Section 503, the SA is authorized to grant revocable licenses to the States and territories for the use and occupancy of installations or portions thereof by the National Guard. A license may not be granted for the erection of a permanent National Guard Armory without specific congressional authority.

**§ 643.42 Policy—Consents for crossing of rights of ways and similar interests owned by the United States.**

Under the various easement authorities or under the administrative power in cases outside the purview of those authorities, the SA may consent to the granting of an easement by the owner of the servient estate, subject to such conditions as may be required to protect the Government's interest.

## Subpart C—Leases

**§ 643.51 Additional items concerning leasing.**

In addition to the general and policy matters covered in Chapters 1 and 2, the following also apply with respect to the leasing of Army real estate.

**§ 643.52 Term.**

Each lease will be for a period not exceeding five years unless the SA determines that a longer period will promote the national defense or will be in the public interest.

**§ 643.53 Consideration.**

(a) Unless otherwise authorized by this regulation or directed by the SA, the consideration for a lease of real estate will be the appraised fair market rental value. However, the value of the maintenance, protection, repair or restoration by the lessee of the property leased, or of the entire unit or installation where a substantial part of it is leased, may be accepted as all or part of the consideration. The value of the maintenance, protection, repair or restoration, when added to the amount of the monetary payment to be made by the lessee, must equal the appraised fair market rental value of the property leased.

(b) Buildings and space may be leased to a State or political subdivision thereof for public school purposes, limited to use for classrooms and closely related academic instructions, through high school level, at no monetary consideration. Where bare land is leased for construction of a school through high school level, the acreage will not exceed criteria established by the appropriate state authority or the Department of Health, Education, and Welfare (HEW), the annual rental will be $25, and the lease term will not exceed 25 years unless otherwise approved by HQDA (DAEN-REM) WASH DC 20314. Real Estate may also be leased for educational purposes to public educational institutions at a reduced rental, after consultation with the HEW, and taking into account any benefits accruing to the United States through the use of such property. In any event, the lessee will be required to assume the cost of maintenance, protection,

repair or restoration of the property leased and the administrative costs incident thereto.

(c) Leases granted for agricultural, grazing or haying purposes will have attached thereto the land use regulations furnished by the installation commander specifying the items required to be performed by the lessee as part of the lease obligations. It is the policy of the DA that land leased for agricultural, grazing or haying purposes be returned to the Government in as good or better condition than when initially leased. The land use regulations will include those activities of maintenance, protection, repair or restoration of the property leased which the lessee will be required to perform as part or all of the consideration for the lease. Generally, an activity will qualify as an offset from rental if it is (1) performed on the leased premises, (2) of direct benefit to the installation in its authorized current or mobilization mission, as distinguished from desired programs, or in furtherance of the Army's leasing program, (3) directly related to the lessee's use of the leased property. Where all of the above criteria are met, the following activities may be authorized: Control of erosion, conservation of natural resources and maintenance of the viability of the land for continuing leasing, such as mowing, weed control, seeding, fertilizing, mulching, crop rotation, selected cutting, and soil conservation measures such as terraces, check dams, wells, springs, ponds, tile or open channels or culverts for drainage; firebreaks, inside fencing and cattle guards. Maintenance, protection, repair or restoration of buildings, roads, perimeter fencing, and similar improvements are not authorized as offsets from rental unless the property is leased to and beneficially used by the lessee, or as otherwise approved by HQDA (DAEN-REM) WASH DC 20314. Also, lessees will not be required to perform activities in support of recreation and welfare, fish and wildlife, beautification, and aesthetic programs, and the cost of establishing and maintaining recreation, swimming and fishing areas, wildlife habitats, food plots, and similar activities are not authorized as offsets from rental since these activities do not meet the criteria outlined above.

### § 643.54 Receipts.

Receipts will be deposited into the Treasury as miscellaneous receipts.

### § 643.55 Mandatory revocation clause in lease.

Each lease will contain a provision permitting the SA to revoke the lease at any time, unless it is determined that the omission of such provision from the lease will promote the national defense or will be in the public interest. In any event, the lease will be revocable by the SA during a national emergency.

### § 643.56 Taxation of lessee's interest.

The lessee's interest in leased property may be taxed by State or local governments as provided in Title 10, United States Code, Section 2667(e). Each lease will contain a provision that if and to the extent that the property owned by the Government and included in the lease, as opposed to the leasehold interest of the lessee therein, is later made taxable by state or local governments under an act of Congress, the lease will be renegotiated.

### § 643.57 Sublease or assignment.

A lease of real estate will not be subleased or assigned for direct or indirect use by another Federal agency. Except as specifically provided in the lease, a sublease or assignment of the lease will not be authorized without prior approval of HQDA (DAEN-REM) WASH DC 20314.

## Subpart D—Licenses

### § 643.71 Additional items concerning licenses.

In addition to the general and policy matters covered in Subparts 1 and 2, the following also apply with respect to the granting of licenses.

### § 643.72 License.

A license is a bare authority to do a specified act upon the property of the licensor without acquiring any estate therein. The principal effect of a license is to authorize an act which in the absence of the licensee would constitute a trespass.

### § 643.73 Term.

The term of a license will be limited to a period reasonably necessary to accomplish the purpose for which the license is being granted, but in no event will the term exceed five years, without the approval of COE.

### § 643.74 Consideration.

When a license is granted under the authority of an easement or leasing statute, the same rules will apply in regard to consideration as is applicable to the granting of an easement or lease under the statute. Since the administrative power may be relied upon for the grant of a license only when such grant is of direct benefit to the Government, such grants may be made without consideration.

## Subpart E—Easements

### § 643.81 Additional items concerning easements.

In addition to the general and policy matters covered in Subparts 1 and 2, the following also apply with respect to the granting of easements.

### § 643.82 Term.

The term for which an easement is granted will be guided by the type of easement, the period for which the land can be made available and the limitations of tht authorizing statute.

### § 643.83 Consideration.

Although the statutes authorizing grants of rights of way or easements do not make it mandatory that compensation be paid to the United States, such grants will reserve consideration in an amount equal to the fair market value as established by recognized appraisal practices. As an exception to this rule, grants to states, counties, municipalities, or political subdivisions thereof, will not require fair market value when the purpose of the easement is to serve the public interest or is to benefit the Federal Government.

### § 643.84 Easement—Grantees relocate or replace needed facilities.

In easement grants, grantees usually will be required to repair and restore damage done to Government land and improvements and to relocate or replace buildings and other needed facilities rendered useless or less useful by the exercise of the easement rights granted. DOD policy requires that in keeping the Army whole, the relocation or replacement of facilities will be limited to those for which there is a continuing requirement. By specific exclusion, establishment of a different category of facility is not authorized. (DODI 4165.12 III C)

### § 643.85 Easement grantees—Payment for removal or destruction of unneeded improvements.

Where a proposed right of way will require removal or destruction of improvements which are not required to be relocated or replaced to meet military needs, such improvements will be disposed of as excess property in accordance with AR 405-90, and a condition of the easement grant will be payment for such improvements as follows:

(a) Where the easement grant is to be made at fair market value to entities not entitled to grants of rights of way without charge, the charge for the grant will include the in-place fair market value of the improvements.

(b) Where the proposed grantee is a State or local Government agency normally granted a right of way without charge under Army policy and the grantee's project is subsidized wholly by an agency of the Federal Government, no charge will be made for the improvements thus lost, since any charge made would not reflect a net return to the Government.

(c) Where the proposed grantee is a State or local Government agency normally granted a right of way without charge under Army policy, and the grantee's project is not subsidized, or is subsidized only in part, the charge for such improvements removed or destroyed and not replaced will be the salvage value thereof.

### § 643.86 Easements for various purposes with relinquishment of legislative jurisdiction.

Title 40, U.S.C., Section 319, and delegation of authority thereunder from the Secretary of Defense authorizes the SA to grant easements and concurrently to relinquish to the State in which the affected land is located such legislative jurisdiction as is deemed necessary or desirable. Ordinarily, 40 U.S.C. 319 will not be used for easement grants which may be accomplished pursuant to authorities set forth in preceding paragraphs except where retrocession of legislative jurisdiction is intended.

## Subpart F—Permits

### § 643.101 Additional items concerning permits.

In addition to the general and policy matters covered in subparts 1 and 2, the following also apply with respect to the granting of permits.

### § 643.102 Permit.

A permit is the temporary authority conferred on a Government agency to use real property under the jurisdiction of another Government agency.

### § 643.103 Term.

A permit may be granted to another military department, a DOD component, or Federal agency for a mutually agreeable period. If the permit is on a permanent or irrevocable basis, it is considered tantamount to a transfer and must be granted under special statutory authority. Where the real property involved is estimated to exceed $50,000 in value, a report must be made to the Congressional Committees on Armed Services, pursuant to Title 10, United States Code, Section 2662.

### § 643.104 Consideration.

(a) Permits are usually granted on a rent-free basis.

(b) The Army is authorized, however, to charge for space and space-related services provided non-DOD Federal agencies. Charges will be at rates established by GSA for the particular location pursuant to Title 40, United States Code, Sections 490 (j) and (k). Exceptions to this policy will be real property and related services provided to an organization which is solely in the support of the installation's mission. (For example: space assigned to a FAA air controller on an Army airfield; GAO activity auditing installation programs). Proceeds which are in excess of the actual operating and maintenance costs of providing the service shall be credited to miscellaneous receipts unless otherwise authorized by law. Reimbursement for utilities and services furnished to the permittee is the responsibility of the officer having immediate jurisdiction over the real estate. Where the use of real estate by a Federal agency under permit is authorized and the correspondence does not include information regarding charges to be made for the real estate, clarifying information will be obtained from HQDA (DAEN-REM) WASH DC 20314.

(c) Where real property is leased to or otherwise used by the Army and a rental or charge is paid therefor, any use of the real estate, for non-Army use, either under permit or other grant, will provide for reimbursement of a proportionate part of the rental or charge, unless otherwise approved by OCE. Reimbursement is the responsibility of the DE. Any other officer authorizing such use is responsible for notifying the DE of the non-Army use.

## Subpart G—Additional Authority of Commanders

### § 643.111 Additional authority.

In addition to authorities and responsibilities set forth above, the following grants may be made by commanders as indicated.

### § 643.112 Army exchange activities.

Use of space and structures by the Army Exchange and its concessionaires is governed by AR 60–10.

### § 643.113 Banks.

(a) The establishment of banks, branch banks and banking facilities on Army installations is governed by AR 210–135.

(b) The Treasury Department determines whether a banking facility is self-sustaining and notifies the Commander, U.S. Army Finance and Accounting Center.

(c) Banking facilities which are not selfsustaining will be furnished space, utilities and custodial services without charge by the Installation Commander, provided space and services are available from existing resources.

(d) Banking facilities which are self-sustaining will be granted a lease by the DE, at fair market value, and reimbursement will be required for utilities and services furnished.

(e) A bank building may not be constructed on an Army installation without the prior approval of COE, SA and DOD.

### § 643.114 Civil disturbances.

Without reference to higher authority, and when it is found to be in the public interest, MACOM and heads of agencies having command responsibility may grant, without consideration, revocable licenses for joint use of active Army and USAR facilities during civil disturbance for not more than 30 days to the National Guard and to municipal, county, and state officials and law enforcement agencies. Licensees must agree that the privileges granted will be without expense to the DA, that the use will be subject to the control of the officer having jurisdiction over the property, that it will remove its property from the premises when the license is terminated, that it will pay the cost of any services furnished to it by the DA, and, if a non-Federal agency, that it will hold the Government harmless from any damages or claims arising out of the use. Where it is proposed to allow such use beyond 30 days, the proposal must be submitted to HQDA (DAEN-REZ) WASH DC 20314 for approval. Federal task force commanders, acting under instructions from the Chief of Staff, in a civil disturbance control operation may approve requests for the use of installations under their control (Ref AR 500–50).

### § 643.115 Contractors—Permission to erect structures.

Installation Commanders are authorized to permit the erection of temporary structures for use solely in connection with a Government contract for construction and related work for the period of the contract and with provision for removal and restoration of the premises upon expiration of the contract; provided that, in the interest of the United States, any structure suitable for military use may, in lieu of removal, be relinquished to and become the property of the United States. If the structure is to be used for any purpose other than the fulfillment of the contract, application will be made to the DE for such use in order that a proper real estate instrument may be processed.

### § 643.116 Credit Unions.

Installation Commanders are authorized under 12 U.S.C. 1770 to allot space in existing buildings, without charge for rent or services, to any credit union organized under State law or to any Federal Credit Union organized in accordance with the Federal Credit Union Act, provided that, in either case, the membership is composed exclusively of federal employees (including former federal employees who acquired membership while employed by the Federal Government and retained such membership) and members (husband, wife, child, parent, brother, sister, grandparent, or grandchild living with the employee) of their families. Construction and use of buildings by credit unions and reimbursement of the cost of maintenance, utilities and services provided to such buildings are governed by AR 210–24, AR 230–81 and AR 420–41.

### § 643.117 Hunting, trapping and fishing.

Applications to hunt, trap and fish on military reservations are governed by AR 420–74.

### § 643.118 Nonappropriated funds—authority to permit erection of structures.

The authority of Installation Commanders to permit structures to be erected on military installations with nonappropriated funds, as well as the title status of each, is defined in AR 60–10 and AR 210–55. Use of existing space and structures for activities of a civilian nonappropriated fund is governed by AR 230–81.

### § 643.119 Licenses incidental to post administration.

Installation commanders may authorize the use of property incidental to post administration which in the absence of such authority would amount to a trespass, such as licenses to merchants to enter the reservation to make deliveries. The authority noted herein may not be used to grant licenses in situations otherwise covered by this regulation.

### § 643.120 Post Office.

Title 10, United States Code, Section 4779b, provides that the SA shall assign suitable space for post office pur-

poses at military posts where post offices have been established. Space assignment will be accomplished by arrangement between the Postmaster and installation commander.

§ 643.121 Private organizations on DA installations.

(a) AR 210–1 defines and classifies private organizations, such as thrift shops, and child care centers, located on Army installations and provides policy guidance for their authorization and operation. Installation commanders may authorize the use of available facilities or space to such private organizations, without monetary consideration, when the use is on a non-exclusive basis and subject to immediate termination when possession is required by the installation commander for another purpose.

(b) Where the private organization desires exclusive use of facilities or space, or for a specified period of time, the matter will be considered a leasing action, the lease will be granted by the DE and will provide for payment of a rental consideration. The installation commander will consult with the DE if there is a question whether a proposed use of facilities or space by a private organization should be authorized by the DE under lease or by the installation commander by the issuance of a license.

§ 643.122 Reserve facilities—Air Force and Navy use.

(a) MACOM may approve local agreements with appropriate Air Force or Navy commands, covering temporary use of existing Army Reserve facilities by the Air Force or Navy Reserve, provided, however, that the DA is reimbursed in proporationate share for the services furnished and that the cost of any alterations that may be desired will be borne by the military service concerned. Although no specific form is prescribed for those operational agreements, the agreements constitute Interservice Support Agreements subject to Joint AR 1–35/ SECNAV INST 4000.20B/AFR 400.27. Nothing in such joint regulation disallows use of DE outgrants to supplement coverages of Interservice Support Agreements when requested and approved in accordance with this regulation. The terms used in the Interservice Agreements and/or DE outgrants will be those acceptable to the commands concerned. Agreements, however, which provide for the exclusive use of such property by the Air Force or Navy Reserve, or which involve a transfer of funds between services for other than minor utility services, or which involve an increase in personnel strength, or other complications, will be routed to the appropriate DE for execution of a formal permit.

§ 643.123 Reserve facilities—Local civic organizations.

In order to promote community relations in areas where Army Reserve Centers have been constructed, local civic and similar nonprofit organizations may be permitted to use the armory facilities during such periods that will not cause any interference with the primary use thereof for the administration and training of the Reserve Components of the Armed Services of the United States. Procedures and policy are outlined in AR 140–488.

§ 643.124 Trailer sites.

(a) Installation Commanders are authorized to grant revocable leases to military personnel and civilian personnel qualified to occupy public quarters for use and occupancy of individual trailer sites within approved trailer camp areas, and to revoke or renew such leases. (See AR 210–50.) Leases will be granted pursuant to Title 10, U.S.C., Section 2667. Necessary utilities will be provided on a reimbursable basis. In no event will the terms of the lease exceed a period of 2 years. DA Form 373 (Lease or Trailer Sites) will be used exclusively for this purpose.

(b) Leases may be revoked for nonpayment of rent, or breach of any condition of the lease or military necessity.

(c) Rents will be collected locally and turned over to the nearest Army Finance and Accounting Officer for deposit in accordance with procedure set forth in AR 37–103. A copy of the Cash Collection Voucher (DD Form 1131) will be forwarded to the appropriate DE.

§ 643.125 Transportation licenses.

Installation Commanders are authorized to grant revocable licenses and to revoke such licenses in the name of and by authority of the SA, for bus and taxicab service on installations. The following policy will be observed in granting such licenses; however, if real estate is required to be leased in accordance with e below, no commitment will be made to grant licenses until approval is received for the lease.

(a) One or more licenses (revocable at will and for a period not to exceed 5 years) may be granted, based upon the free competitive proposals of all available companies or individuals.

(b) DD Form 694 (Transportation License Military Reservation) will be used for this purpose.

(c) Only duly licensed operators will be permitted to operate on installations.

(d) No distinction will be drawn between taxicab and bus transportation.

(e) If use of Government property is desired for such purposes as at bus station, waiting rooms, storage space, offices in connection with the proposed transportation service, application for a lease will be forwarded to the appropriate DE for processing.

(f) Licenses may be revoked by the Installation Commander for breach of any condition of the license and for military necessity.

(g) The Installation Commander will furnish a copy of each such license, through channels, to the MACOM or to the head of the agency having command responsibility.

§ 643.126 Quarters.

The assignment and rental of quarters to civilian employees and other nonmilitary personnel will be accomplished in accordance with AR 210–50. Responsibility of the Corps of Engineers for the establishment of rental rates for quarters rented to civilian and military personnel is set forth in AR 210–12.

§ 643.127 Veterans' conventions.

Without reference to higher authority, MACOM may lend certain Army real property (including the use of unoccupied barracks) to national veterans' organizations for use at state or national conventions or for national youth, athletic or recreational tournaments sponsored by those organizations in accordance with AR 725–1.

§ 643.128 Youth groups.

(a) Installation Commanders may grant revocable-at-will licenses for one-time use, or for intermittent or continuing use of available meeting room facilities, without monetary consideration, to on-post youth groups such as the Boy Scouts, Girl Scouts and Little League.

(b) Installation Commanders may grant revocable-at-will licenses for one-time use, or for intermittent or continuing use, to off-post youth groups such as the Boy Scouts, Girl Scouts and the Little League for nonexclusive use of recreational areas or unimproved land areas within military reservations for recreational or camping purposes. Licenses will be granted for up to a period of one year without monetary consideration and will provide for a hold-harmless clause with respect to any and all claims against the Government and will require the repair of any damage or destruction resulting from such use.

§ 643.129 Joint Carrier Military Traffic Offices (JAMTO, JBMTO, JRMTO, SAMTO).

Installation Commanders will furnish office space without charge for JCMTO offices established in accordance with AR 55–355.

[FR Doc.77-17300 Filed 6-16-77;8:45 am]

Federal Register

FRIDAY, JUNE 17, 1977

PART V

# DEPARTMENT OF LABOR

## Employment Standards Administration

■

# MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

## General Wage Determination Decisions

## 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 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 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

#### MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

#### NEW GENERAL WAGE DETERMINATION DECISIONS

| | |
|---|---|
| Alabama | AL77–1073 |
| Mississippi | MS77–1078 |

#### 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.

| | |
|---|---|
| Arkansas: | |
| AR77–3082 | Apr. 8, 1977. |
| AR77–4106 | May 27, 1977. |
| AR77–4107 | June 3, 1977. |
| Florida: | |
| FL77–1065 | May 13, 1977. |
| Maryland: | |
| MD77–3021 | Jan. 14, 1977. |
| Nevada: | |
| NV77–5012 | Feb. 11, 1977. |
| NV77–5031 | Mar. 18, 1977. |
| NV77–5146 | Apr. 29, 1977. |
| New York: | |
| NY77–3013 | May 13, 1977. |
| Ohio: | |
| OH77–2080 | Do. |
| OH77–2087 | May 20, 1977. |
| Pennsylvania: | |
| PA77–3026 | Feb. 4, 1977. |
| PA77–3030 | Feb. 18, 1977. |
| PA77–3032 | Mar. 25, 1977. |
| PA77–3031; PA77–3039 | Apr. 8, 1977. |
| PA77–3028; PA77–3034 | Apr. 15, 1977. |
| PA77–3049 | Apr. 22, 1977. |
| PA77–3053 | May 13, 1977. |
| Texas: | |
| TX76–4197 | Dec. 28, 1976. |
| TX77–4054 | Mar. 4, 1977. |
| TX77–4102 | May 13, 1977. |

#### 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 listed with each State.

Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded.

| | |
|---|---|
| Arizona: | |
| AZ76–5109 (AZ77–5050); AZ76–5110 (AZ77–5059); AZ76–5111 (AZ77–5060). | Nov. 26, 1976. |
| Nevada: | |
| NV77–5022 (NV77–5061) | Mar. 18, 1977. |
| New Jersey: | |
| NJ77–3037 (NJ77–3079) | Apr. 22, 1977. |
| New Mexico: | |
| NM77–4074 (NM77–4116) | Apr. 8, 1977. |
| New York: | |
| NY76–3256 (NY77–3025) | Oct. 8, 1976. |
| NY77–3022 (NY77–3044) | Feb. 4, 1977. |
| South Dakota: | |
| SD77–5027 (SD77–5064); SD77–5028 (SD77–5065). | Mar. 4, 1977. |
| Washington: | |
| WA77–5032 (WA77–5055) | Apr. 1, 1977. |

Signed at Washington, D.C., this 10th day of June 1977.

RAY J. DOLAN,
*Assistant Administrator,*
*Wage and Hour Division.*

NEW DECISION

STATE: Alabama COUNTIES: *See below
DECISION NO.: AL77-1073 DATE: Date of Publication
DESCRIPTION OF WORK: Heavy Construction

*Counties: Calhoun, Etowah, Green, Jefferson, Pickens, St. Clair, Shelby, Sumter, Talladega, Tuscaloosa, and Walker

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Bricklayers | 9.50 | | | | |
| Carpenters: | | | | | |
| Green, Pickens, Sumter and Tuscaloosa Counties | 7.50 | | | | .06 |
| Jefferson, Shelby, Walker and that portion of St. Clair and Talladega County West of Highway 231 from the Blount County line South to Interstate 20. Also that portion of St. Clair and Talladega Counties South of Interstate 20 and West of U.S. Alternate 231 South, not including the City of Talladega and that portion of Talladega County South, of the City of Talladega and West and South of the Talladega National Forest | 7.35 | .40 | .25 | | .07 |
| Calhoun, Etowah and Remainder of St. Clair and Talladega Counties | 6.68 | .40 | .25 | | .06 |
| Electricians | 10.10 | .30 | 1%+.40 | | ¼ of 1% |
| Ironworkers | 8.50 | .60 | .815 | | .04 |
| Laborers: | | | | | |
| Air tool operator | 5.40 | .25 | .30 | | .05 |
| Asphalt lute man | 5.40 | .25 | .30 | | .05 |
| Asphalt raker | 5.40 | .25 | .30 | | .05 |
| Batch truck dumper | 5.25 | .25 | .30 | | .05 |
| Caisson hole man (10'dia.) | 6.00 | .25 | .30 | | .05 |
| Chain saw operator | 5.40 | .25 | .30 | | .05 |
| Concrete saw operator | 5.40 | .25 | .30 | | .05 |
| Dry cement handlers (bulk or bag) | 5.40 | .25 | .30 | | .05 |
| Hand blade operator | 5.25 | .25 | .30 | | .05 |
| General laborer | 5.25 | .25 | .30 | | .05 |
| Mortar mixers | 5.35 | .25 | .30 | | .05 |
| Muckers | 5.35 | .25 | .30 | | .05 |
| Pipelayers | 5.35 | .25 | .30 | | .05 |
| Powdermen & blasters | 6.08 | .25 | .30 | | .05 |

AL77-1073 - (Cont'd)

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Laborers (Cont'd): | | | | | |
| Side rail setters | 5.40 | .25 | .30 | | .05 |
| Vibrator operator | 5.40 | .25 | .30 | | .05 |
| Wagon drill operator | 5.65 | .20 | .30 | | .05 |
| Oxagon operator | 6.75 | .25 | .30 | | .05 |
| Tunnel work (free air) | | | | | |
| Chuck tender | 5.80 | .25 | .30 | | .05 |
| Head miner | 6.25 | .25 | .30 | | .05 |
| Pneumatic concrete gun operator & nozzleman | 5.95 | .25 | .30 | | .05 |
| Tunnel laborer | 5.65 | .25 | .30 | | .05 |
| Tunnel miner | 6.05 | .25 | .30 | | .05 |
| Plumbers and Pipefitters | 9.45 | .30 | .45 | | |
| Truck drivers | 5.75 | .20 | | | |
| Welders - Rate for craft | | | | | |

AL77-1073 - (Cont'd)

| POWER EQUIPMENT OPERATORS: | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| CLASS A | 8.41 | .40 | .30 | | .10 |
| CLASS B | 7.97 | .40 | .30 | | .10 |
| CLASS C | 7.72 | .40 | .30 | | .10 |
| CLASS D | 7.16 | .40 | .30 | | .10 |

CLASS A: Asphalt plant, asphalt spreader, backhoe, boat operator (inboard), boom tractor, bulldozer, cableways, cherry picker, compressors-2, or more within 200 ft. radius, concrete plants-stationary, mixer operator, concrete pump, conveyor-2 or more up to 4, core driller-crane-derrick-dragline-deck hoist on construction barges, crane-hydro, dinky locomotive, distributors-bituminous surface, dredge operator, farm tractor with attachments (30 HP or more-which are an integral part of tractor), fork lift, front end loader, gradall, headhouse operator, heavy duty, mechanic, hoist-2 drums or more, ice plant in connection with concrete, mixers-5 bags or over, motor graders, pile driver, push tractor, quarry master and rock crusher, rollers-asphalt, scraper, scrapers in tandem (operator to receive 25¢ per hour for each additional scraper), shovels, trenching machines and all similar equipment.

CLASS B: Crawler tractor, hoist-1 drum, pumps-2 or more 4 inch & over, under 5 within 200 ft. radius, rollers (other than asphalt), winch truck, well points and other equipment used for dewatering.

CLASS C: Air compressor, blade graders-pull type, farm tractor with attachments, finishing machine-screed mounted self-propelled, mixers-under 5 bags.

CLASS D: Outboard boats, air compressor-125 and under, (oiler-helper), conveyor-one (1) tended by oiler, mechanic helper, pumps-under 4 inch-3 or under, welding machines-3 or under, oiler or helper-inboard boats, deck hand.

NEW DECISION

STATE: Mississippi COUNTIES: *See below
DECISION NO.: MS77-1078 DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories)

*Counties: Lowndes County (excluding Columbia Lock & Dam and Tennessee-Tombigbee Project)

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Air conditioning mechanic | 4.50 | | | | |
| Bricklayers | 6.20 | | | | |
| Carpenters | 6.40 | | | | |
| Cement masons | 6.40 | | | | |
| Electricians | 8.90 | .32 | 10 | .12 | .01 |
| Laborers | 2.30 | | | | |
| Lathers | 4.80 | | | | |
| Painters, brush | 4.00 | | | | |
| Plasterers | 4.54 | | | | |
| Plumbers and steamfitters | 8.80 | .30 | .30 | | .05 |
| Roofers | 3.47 | | | | |
| Sheet metal workers | 3.66 | | | | |
| Soft floor layers | 4.46 | | | | |
| Tile setters | 4.87 | | | | |
| Truck drivers | 3.25 | | | | |
| POWER EQUIPMENT OPERATORS: | | | | | |
| Bulldozers | 4.50 | | | | |
| Tractor | 3.25 | | | | |

MODIFICATIONS P. 1

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| DECISION NO. AR77-3082 - Mod.#4 (42 FR 18798 - April 8, 1977) Union and Ouachita Counties, Arkansas | | | | | |
| CHANGE: | | | | | |
| CEMENT MASONS | $ 8.67 | .25 | | | .03 |
| IRONWORKERS | 10.05 | .45 | .65 | | .04 |
| DECISION NO. AR77-4106 - Mod. #2 (42 FR 27563 - May 27, 1977) Conway, Faulkner, Van Buren, Cleburne and Perry Counties, Arkansas | | | | | |
| CHANGE: | | | | | |
| CEMENT MASONS | $8.67 | .25 | | | .03 |
| IRONWORKERS | 9.50 | .45 | .40 | | .04 |
| DECISION NO. AR77-4107 - Mod. #1 (42 FR 28757 - June 3, 1977) Pulaski County, Arkansas | | | | | |
| CHANGE: | | | | | |
| IRONWORKERS | $9.50 | .45 | .40 | | .04 |
| CEMENT MASONS | 8.67 | .25 | | | .03 |
| TILE, MARBLE & TERRAZZO FINISHERS | 5.80 | | | | |

MODIFICATIONS P. 2

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Decision # FL77-1065 - Mod. # 3 (42 FR 24575 - May 13, 1977) Brevard & Volusia Counties (Cape Kennedy, Kennedy Space Flight Center, Patrick Air Force Base, and Melabar Radar Site only), Florida. | | | | | |
| Change: | | | | | |
| The modification published on June 3, 1977 in 42 FR 28739 should be Mod. # 2. | | | | | |

| DECISION #MD77-3021 - Mod. #2 (42 FR-3153 - January 14, 1977) Allegany & Garrett Counties, Maryland | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers | $10.34 | | .40 | | |
| Carpenters | 10.34 | .45 | .25 | | |
| Cement masons | 10.35 | .45 | | | |
| Ironworkers: | | | | | |
| Structural & Reinforcing | 10.24 | .60 | .90 | | |
| Laborers: | | | | | |
| Unskilled, landscape worker, tool checker, dumpmen, handy man, & spotter | 7.59 | .80 | .90 | | |
| Power tool operator, mason & plasterers tenders, mortar mixer by hand, scaffold builder, hod carrier, concrete puddler, pipe layer, chainman-rodman, rammer, & grade checker | 7.71 | .80 | .90 | | |
| Mortar mixer by machine | 7.78 | .80 | .90 | | |
| Barko tamper | 7.85 | .80 | .90 | | |
| Blaster/dynamite & Wagon drill operator (air track) | 7.89 | .80 | .90 | | |
| Tunnel Workers: | | | | | |
| Caisson, driller, & mucker | 8.41 | .80 | .90 | | |
| Laborer - Unskilled | 8.05 | .80 | .90 | | |
| Gunnite workers: | | | | | |
| Nozzlemen & gun operators | 7.89 | .80 | .90 | | |
| Piledrivermen | 10.63 | .45 | .25 | | .02 |



DECISION #MD77-3021 - Mod. #2 (Cont'd)

| POWER EQUIPMENT OPERATORS | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| HEAVY CONSTRUCTION: | | | | | |
| Group 1 | 9.70 | .75 | .85 | a | .10 |
| Hourly additional pay for long boom cranes (including jibs), piledriver machines with leads: | | | | | |
| 130' to 169' plus $ .40 | | | | | |
| 170' to 209' plus .60 | | | | | |
| 210' to 249' plus .80 | | | | | |
| 250' to 299' plus 1.00 | | | | | |
| 300' and over 1.25 | | | | | |
| Group 2 | 9.28 | .75 | .85 | a | .10 |
| Group 3 | 8.94 | .75 | .85 | a | .10 |
| Group 4 | 8.70 | .75 | .85 | a | .10 |
| Group 5 | 8.62 | .75 | .85 | a | .10 |
| Group 6 | 8.23 | .75 | .85 | a | .10 |
| Group 7 | 10.10 | .75 | .85 | a | .10 |
| HIGHWAY CONSTRUCTION: | | | | | |
| Group 1 | 9.52 | .75 | .85 | | .10 |
| Hourly additional pay for long boom cranes (including jibs), piledriver machines with leads: | | | | | |
| 130' to 169' plus $ .40 | | | | | |
| 170' to 209' plus .60 | | | | | |
| 210' to 249' plus .80 | | | | | |
| 250' to 299' plus 1.00 | | | | | |
| 300' and over 1.25 | | | | | |
| Group 2 | 9.06 | .75 | .85 | | .10 |
| Group 3 | 8.76 | .75 | .85 | | .10 |
| Group 4 | 8.53 | .75 | .85 | | .10 |
| Group 5 | 8.41 | .75 | .85 | | .10 |
| Group 6 | 8.06 | .75 | .85 | | .10 |
| Group 7 | 9.92 | .75 | .85 | | .10 |
| TRUCK DRIVERS - Heavy & Highway Construction: | | | | | |
| Group 1 | 7.79 | .60 | .70 | | |
| Group 2 | 7.94 | .60 | .70 | | |
| Group 3 | 8.14 | .60 | .70 | | |
| Group 4 | 8.34 | .60 | .70 | | |
| Group 5 | 8.57 | .60 | .70 | | |

DECISION #NV77-5012 - Mod. #4
(42 FR 8947 - February 11, 1977)
Nevada Test Site including the Tonopah Test Range in Clark and Nye Counties, Nevada

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Power Equipment Operators: (Except Piledriving and Steel Erection): | | | | | |
| Group 1 | $9.98 | .95 | $2.00 | .30 | .04 |
| Group 2 | 10.22 | .95 | 2.00 | .30 | .04 |
| Group 3 | 10.46 | .95 | 2.00 | .30 | .04 |
| Group 4 | 10.57 | .95 | 2.00 | .30 | .04 |
| Group 5 | 10.76 | .95 | 2.00 | .30 | .04 |
| Group 6 | 10.86 | .95 | 2.00 | .30 | .04 |
| Group 7 | 9.76 | .75 | 2.00 | .30 | |
| Group 7-A | 9.47 | .75 | 2.00 | .30 | |
| Group 7-B | 9.36 | .75 | 2.00 | .30 | |
| Group 7-C | 9.12 | .75 | 2.00 | .30 | |



DECISION #NV77-5031 - Mod. #3
(42 FR 15278 - March 18, 1977)
Washoe County, Nevada

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Cement masons: | | | | | |
| Lake Tahoe Area: | | | | | |
| Cement masons | $10.10 | .65 | .90 | $1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 10.35 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 10.60 | .65 | .90 | 1.10 | .03 |
| Remainder of Washoe County: | | | | | |
| Zone 1: Area within a 15-mile radius of the Main Post Office, Reno, Nevada, or within a 15-mile radius of the employee's permanent residence in the State of Nevada, or within a 15-mile radius of the center of the jobsite; also area within a 7-mile radius of the Main Post Office, Carson City, Nevada: | | | | | |
| Cement masons | 8.65 | .65 | .90 | 1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 8.90 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 9.15 | .65 | .90 | 1.10 | .03 |
| Zone 2: Area outside of Zone 1: | | | | | |
| 2-A: Area over 15 but not over 50 miles to the center of the jobsite: | | | | | |
| Cement masons | 9.40 | .65 | .90 | 1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 9.65 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 9.90 | .65 | .90 | 1.10 | .03 |

DECISION NO. NV77-5031 (Cont'd):

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change (Cont'd): | | | | | |
| Cement masons (Cont'd): | | | | | |
| Remainder of Washoe County (Cont'd): | | | | | |
| Zone 2 (Cont'd): | | | | | |
| 2-B: Area over 50 miles to center of jobsite: | | | | | |
| Cement masons | $10.65 | .65 | .90 | $1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 10.90 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 11.15 | .65 | .90 | 1.10 | .03 |
| Electricians: | | | | | |
| Lake Tahoe Area: | | | | | |
| Electricians; Technicians | 13.98 | .67 | 1%+ .77 | | .08 |
| Cable splicers | 15.28 | .67 | 1%+ .77 | | .08 |
| Washoe County (does not include Lake Tahoe Area: | | | | | |
| Electricians; Technicians | 12.98 | .67 | 1%+ .77 | | .08 |
| Cable splicers | 14.28 | .67 | 1%+ .77 | | .08 |



DECISION #NV77-5146 - Mod. #3
(42 FR 22082 - April 29, 1977)
Statewide (does not include the Nevada Test Site and Tonopah Test Range, and does not include highway construction in Douglas County), Nevada

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Cement masons: | | | | | |
| Lake Tahoe Area: | | | | | |
| Cement masons | $10.10 | .65 | .90 | $1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 10.35 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 10.60 | .65 | .90 | 1.10 | .03 |
| Remaining Counties: | | | | | |
| Zone 1: Area within a 15-mile radius of the Main Post Office, Reno, Nevada, or within a 15-mile radius of the employee's permanent residence in the State of Nevada; also area within a 7-mile radius of the Main Post Office, Carson City, Nevada: | | | | | |
| Cement masons | 8.65 | .65 | .90 | 1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 8.90 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 9.15 | .65 | .90 | 1.10 | .03 |
| Zone 2 - Highway construction: | | | | | |
| Area outside of Zone 1: | | | | | |
| Cement masons | 9.90 | .65 | .90 | 1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 10.15 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 10.40 | .65 | .90 | 1.10 | .03 |

DECISION NO. NV77-5146 (Cont'd):

| Change (Cont'd): | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Cement masons (Cont'd): | | | | | |
| Remaining Counties (Cont'd): | | | | | |
| Zone 2 - Nonhighway construction: | | | | | |
| 2-A: Area over 15 but not over 50 miles to the center of the jobsite: | | | | | |
| Cement masons | $9.40 | .65 | .90 | $1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 9.65 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 9.90 | .65 | .90 | 1.10 | .03 |
| 2-B: Area over 50 miles to the center of the jobsite: | | | | | |
| Cement masons | 10.65 | .65 | .90 | 1.10 | .03 |
| Mastic, Magnesite and all Composition masons | 10.90 | .65 | .90 | 1.10 | .03 |
| Troweling Machine; Grinder Operator and Kelly Float | 11.15 | .65 | .90 | 1.10 | .03 |
| Electricians: | | | | | |
| Clark, Lincoln, Nye County (south half): | | | | | |
| Electricians; Technicians | 13.96 | .73 | 1%+ 1.30 | | .08 |
| Cable splicers | 14.29 | .73 | 1%+ 1.30 | | .08 |
| Lake Tahoe Area: | | | | | |
| Electricians; Technicians | 13.98 | .67 | 1%+ .77 | | .08 |
| Cable splicers | 15.28 | .67 | 1%+ .77 | | .08 |
| Nye County (north of Mt. Diablo Base Line) and Remaining Counties excluding Lake Tahoe Area: | | | | | |
| Electricians; Technicians | 12.98 | .67 | 1%+ .77 | | .08 |
| Cable splicers | 14.28 | .67 | 1%+ .77 | | .08 |
| Glaziers: | | | | | |
| Clark, Esmeralda, Lincoln, Nye Counties | 12.88 | .35 | .40 | | .05 |



| Decision No. NY77-3013-Mod. #1 (42 FR 24631-May 13, 1977) Nassau and Suffolk Counties, New York | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| LABORERS, BUILDING: | | | | | |
| Laborers, mason tenders, and mortar mixers | $8.45 | .99 | 1.03 | .84 | |

| DECISION NO. OH77-2080 - Mod. #2 (42 FR 24655 - May 13, 1977) Ashtabula, Cuyahoga, Lake, Lorain, Portage, Stark, & Summit Counties, Ohio | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Laborers (Ashtabula County): | | | | | |
| Sheeting & shoring men; Asphalt rakers & tampers; Dumpmen (Batch truck); Signalmen; Concrete workers; Building wreckers; Tool checkers; Carpenters' tenders; Construction laborers; All work not mentioned in classifications below to be paid at the rate of construction laborers | $9.95 | | | | |
| Spreader box men (asphalt); Stone masons' assistant; Plasterers or mortar mixers; & Squeegee man | 10.10 | | | | |
| Air & machine driven tool op.; Industrial sewer cleaning; Sewer pipe layers; Bottom men (6' & over); Power driven wheelbarrows & sweepers; Brick batter & droppers; Burning & cutting torches; Mud jacking of floors | 10.15 | | | | |
| Stackmen; Swinging scaffold men | 10.25 | | | | |
| Tunnel laborers | 10.35 | | | | |
| Gunnite ops. | 10.45 | | | | |
| Power blasters | 10.50 | | | | |

| DECISION NO. OH77-2087 - Mod. #1 (42 FR 26095 - May 20, 1977) Knox & Morrow Counties, Ohio | | | | | |
|---|---|---|---|---|---|
| Change: | | | | | |
| Electricians | 5.69 | | | | |
| Laborers | 5.06 | | | | |
| Roofers | 4.84 | | | | |



| DECISION #PA77-3026 - Mod. # 5 (42 FR 7066 - February 4, 1977) Lancaster County, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers & Stonemasons | $9.55 | .45 | .45 | | .01 |
| Laborers: | | | | | |
| General Laborers | 6.70 | .40 | .45 | | |
| Operators of jackhammer | 6.90 | .40 | .45 | | |
| Wagon drill | 7.00 | .40 | .45 | | |
| Handling of all materials | 6.85 | .40 | .45 | | |
| Laborers assisting tile | 6.75 | .40 | .45 | | |
| Handling & using dynamite | 7.03 | .40 | .45 | | |
| Caisson work (top men) | 6.95 | .40 | .45 | | |
| Caisson work (bottom men) | 7.15 | .40 | .45 | | |
| Mixer man | 7.10 | .40 | .45 | | |
| Line Construction | | | | | |
| Lineman & cable splicer | 11.51 | .40 | 1% | | 3/4% |
| Groundman | 6.87 | .40 | 1% | | 3/4% |
| Winch truck operators | 8.03 | .40 | 1% | | 3/4% |
| Painters: | | | | | |
| Remainder of County: | | | | | |
| Brush | 8.95 | .70 | .55 | | |
| Steel & Spray | 10.00 | .70 | .55 | | |
| Roller | 8.95 | .70 | .55 | | |
| Piledrivermen | 10.77 | 2.13 | 1.30 | e | .12 |
| Soft floor layers | 8.88 | .40 | .50 | | .03 |

| DECISION #PA77-3028 - Mod. # 2 (42 FR 20098 - April 15, 1977) Adams & York Counties, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers & Stonemasons | $9.55 | .45 | .45 | | .01 |
| Laborers: | | | | | |
| General Laborers | 6.70 | .40 | .45 | | |
| Operators of jackhammer (etc.) | 6.90 | .40 | .45 | | |
| Wagon drill (etc.) | 7.00 | .40 | .45 | | |
| Handling of all materials (etc.) | 6.85 | .40 | .45 | | |
| Laborers assisting tile (etc.) | 6.75 | .40 | .45 | | |
| Handling & unsing dynamite | 7.03 | .40 | .45 | | |
| Caisson Work (top men) | 6.95 | .40 | .45 | | |
| Caisson work (bottom men) | 7.15 | .40 | .45 | | |
| Mixer man | 7.10 | .40 | .45 | | |
| Painters: | | | | | |
| Brush | 7.35 | .35 | .15 | | |
| Steel & Spray | 7.90 | .35 | .15 | | |
| Plasterers (Adams County) | 9.25 | .55 | .40 | | .01 |
| Piledrivermen | 10.77 | 2.13 | 1.30 | c | .12 |
| Soft floor layers(Adams County) | 8.88 | .40 | .50 | | .03 |
| Modification #1, dated 5/6/77, in 42 FR 23284, to read (Adams & York Counties, Pennsylvania) | | | | | |



| DECISION #PA77-3030 - Mod. # 3 (42 FR 10266 - February 18, 1977) Cumberland, Dauphin, Perry, Juniata, New Cumberland Depot in York County, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers & Stonemasons | $9.60 | .60 | .57 | | .01 |
| Electricians | 10.56 | .45 | 3%+.31 | | 1/4 of 1% |
| Glaziers | 9.39 | .40 | .40 | | .01 |
| Laborers: | | | | | |
| Air, fuel and electric tool operators and all other pneumatic and mechanical tools including blow-pipe and vacuum cleaners, pipelayers, power-buggy, precast slab placers and signal men | 7.70 | .30 | .35 | | |
| Unskilled laborer | 7.55 | .30 | .35 | | |
| Plaster and cement mason tenders, machine mixers, plaster pump and scaffold builders (excluding masonry scaffolding for cassion workers, blasters, wagon air track and diamond point drill operators, burning torches, green cutting machine and steam jenny | 8.02 | .30 | .35 | | |
| Mason tenders, machine mixers, motorized stockers, scaffold builders (masonry), mortar pump, conveyors, mechanical cleaners and sandblasting for masonry and masonry equipment | 8.12 | .30 | .35 | | |
| Nursery workers, window washers, floor scrubbers and watchmen | 7.20 | .30 | .35 | | |
| Line Construction: | | | | | |
| Linemen | 10.81 | .40 | 1% | | 3/8% |
| Cable splicer | 10.81 | .40 | 1% | | 3/8% |
| Groundmen | 6.45 | .40 | 1% | | 3/8% |
| Winch truck operator | 7.54 | .40 | 1% | | 3/8% |
| Marble Setters | 9.73 | .60 | .55 | | |

| DECISION #PA77-3030 - Mod. #3, Cont'd. | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Plasterers | $9.25 | .55 | .40 | | .01 |
| Terrazzo Workers & Tile Setters | 8.48 | .60 | | | |
| Truck Drivers: | | | | | |
| Pick-ups, dump, service trucks, flat trucks, to and including 2 license plates | 7.99 | d | e | | |
| Transit Mix, winch trucks, tractor all types euclid, ross lumber and over 2 plates | 8.24 | d. | e | | |

Footnotes:
d. $71.37 per mohth for employees who has worked sixty hours or more during the month.
e. $41.95 per month for employees who has worked sixty hours or more during the month.



| DECISION #PA77-3031 - Mod. # 3 (42 FR 18839 - April 8, 1977) Lebanon County, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers & Stonemasons | $9.60 | .60 | .57 | | .01 |
| Electricians: | | | | | |
| Lawn, East Hanover, and Indiantown Gap Military Reservation | 10.56 | .45 | 3%+.31 | | 1/4 of 1% |
| Glaziers: | | | | | |
| Remainder of County | 9.39 | .40 | .40 | | .01 |
| Line Construction: | | | | | |
| Linemen & Cable Splicer | 11.51 | .40 | 1% | | 3/4 % |
| Groundmen | 6.87 | .40 | 1% | | 3/4 % |
| Winch truck operators | 8.03 | .40 | 1% | | 3/4% |
| Painters: | | | | | |
| (East of Route 72) | | | | | |
| Brush | 8.95 | .70 | .55 | | |
| Structural Steel & Spray | 10.00 | .70 | .55 | | |
| Highway bridge | 10.40 | .70 | .55 | | |
| Plumbers & Steamfitters: | | | | | |
| East of Route # 501 | 11.76 | .80 | 1.45 | | .11 |
| Soft Floor Layers | 8.88 | .40 | .50 | | .03 |
| Truck Drivers: | | | | | |
| Pick-ups, dump, flat trucks to & including 2 highway license plates | 7.99 | d | e | | |
| Transit-mix, winch trucks, tractor trailers, all types euclids, ross lumber carriers & trucks over 2 plates | 8.24 | d | e | | |

FOOTNOTES::
d. $71.37 per month for employees who have worked sixty hours or more during the month.
e. $41.95 per month for employees who have worked sixty hours or more during the month.

| DECISION ØPA77-3032 - Mod. Ø 2 (42 FR 16373 - March 25, 1977) Lycoming County, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| LABORERS: | | | | | |
| Unskilled laborers, scaffold builders, wrecking, window cleaners & demolition | $7.20 | .40 | .35 | | |
| Mason tenders, operators of jackhammers, paving breakers, vibrators & other pneumatic & mechanical tools coming under the jurisdiction of laborers, wagon drill operators, excavating for caisson, under pinning & pier holes (below 12"), non-metallic pipe layers, plaster tenders, mortar men (mixed by hand), handling & using cutting or burning torches in the wrecking of building | 7.35 | .40 | .35 | | |
| Sprinkler Fitters | 11.86 | .65 | .95 | | .08 |
| Soft floor layers | 8.88 | .40 | .50 | | .03 |
| Piledrivermen | 10.77 | 2.13 | 1.30 | d | .12 |



| DECISION ØPA77-3034 - Mod. Ø 3 (42 FR 20100 - April 15, 1977) Schuylkill County, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers & Stonemasons | $9.30 | .60 | .95 | | |
| Laborers: | | | | | |
| Unskilled laborers & window cleaners | 6.70 | .40 | .25 | | |
| Operator of jackhammer, paving breaking & other pneumatic, electric & mechanical tools, laying of all clay, terra cotta, ironstone, vitrified concrete or non-metallic pipe & the making of joints for same, wagon drill operators, cofferdams (below 10'), tunnel free air handling & using cutting or burning torches in the wrecking of buildings, blasters, plasterer tenders, mason tenders, scaffold builders and removal & power buggies | 6.80 | .40 | .25 | | |
| Marble setters & tile setters | 9.30 | .60 | .95 | | |
| Painters: | | | | | |
| Commercial & Industrial: | | | | | |
| Remainder of County | | | | | |
| Brush | 8.95 | .70 | .55 | | |
| Steel | 10.00 | .70 | .55 | | |
| Spray | 10.00 | .70 | .55 | | |
| Piledrivermen | 10.77 | 2.13 | 1.30 | e | .12 |
| Plasterers | 9.30 | .60 | .95 | | |
| Soft floor layers | 8.88 | .40 | .50 | | .03 |
| Sprinklers Fitters | 11.86 | .65 | .95 | | .08 |
| Tile setters | 8.30 | .60 | .95 | | |
| Cement masons | 9.30 | .60 | .95 | | |

MODIFICATIONS P. 19

| DECISION #PA77-3034, Mod. # 3, Cont.d. | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ADD: | | | | | |
| Painters: | | | | | |
| Townships of North Union, East Union, Union, Mahanoy, West Mahanoy, West Mahanoy, Butler, Kline, Delano, Ryan, Rush, Rahn, West Penn, and City of Tamaqua | | | | | |
| Brush | 9.30 | .50 | .30 | | .05 |
| Tapers | 9.56 | .50 | .30 | | .05 |
| Hazardous | 10.56 | .50 | .30 | | .05 |
| DECISION #PA77-3039 - Mod. # 4 (42 FR 18778 - April 8, 1977) Clinton, Centre, Huntingdon, Fulton & Mifflin Counties, Pennsylvania | | | | | |
| Change: | | | | | |
| Bricklayers & Stonemasons | | | | | |
| Zone 2 | $9.50 | .55 | .65 | | |
| Electricians: | | | | | |
| Zone 2 | 10.56 | .45 | 3%+.31 | | 1/4 of 1% |
| Line Construction: | | | | | |
| Zone 3 | | | | | |
| Lineman | 10.81 | .40 | 1% | | 3/8% |
| Winch truck operator | 7.54 | .40 | 1% | | 3/8% |
| Groundman | 6.45 | .40 | 1% | | 3/8% |
| Truck Drivers: | | | | | |
| Zone 2 | | | | | |
| Pick-ups, dump, service trucks, flat trucks to and including Z license plates | 7.99 | f | g | | |
| Transit-mix, winch trucks, tractor, all types euclids, ross lumber & trucks over Z plates | 8.24 | f | g | | |

FOOTNOTES:

f. $71.37 per month per employee who have worked sixty (60) hours during the month
g. $41.95 per month for employee who have worked sixty (60) hours or more during the month.

MODIFICATIONS P. 20

| DECISION #PA77-3049 - Mod. # 2 (42 FR 21043 - April 22, 1977) Northumberland County, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Bricklayers & Stonemasons | $9.50 | .55 | .65 | | |
| Laborers: | | | | | |
| North of Susquehanna River | 7.20 | .40 | .35 | | |
| South of Susquehanna River | 7.55 | .30 | .35 | | |
| Piledriverman | 10.77 | 2.13 | 1.30 | a | .12 |
| Sprinkler Fitters | 11.86 | .65 | .95 | | .08 |
| Soft floor layers | 8.88 | .40 | .50 | | |
| ADD: | | | | | |
| Painters: | | | | | |
| Hazardous | 10.56 | .50 | .30 | | .05 |

| DECISION #PA77-3053 - Mod. # 1 (42 FR 24672 - May 13, 1977) Elk, Forest, McKean & Warren Counties, Pennsylvania | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Change: | | | | | |
| Asbestos Workers | | | | | |
| Zone 3 | $11.31 | 1.02 | .55 | | .02 |
| Bricklayers, cement masons & stonemasons: | | | | | |
| ZONE 1 | 11.00 | .55 | .50 | | |
| Ironworkers: | | | | | |
| ZONE 1 | 10.23 | 1.86 | 1.01 | | .10 |
| ZONE 2 | 10.835 | .70 | 1.151 | | .07 |
| Laborers: | | | | | |
| (See Schedule Below) | | | | | |
| Millwrights | | | | | |
| ZONE 1 | 9.86 | 6% | 6% | 22% | 1/2% |
| Painters | | | | | |
| ZONE 2 | | | | | |
| Commercial | | | | | |
| Brush & Roller | 10.10 | .55 | .80 | | |
| Spray | 11.10 | .55 | .80 | | |
| Industrial | | | | | |
| Brush & Roller | 10.60 | .55 | .80 | | |
| Spray | 11.60 | .55 | .80 | | |
| Piledrivermen | 11.15 | 5.5% | 10% | | 50% |
| Plumbers & Steamfitters | | | | | |
| Zone 1 | 11.20 | .78 | 1.03 | | .22 |
| Roofers | | | | | |
| Zone 1 | 11.41 | .77 | 1.50 | | .06 |



| DECISION #PA77-3053 - Mod. # 1, Cont'd. | Basic Hourly Rates | Fringe Benefits Payments | | | | |
|---|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | App. Tr. | Others |
| BUILDING CONSTRUCTION | | | | | | |
| Laborers: | | | | | | |
| Common laborer, carpenter tender, scaffold builder for masons, window cleaner, form stripper and mover, scaffold and runways, building materials handlers (Loading and Unloading), concrete pitman, puddler, mason tender. | $8.48 | 8% | 6.5% | | 3.5% | |
| Mechanical tampers (power) powered wheelbarrows and buggies & work-lifts, sweepers and similar, mortar mixer, boll bottom man on furnaces and stacks, jackhammer man, concrete buster, wagon drill helper, concrete saw operator, blaster's helper, drill runner's helper (Includes drill mounted truck, track or similar) sheeters and shores, vibrator operators, power tamper operators, y-gun, burner-cutting torch, carryayable pumps, chain saw operator, pipe layers, all material conveyors and elevators, signal man, walk behind fork lift or similar, whacker, sand blaster, maintenance man, west brick buggies or similar, scaffold builder for plasterers' regardless of height, hod carrier, plaster tender, form cleaning machine operator, plaster applicating and/or pump machine operator, paving breaker, asphalt raker, lancer, borfix cutting tool, gunnite potman blacksmith, tool dresser (cable tools. | 8.73 | 8% | 6.5% | | 3.5% | |
| Blasters, wagon drill operator, drill runner, gunnite nozzle man, grout machine operator, walk behind power roller and tamper, welder, driller (cable tools) | 9.28 | 8% | 6.5% | | 3.5% | |
| Wrecking Laborers | 8.48 | 8% | 6.5% | | 3.5% | |
| Low Burner | 8.73 | 8% | 6.5% | | 3.5% | |
| Jackhammer Operator | 8.73 | 8% | 6.5% | | 3.5% | |
| High Burner | 9.53 | 8% | 6.5% | | 3.5% | |
| High Burner Helper | 9.23 | 8% | 6.5% | | 3.5% | |

MODIFICATIONS P. 123

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| DECISION #TX76-4197 - Mod. #6 (41 FR 56602 - December 28, 1976) Lubbock County, Texas | | | | | |
| Change: Cement masons | $ 7.10 | | | | |
| DECISION #TX77-4054 - Mod. #6 (42 FR 12671 - March 4, 1977) Brazos County, Texas | | | | | |
| Change: Cement masons | 9.86 | .52 | .55 | | .08 |
| DECISION #TX77-4102 - Mod. #3 (42 FR 24707 - May 13, 1977) Galveston & Harris Cos., Texas | | | | | |
| Change: Cement masons: Harris County | 9.86 | .52 | .55 | | .08 |

SUPERSEDEAS DECISION

STATE: Arizona COUNTY: Statewide
DECISION NUMBER: AZ77-5058 DATE: Date of Publication
Supersedes Decision No. AZ76-5109 dated November 26, 1976, in 41 FR 52189.
DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ASBESTOS WORKERS | $ 11.04 | .50 | $ 1.10 | | .02 |
| BOILERMAKERS | 13.175 | .775 | 1.00 | .50 | .02 |
| BRICKLAYERS: (Phoenix Area) | | | | | |
| Bricklayers; Manhole Builders; Stonemasons: | | | | | |
| Zone A (0-25 miles from the City Hall in Phoenix; Flagstaff and Yuma) | 10.05 | .65 | .90 | | .06 |
| Zone B (25-40 miles from the City Hall in Phoenix; and Williams AFB) | 10.55 | .65 | .90 | | .06 |
| Zone C (40-70 miles from the City Hall in Phoenix) | 11.56 | .65 | .90 | | .06 |
| Zone D (70-100 miles from City Hall in Phoenix). | 12.06 | .65 | .90 | | .06 |
| Zone E (100-200 miles from the City Hall in Phoenix) | 12.56 | .65 | .90 | | .06 |
| Zone F (200 miles and over from the City Hall in Phoenix) | 13.07 | .65 | .90 | | .06 |
| BRICKLAYERS: (Tucson Area) | | | | | |
| Bricklayers; Stonemasons: | | | | | |
| Zone A (0-15 miles from Tucson City limits) | 10.42 | .80 | .80 | | .06 |
| Zone B (Over 15 miles to 30 miles from Tucson City limits) | 10.79 | .80 | .80 | | .06 |
| Zone C (Over 30 miles to 40 miles from Tucson City limits) | 11.17 | .80 | .80 | | .06 |
| Zone D (Over 40 miles from Tucson City limits) | 11.92 | .80 | .80 | | .06 |
| Manhole Builders: | | | | | |
| Zone A (0-15 miles from Tucson City limits) | 10.67 | .80 | .80 | | .06 |
| Zone B (Over 15 miles to 30 miles from Tucson City limits) | 11.04 | .80 | .80 | | .06 |
| Zone C (Over 30 miles to 40 miles from Tucson City limits) | 11.41 | .80 | .80 | | .06 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| BRICKLAYERS: (Tucson Area) (Cont'd) | | | | | |
| Manhole Builders: (Cont'd) | | | | | |
| Zone D (Over 40 miles from Tucson City limits) | $ 12.17 | .80 | .80 | | .06 |
| CARPENTERS: | | | | | |
| (Central and Southern Areas): | | | | | |
| Carpenters; Drywall Applicators; Saw Filers; Shingler | 9.785 | .845 | .955 | | .05 |
| Floorlayers (finish); Pile-drivermen | 10.07 | .845 | .955 | | .05 |
| Millwrights | 10.20 | .845 | .955 | | .05 |
| (Northern Area) | | | | | |
| Carpenters; Drywall Applicator; Saw Filer; Shingler | 11.66 | .845 | .955 | | .05 |
| Floorlayers (finish); Pile-drivermen | 11.945 | .845 | .955 | | .05 |
| Millwrights | 12.075 | .845 | .955 | | .05 |
| CEMENT MASONS: | | | | | |
| (Apache, Coconino, Gila, Mohave, Navajo, Yavapai, Yuma and the Northern portions of Graham, Greenlee, Maricopa and Pinal Counties) | | | | | |
| (Central and Southern Areas) | | | | | |
| Cement Masons | 9.51 | .95 | 1.00 | | .05 |
| Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine | 9.67 | .95 | 1.00 | | .05 |
| (Northern Area) | | | | | |
| Cement Masons | 11.385 | .95 | 1.00 | | .05 |
| Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine | 11.545 | .95 | 1.00 | | .05 |
| (Cochise, Pima, Santa Cruz and the southern portions of Graham, Greenlee, Maricopa and Pinal Counties) | | | | | |
| (Central and Southern Areas) | | | | | |
| Cement Masons | 10.22 | .85 | .85 | | .05 |
| Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine | 10.385 | .85 | .85 | | .05 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| DRYWALL: (From Court House in Phoenix, Mesa, including Luke and Williams Air Force Bases) | | | | | |
| Tapers: | | | | | |
| Zone A (0-40 miles) | $ 9.71 | .59 | .50 | | .07 |
| Zone B (41-60 miles) | 10.71 | .59 | .50 | | .07 |
| Zone C (61 miles and over) | 11.96 | .59 | .50 | | .07 |
| Texture Spraymen: | | | | | |
| Zone A (0-40 miles) | 9.81 | .59 | .50 | | .07 |
| Zone B (41-60 miles) | 10.81 | .59 | .50 | | .07 |
| Zone C (61 miles and over) | 12.06 | .59 | .50 | | .07 |
| ELECTRICIANS: (Flagstaff Area) | | | | | |
| Zone A (in the City of Flagstaff, that area lying in a square extending 20 miles North-South, East and West of the Post Office) (Williams, Winslow and Sedona covering a square extending 5 miles North-South, East and West of the Post Office in each town) | | | | | |
| Electricians | 12.64 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 12.84 | .96 | 1%+.70 | | 1/2% |
| Zone B (All territoral jurisdiction allotted outside of Zone A) | | | | | |
| Electricians | 14.94 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 15.14 | .96 | 1%+.70 | | 1/2% |
| ELECTRICIANS: (Gallup Area-Northern Apache County) | | | | | |
| Electricians | 12.60 | .60 | 1%+.70 | | 1/2% |
| Cable Splicers | 13.65 | .60 | 1%+.70 | | 1/2% |
| ELECTRICIANS: (Globe-Miami Area) | | | | | |
| Zone A (The area within 16 road miles beginning where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing) | | | | | |
| Electricians | 13.09 | 6% | 9% | | 1/2% |
| Cable Splicers | 13.34 | 6% | 9% | | 1/2% |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: (Globe-Miami Area) (Cont'd) | | | | | |
| Zone B (16-28 miles) | | | | | |
| Electricians | $ 13.79 | 6% | 9% | | 1/2% |
| Cable Splicers | 14.04 | 6% | 9% | | 1/2% |
| Zone C (28-46 miles) | | | | | |
| Electricians | 14.39 | 6% | 9% | | 1/2% |
| Cable Splicers | 14.64 | 6% | 9% | | 1/2% |
| Zone D (46 miles and over) | | | | | |
| Electricians | 15.09 | 6% | 9% | | 1/2% |
| Cable Splicers | 15.34 | 6% | 9% | | 1/2% |
| ELECTRICIANS: (Phoenix) | | | | | |
| Zone A (Beginning at the north-east corner, a line extending southward on Bush Highway to McKellips Road; a line extending east on McKellips Road to a point one mile east of the intersection of State Highway 88 and U. S. 60 and 70 near Apache Junction; Southward to Baseline Road; west on Baseline Road to the intersection of Baseline Road and Ellsworth Road; South on Ellsworth Road to Hunt Highway; west on Hunt Highway to Powers Road; a line extending south on Powers Road five miles, then extending straight west to a point five miles west of Interstate 10, then northwest on a line parallel with Interstate 10 to intersect with Pecos Road, west on Pecos Road to intersect with Cotton Lane, North on Cotton Lane to Beloat Road. West on Beloat Road to Airport Road. North on Airport Road in a straight line to intersect Waddell Road. East on Waddell Road to intersect with Cotton Lane, North on Cotton Lane to Deer Valley Drive and east on Deer Valley Drive to intersect with Bush Highway including Luke and Williams Air Force Bases.) | | | | | |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: (Cont'd) | | | | | |
| Electricians | $ 12.04 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 12.64 | .96 | 1%+.70 | | 1/2% |
| Zone B (Area outside of Zone A and bounded by a line formed by measuring sixteen (16) road miles from the outer boundaries of an area enclosed by the following boundaries: Power Road on the east, from Hunt Highway on the south to one mile south of Pinnacle Peak Road on the north; One mile south Pinnacle Peak Road to Cotton Lane on the west; Cotton Lane to Pecos Road on the south. Pecos Road to Price Road and from Price Road to Hunt Highway on the south. Hunt Highway to Powers Road on the east) | | | | | |
| Electricians | 14.15 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 14.85 | .96 | 1%+.70 | | 1/2% |
| Zone C (outside edge of Zone B and extended to the outside limits of the union's jurisdiction) | | | | | |
| Electricians | 15.23 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 15.99 | .96 | 1%+.70 | | 1/2% |
| ELECTRICIANS: (Kingman) | | | | | |
| Zone A (The area within the 16th road mile from the City Hall) | | | | | |
| Electricians | 12.04 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 12.64 | .96 | 1%+.70 | | 1/2% |
| Zone B (from the 16th road mile and extend up to and including the 32nd road mile) | | | | | |
| Electricians | 14.15 | .69 | 1%+.70 | | 1/2% |
| Cable Splicers | 14.85 | .69 | 1%+.70 | | 1/2% |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: (Kingman) (Cont'd) | | | | | |
| Zone C (From the 32nd road mile and extend up to the outside limits of the union's jurisdiction) | | | | | |
| Electricians | $ 15.23 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 15.99 | .96 | 1%+.70 | | 1/2% |
| ELECTRICIANS: (Prescott) | | | | | |
| Zone A (The area within 20 road miles from the City Hall) | | | | | |
| Electricians | 12.04 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 12.64 | .96 | 1%+.70 | | 1/2% |
| Zone B (From the 20th road mile and extend up to and including the 32nd road mile) | | | | | |
| Electricians | 14.15 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 14.85 | .96 | 1%+.70 | | 1/2% |
| Zone C (From the 32nd road mile and extend to the outside limits of the union's jurisdiction) | | | | | |
| Electricians | 15.23 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 15.99 | .96 | 1%+.70 | | 1/2% |
| ELECTRICIANS: (Tucson Area) | | | | | |
| Zone A (Area within 16 road miles from the City Hall in Tucson and Douglas. Nogales and Sierra Vista shall be limited to 16 road miles from the center of the respective towns) | | | | | |
| Electricians | 13.09 | 6% | 9% | | 1/2% |
| Cable Splicers | 13.34 | 6% | 9% | | 1/2% |
| Zone B (Area from the outer limits of the 16 mile radius and extend up to and including 12 road miles) | | | | | |
| Electricians | 13.79 | 6% | 9% | | 1/2% |
| Cable Splicers | 14.04 | 6% | 9% | | 1/2% |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: (Tucson Area) (Cont'd) | | | | | |
| Zone C (Area from 12 road miles up to and including 30 road miles) | | | | | |
| Electricians | $ 14.39 | 5% | 8% | | 1/2% |
| Cable Splicers | 14.64 | 5% | 8% | | 1/2% |
| Zone D (Area from 30 road miles and extend to the outside limits of the union's jurisdiction) | | | | | |
| Electricians | 15.09 | 5% | 8% | | 1/2% |
| Cable Splicers | 15.34 | 5% | 8% | | 1/2% |
| ELECTRICIANS: (Yuma Area) | | | | | |
| Zone A (Yuma North of Colorado River, East of County Avenue 5E, South to County 16th Street, and West to County Avenue E; Cities of Somerton and Parker) | | | | | |
| Electricians | 11.88 | .45 | 7% | | 1% |
| Cable Splicers | 12.13 | .45 | 7% | | 1% |
| Zone B (1-16 miles from Zone A) | | | | | |
| Electricians | 12.58 | .45 | 7% | | 1% |
| Cable Splicers | 12.83 | .45 | 7% | | 1% |
| Zone C (16-42 miles from Zone A) | | | | | |
| Electricians | 13.18 | .45 | 7% | | 1% |
| Cable Splicers | 13.43 | .45 | 7% | | 1% |
| Zone D (42 miles from Zone A and out) | | | | | |
| Electricians | 13.88 | .45 | 7% | | 1% |
| Cable Splicers | 14.13 | .45 | 7% | | 1% |
| ELEVATOR CONSTRUCTORS | 11.55 | .495 | .32 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS | 70%JR | .495 | .32 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS (PROB.) | 50%JR | | | | |
| GLAZIERS | 9.42 | .70 | .30 | | .01 |
| IRONWORKERS: | | | | | |
| Central and Southern Areas | 10.94 | 1.14 | 1.06 | | .08 |
| Northern Area | 12.94 | 1.14 | 1.06 | | .08 |
| LATHERS: (Tucson Area) | | | | | |
| Zone A (0-30 miles from Tucson) | 9.28 | .35 | .40 | | |
| Zone B (30-40 miles from Tucson) | 9.78 | .35 | .40 | | |
| Zone C (40-50 miles from Tucson) | 10.03 | .35 | .40 | | |
| Zone D (Area outside Zone C) | 10.78 | .35 | .40 | | |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: (Flagstaff Area) | | | | | |
| Zone A (From Falgstaff Court House to 20 miles) | | | | | |
| Brush; Soft Floor Layers | $ 9.73 | .70 | .60 | .50 | .20 |
| Brush, steel and bridge | 10.23 | .70 | .60 | .50 | .20 |
| Spray | 10.18 | .70 | .60 | .50 | .20 |
| Spray, steel and bridge | 10.73 | .70 | .60 | .50 | .20 |
| Zone B (20-35 miles from Court House in Flagstaff) | | | | | |
| Brush; Soft Floor Layers | 10.48 | .70 | .60 | .50 | .20 |
| Brush, steel and bridge | 10.98 | .70 | .60 | .50 | .20 |
| Spray | 10.93 | .70 | .60 | .50 | .20 |
| Spray, steel and bridge | 11.48 | .70 | .60 | .50 | .20 |
| Zone C (35-80 miles from Court House in Flagstaff) | | | | | |
| Brush; Soft Floor Layers | 11.48 | .70 | .60 | .50 | .20 |
| Brush, steel and bridge | 11.98 | .70 | .60 | .50 | .20 |
| Spray | 11.93 | .70 | .60 | .50 | .20 |
| Spray, steel and bridge | 12.48 | .70 | .60 | .50 | .20 |
| Zone D (80 miles and over from Court House in Flagstaff) | | | | | |
| Brush; Soft Floor Layers | 11.73 | .70 | .60 | .50 | .20 |
| Brush, steel and bridge | 12.23 | .70 | .60 | .50 | .20 |
| Spray | 12.18 | .70 | .60 | .50 | .20 |
| Spray, steel and bridge | 12.73 | .70 | .60 | .50 | .20 |
| PAINTERS: (Phoenix Area) | | | | | |
| Zone A (0-40 miles from Court House in Phoenix, Mesa and including Luke and Williams Air Force Bases): | | | | | |
| Brush | 9.69 | .59 | .38 | | .05 |
| Spray | 9.94 | .59 | .38 | | .05 |
| Steel and bridge, brush | 10.04 | .59 | .38 | | .05 |
| Steel and bridge, spray | 10.24 | .59 | .38 | | .05 |
| Zone B (41-60 miles from Court House in Phoenix) | | | | | |
| Brush | 10.69 | .59 | .38 | | .05 |
| Spray | 10.94 | .59 | .38 | | .05 |
| Steel and bridge, brush | 11.04 | .59 | .38 | | .05 |
| Steel and bridge, spray | 11.24 | .59 | .38 | | .05 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: (Phoenix Area) (Cont'd) | | | | | |
| Zone C (60 miles and over from Court House in Phoenix) | | | | | |
| Brush | $ 11.69 | .59 | .38 | | .05 |
| Spray | 11.94 | .59 | .38 | | .05 |
| Steel and bridge, brush | 12.04 | .59 | .38 | | .05 |
| Steel and bridge, spray | 12.24 | .59 | .38 | | .05 |
| PAINTERS: (Tucson and Yuma Areas) | | | | | |
| Zone A (0-30 miles from Stone and Congress in Tucson and from the County Courthouse in Yuma) | | | | | |
| Brush | 8.78 | .67 | .35 | | .04 |
| Spray | 9.28 | .67 | .35 | | .04 |
| Steel and bridge, brush | 9.78 | .67 | .35 | | .04 |
| Steel and bridge, spray | 10.28 | .67 | .35 | | .04 |
| Zone B (31-40 miles from Stone and Congress in Tucson and from the County Courthouse in Yuma) | | | | | |
| Brush | 9.53 | .67 | .35 | | .04 |
| Spray | 10.03 | .67 | .35 | | .04 |
| Steel and bridge, brush | 10.53 | .67 | .35 | | .04 |
| Steel and bridge, spray | 11.03 | .67 | .35 | | .04 |
| Zone C (41-50 miles from Stone and Congress in Tucson and from the County Courthouse in Yuma) | | | | | |
| Brush | 10.03 | .67 | .35 | | .04 |
| Spray | 10.53 | .67 | .35 | | .04 |
| Steel and bridge, brush | 11.03 | .67 | .35 | | .04 |
| Steel and bridge, spray | 11.53 | .67 | .35 | | .04 |
| Zone D (51 miles and over from Stone and Congress in Tucson and from the County Courthouse in Yuma) | | | | | |
| Brush | 10.78 | .67 | .35 | | .04 |
| Spray | 11.28 | .67 | .35 | | .04 |
| Steel and bridge, brush | 11.78 | .67 | .35 | | .04 |
| Steel and bridge, spray | 12.28 | .67 | .35 | | .04 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLASTERERS: (Phoenix Area) | | | | | |
| Zone A (0-35 miles from Phoenix) | $ 9.045 | .60 | .85 | | .035 |
| Zone B (35-60 miles from Phoenix) | 9.795 | .60 | .85 | | .035 |
| Zone C (60 miles and over from Phoenix) | 10.67 | .60 | .85 | | .035 |
| PLASTERERS: (Tucson Area) | | | | | |
| Zone A (0-30 miles from Tucson) | 8.57 | .35 | .60 | | |
| Zone B (30-40 miles from Tucson) | 9.07 | .35 | .60 | | |
| Zone C (40-50 miles from Tucson) | 9.32 | .35 | .60 | | |
| Zone D (50 miles and over from Tucson) | 10.07 | .35 | .60 | | |
| PLASTERERS' TENDERS: | | | | | |
| Central and Southern Areas | 9.16 | .85 | .85 | | .10 |
| PLUMBERS; Steamfitters: | | | | | |
| FREE ZONE 0-15 miles | | | | | |
| The "Free Zone" (Zone I) shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 miles radius from the stated base point. In addition, all areas within the city limits of Phoenix, Chandler, Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow and Holbrook will be included as Free Zones. Any work contracted for outside of these Zones will be determined from the Phoenix and Tucson basing points. | | | | | |
| Zone I (0-15 miles) | 11.14 | .75 | 1.35 | | .10 |
| Zone II (15-30 miles) | 11.49 | .75 | 1.35 | | .10 |
| Zone III (30-40 miles) | 11.91 | .75 | 1.35 | | .10 |
| Zone IV (40 miles and over) | 13.21 | .75 | 1.35 | | .10 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ROOFERS: (Tucson Area) Asbestos; Shinglers; Tile and Waterproofing: | | | | | |
| Zone A (0-44 miles from Tucson) | $ 8.97 | .845 | .20 | | .02 |
| Zone B (Over 44 miles from Tucson) | 10.72 | .845 | .20 | | .02 |
| ROOFERS: (Phoenix Area) | | | | | |
| Roofers and Waterproofers | 9.66 | .845 | .20 | | .02 |
| SHEET METAL WORKERS: | | | | | |
| Zones Bases - from the Administration Building or City Hall in Flagstaff, Kingman, Phoenix, Prescott and Yuma): | | | | | |
| Zone I (0-25 miles) | 10.43 | 3%+.70 | 1.10 | | .07 |
| Zone II (25-50 miles) | 11.08 | 3%+.70 | 1.10 | | .07 |
| Zone III ( 50 miles and over) | 12.93 | 3%+.70 | 1.10 | | .07 |
| SHEET METAL WORKERS: | | | | | |
| Zone Bases - from the Administration Building or City Hall in Douglas and Tucson: | | | | | |
| Zone A (0-22 miles) | 9.99 | 3%+.94 | 1.91 | | .04 |
| Zone B (22-45 miles) | 10.94 | 3%+.94 | 1.91 | | .04 |
| Zone C (Over 45 miles) | 12.49 | 3%+.94 | 1.91 | | .04 |
| SOFT FLOOR LAYERS: (Phoenix Area) | | | | | |
| Zone A (0-40 miles from Court House in Phoenix and Flagstaff including Luke and Williams Air Force Bases) | 8.81 | .49 | .12 | | .12 |
| Zone B (41-60 miles from Court House in Phoenix and Flagstaff) | 9.81 | .49 | .12 | | .12 |
| Zone C (61 miles and over from Court House in Phoenix and Flagstaff) | 10.81 | .49 | .12 | | .12 |
| SOFT FLOOR LAYERS: (Tucson Area) | 9.25 | .38 | | | |
| SPRINKLER FITTERS | 12.29 | .65 | .95 | | .08 |
| TERRAZZO WORKERS; Tile Setters; Marble Masons: (Tucson Area) | 9.42 | .70 | .75 | | |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LINE CONSTRUCTION: | | | | | |
| Zone I (Phoenix and Tucson 30 mile radius from center of town): | | | | | |
| Groundmen | 8.79 | 8% | 8% | | 1/2% |
| Equipment Operators; Powdermen; Mechanics | 10.15 | 8% | 8% | | 1/2% |
| Linemen; Technicians; Crane Operators; Linemen Welder | 11.45 | 8% | 8% | | 1/2% |
| Cable Splicers | 11.82 | 8% | 8% | | 1/2% |
| Zone I-A (Douglas, Flagstaff, Globe, Kingman, Prescott and Yuma 10 mile radius from center of town): | | | | | |
| Groundmen | 9.55 | 8% | 8% | | 1/2% |
| Equipment Operators; Powdermen; Mechanics | 10.85 | 8% | 8% | | 1/2% |
| Linemen; Technicians; Crane Operators; Linemen Welder | 12.20 | 8% | 8% | | 1/2% |
| Cable Splicers | 12.64 | 8% | 8% | | 1/2% |
| Zone II (Other Areas): | | | | | |
| Groundmen | 10.26 | 8% | 8% | | 1/2% |
| Equipment Operators; Powdermen; Mechanics | 11.57 | 8% | 8% | | 1/2% |
| Linemen; Technicians; Crane Operators; Linemen Welder | 12.93 | 8% | 8% | | 1/2% |
| Cable Splicers | 13.31 | 8% | 8% | | 1/2% |

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.



| | Basic Hourly Rates C & S AREA | Basic Hourly Rates N AREA | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|---|
| | | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS | | | | | | |
| Group 1: | $ 8.01 | $ 9.635 | .85 | .85 | | .10 |
| Group 2: | 8.14 | 9.765 | .85 | .85 | | .10 |
| Group 3: | 8.28 | 9.905 | .85 | .85 | | .10 |
| Group 4: | 8.39 | 10.015 | .85 | .85 | | .10 |
| Group 5: | 8.56 | 10.185 | .85 | .85 | | .10 |
| Group 6: | 8.935 | 10.56 | .85 | .85 | | .10 |
| Group 7: | 9.565 | 11.19 | .85 | .85 | | .10 |
| LABORERS (Tunnel and Shaft Work) | | | | | | |
| Group 1: | 8.255 | 9.88 | .85 | .85 | | .10 |
| Group 2: | 8.42 | 10.045 | .85 | .85 | | .10 |
| Group 3: | 8.55 | 10.175 | .85 | .85 | | .10 |
| Group 4: | 8.91 | 10.535 | .85 | .85 | | .10 |
| Group 5: | 9.085 | 10.71 | .85 | .85 | | .10 |
| Group 5A: | 9.335 | 10.96 | .85 | .85 | | .10 |
| POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection) | | | | | | |
| Group 1: | 8.60 | 10.225 | .95 | .90 | | .06 |
| Group 2: | 8.97 | 10.595 | .95 | .90 | | .06 |
| Group 3: | 9.43 | 11.055 | .95 | .90 | | .06 |
| Group 4: | 9.96 | 11.585 | .95 | .90 | | .06 |
| Group 5: | 10.49 | 12.115 | .95 | .90 | | .06 |
| Group 5A: | 10.80 | 12.425 | .95 | .90 | | .06 |
| Group 6: | 11.13 | 12.755 | .95 | .90 | | .06 |
| Group 7: | 11.73 | 13.355 | .95 | .90 | | .06 |
| TRUCK DRIVERS | | | | | | |
| Group 1: | 8.19 | 9.815 | .85 | .85 | | .06 |
| Group 2: | 8.32 | 9.945 | .85 | .85 | | .06 |
| Group 3: | 8.54 | 10.165 | .85 | .85 | | .06 |
| Group 4: | 8.89 | 10.515 | .85 | .85 | | .06 |
| Group 5: | 9.05 | 10.675 | .85 | .85 | | .06 |
| Group 5A: | 9.23 | 10.855 | .85 | .85 | | .06 |
| Group 6: | 9.37 | 10.995 | .85 | .85 | | .06 |
| Group 7: | 9.78 | 11.405 | .85 | .85 | | .06 |
| Group 8: | 10.295 | 11.92 | .85 | .85 | | .06 |
| Group 8A: | 10.95 | 12.575 | .85 | .85 | | .06 |
| Group 8B: | 10.64 | 11.265 | .85 | .85 | | .06 |
| Group 8C: | 8.75 | 10.375 | .85 | .85 | | .06 |

LABORERS

Group 1: All Helpers not herein separately classified; Cesspool Diggers and installers; Chat Box Man; Checker, tool dispatcher; Concrete dump manbelt, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder highway; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer; Cleanup, Bull gang; Trackman-railroad

Group 2: Cement finisher tender; Concrete curer (impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy

Group 3: Bander; Chucktender (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spiker and wrenchers

Group 4: Cement dumpers (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Cribber and shorer (except tunnel); Floor sanders concrete; Hydraulic jacks, and similar mechanical tools not separately classified herein; Operators and tenders of pneumatic and electric tools; Pipe caulker and/or backup man (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/Signalman (pipeline)

Group 5: Air and water wash-out nozzleman; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipelayers (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using Bos'n chairs or safety belt); Tampers (mechanical - all types); Precast manhole erector

Group 6: Concrete Cutting Torch; Concrete saw (hand guided); Driller, (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and nixerman (gunite); Sandblaster (nozzleman)

Group 7: Concrete Road Form Setter; Gunite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 220 Gardner-Denver, Hydrasonic; Powderman; Scaler (drillers); Welders and/or pipelayers installing process piping; Form setter and/or builder



LABORERS
(Tunnel and Shaft Workers)

Group 1: Bull Gang, muckers, trackman; Dumpmen; Concrete crew (includes rodders and spreaders); Grout crew; Swamper (brakeman and switchmen on tunnel work); Change house man

Group 2: Nipper; Chucktender, Cabletender, Vibratorman, Jackhammer, Pneumatic tools (except driller)

Group 3: Grout Gunman

Group 4: Timberman, Retimberman - wood or steel blaster, driller powderman; Cherry pickerman; Powderman - primer house; Steel form raiser and setter; Kemper and other pneumatic concrete placer operator; Miner - finisher; Miners - Tunnel (hand or machine)

Group 5: Diamond Drill

Group 5A: Shaft and Raise Miner Welder

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air compressor operator; Field equipment servicemen helper; Heavy duty repair helper; Heavy duty welder helper; Oiler; Pump operator

Group 2: Conveyor operator; Generator operator - portable; Power grizzly operator; Self-propelled chip spreading machine - conveyor operator; Watch fireman; Welding machine operator - gasoline and diesel power

Group 3: Concrete mixer operator - skip type; Dinky operator - (under 20 tons wt.); Driver-moto paver, Slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group 4: A-Frame boom truck or winch truck operator; Asphalt plant firemen; Elevator hoist operator (including Tuskey hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types - except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including Slurry seal machine operator) Stationary pipewrapping and cleaning machine operator; Tugger operator

Group 5: Aggregate plant operator (including crushing, screening and sand plants, etc.); Asphalt plant mixer operator; Belterete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar types); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Drilling machine, including water wells; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signalman; Kolman belt loader operator or similar, w/belt width 48" or over; Locomotive engineer (incl. Dinky-20 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road Oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator - single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipewrapping machine operator

Group 5-A: Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher,



POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator

Group 6: Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds., MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator- attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - Shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS

Group 1: Teamsters; Pickups; Station Wagons; Manhaul driver

Group 2: Dump or flatrack (2 or 3 axle); Water truck (under 2500 gals.); Buggymobile (1 c. y. or less); Tiroman; Bus drivers, ambulance driver, self-propelled street sweeper; Warehouseman

Group 3: Dump or flatrack (4 axle); Dumptor or dumpster (less than 7 c. y.); Water truck (2500 gals. but less than 4000 gals.)

Group 4: Dumptor or dumpster (7 c. y. but less than 16 c. y.); Dump or flatrack (5 axle); Water truck (4000 gals. and over); Slurry type equipment or leverman; Flaherty spreader or similar type equipment or leverman; Transit mix (8 c. y. or less)

Group 5: Dump or flatrack (6 axle); Transit mix (over 8 c. y. but less than 10.5 c. y.); Rock trucks (i.e. Dart, Euclid and other similar type end dumps, single unit, less than 16 c. y.)).

Group 5A: Oil tanker or spreader and/or bootman, retortman or leverman

Group 6: Transit mix (over 10.5 c. y. but less than 14 c. y.); Ross Carrier fork lift or lift truck; Hydro lift, Swedish Crane Iowa 300 and similar types; Concrete pump (when integral part of transit mix truck); Dump or flatrack (7 axle)

Group 7: Dump or Flatrack (8 axles)

Group 8: Off-Highway Equipment driver including but not limited to: 2 or 4 wheel power unit, i.e., Cat DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling water tanks, fuel tanks or other applications under Teamster Classifications; Rock trucks (Dart, Euclid, or other similar end dump types) 16 c. y. and over; Ejectalls; Dumptor or dumpster (16 c. y. and over); Dump or flatrack (9 axles)

Group 8A: Heavy duty mechanic/welder; Body and fender man

Group 8B: Field Equipment serviceman or fuel truck driver

Group 8C: Heavy duty mechanic/welder helper

SUPERSEDEAS DECISION

STATE: Arizona COUNTY: Maricopa
DECISION NUMBER: AZ77-5059 DATE : Date of Publication
Supersedes Decision No. AZ76-5110 dated November 26, 1976, in 41 FR 52198.
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 | $ 11.04 | .50 | $ 1.10 | | .02 |
| BOILERMAKERS | 13.175 | .775 | 1.00 | .50 | .02 |
| BRICKLAYERS; Stonemasons: | | | | | |
| Zone A (0-25 miles from City Hall of Phoenix; Flagstaff and Yuma) | 10.05 | .65 | .90 | | .06 |
| Zone B (25-40 miles from City Hall of Phoenix; and Williams AFB) | 10.55 | .65 | .90 | | .06 |
| Zone C (40-70 miles from City Hall of Phoenix) | 11.56 | .65 | .90 | | .06 |
| Zone D (70-100 miles from City Hall of Phoenix) | 12.06 | .65 | .90 | | .06 |
| Zone E (100-200 miles from City Hall of Phoenix) | 12.56 | .65 | .90 | | .06 |
| Zone F (200 miles and over from City Hall of Phoenix) | 13.07 | .65 | .90 | | .06 |
| CARPENTERS: | | | | | |
| Carpenters; Drywall Applicator | 9.785 | .845 | .955 | | .05 |
| Piledrivermen; Floorlayers (finish) | 10.07 | .845 | .955 | | .05 |
| Millwrights | 10.20 | .845 | .955 | | .05 |
| CEMENT MASONS: | | | | | |
| Northern portion | 9.51 | .95 | 1.00 | | .05 |
| Southern portion | 10.22 | .85 | .85 | | .05 |
| DRYWALL: | | | | | |
| (From Courthouse in Phoenix, Mesa, including Williams AFB and Luke AFB): | | | | | |
| Zone A (0-40 miles) | 9.71 | .59 | .50 | | .07 |
| Zone B (41-60 miles) | 10.71 | .59 | .50 | | .07 |
| Zone C (61 miles and over) | 11.96 | .59 | .50 | | .07 |
| Texture Spraymen: | | | | | |
| Zone A (0-40 miles) | 9.81 | .59 | .50 | | .07 |
| Zone B (41-60 miles) | 10.81 | .59 | .50 | | .07 |
| Zone C (61 miles and over) | 12.06 | .59 | .50 | | .07 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: | | | | | |
| Zone A (Beginning at the northeast corner, a line extending southward on Bush Highway to McKellips Road; a line extending east on McKellips Road to a point one mile east of the intersection of State Highway 88 and U. S. 60 and 70 near Apache Junction; southward to Baseline Road; west on Baseline Road to the intersection of Baseline Road and Ellsworth Road; South on Ellsworth Road to Hunt Highway; West on Hunt Highway to Powers Road; a line extending south on Powers Road five miles, then ocxending straight west to a point five miles west of Interstate 10, then northwest on a line parallel with Interstate 10 to intersect with Pecos Road; West on Pecos to intersect with Cotton Lane. North on Cotton Lane to Beloat Road. West on Beloat Road to Airport Road. North on Airport Road in a straight line to intersect Waddell Road. East on Waddell Road to intersect with Cotton Lane. North on Cotton Lane to Deer Valley Drive and east on Deer Valley Drive to intersection with Bush Highway and including Luke and Williams Air Force Bases.) | | | | | |
| Electricians | $ 12.04 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 12.64 | .96 | 1%+.70 | | 1/2% |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: (Cont'd) | | | | | |
| Zone B (Area outside of Zone A and bounded by a line formed by measuring sixteen (16) road miles from the outer boundaries of an area enclosed by the following boundaries; Power Road on the east from Hunt Highway on the south to one mile south of Pinnacle Peak Road on the north. One mile south of Pinnacle Peak Road to Cotton Lane on the west. Cotton Lane to Pecos Road on the south. Pecos Road to Price Road and from Price Road to Hunt Highway on the south. Hunt Highway to Powers Road on the east.) | | | | | |
| Electricians | $ 14.15 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 14.85 | .96 | 1%+.70 | | 1/2% |
| Zone C (Outside edge of Zone B and extend to the outside limits of the Union's jurisdiction) | | | | | |
| Electricians | 15.23 | .96 | 1%+.70 | | 1/2% |
| Cable Splicers | 15.99 | .96 | 1%+.70 | | 1/2% |
| ELEVATOR CONSTRUCTORS | 11.55 | .495 | .32 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS | 70%JR | .495 | .32 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS (PROB.) | 50%JR | | | | |
| GLAZIERS | 9.42 | .70 | .30 | | .01 |
| IRONWORKERS | 10.94 | 1.14 | 1.86 | | .08 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: | | | | | |
| Zone A (0-40 miles from Court House in Phoenix, Mesa and including Luke and Williams Air Force Bases): | | | | | |
| Brush; Tapers | $ 9.69 | .59 | .38 | | .05 |
| Spray; Paperhangers | 9.94 | .59 | .38 | | .05 |
| Zone B (41-60 miles from Court House in Phoenix) | | | | | |
| Brush; Tapers | 10.69 | .59 | .38 | | .05 |
| Spray; Paperhangers | 10.94 | .59 | .38 | | .05 |
| Zone C (61 miles and over from Court House in Phoenix) | | | | | |
| Brush; Tapers | 11.69 | .59 | .38 | | .05 |
| Spray; Paperhangers | 11.94 | .59 | .38 | | .05 |
| PLASTERERS (Northern 3/4 of Co.): | | | | | |
| Zone A (0-35 miles from Phoenix) | 9.045 | .60 | .85 | | .035 |
| Zone B (35-60 miles from Phoenix) | 9.795 | .60 | .85 | | .035 |
| Zone C (60 miles and over from Phoenix) | 10.67 | .60 | .85 | | .035 |
| PLASTERERS (Southern 1/4 of Co.): | | | | | |
| Zone A (0-30 miles from Tucson) | 8.57 | .35 | .60 | | |
| Zone B (30-40 miles from Tucson) | 9.07 | .35 | .60 | | |
| Zone C (40-50 miles from Tucson) | 9.32 | .35 | .60 | | |
| Zone D (50 miles and over from Tucson) | 10.07 | .35 | .60 | | |
| PLASTERERS' Tenders | 9.16 | .85 | .85 | | .10 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLUMBERS; Steamfitters: | | | | | |
| FREE ZONE 0-15 miles | | | | | |
| The "Free Zone" (Zone I shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 mile radius from the state base point. In addition, all areas within the City limits of Phoenix, Chandler, Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow and Holbrook will be included as Free Zones. Any work contracted for outside of these Zones will be determined from the Phoenix and Tucson basing points: | | | | | |
| Plumbers; Steamfitters | $ 11.14 | .75 | 1.35 | | .10 |
| Zone II (15-30 miles) | 11.49 | .75 | 1.35 | | .10 |
| Zone III (30-40 miles) | 11.91 | .75 | 1.35 | | .10 |
| Zone IV (40 miles and over) | 13.21 | .75 | 1.35 | | .10 |
| ROOFERS | 9.66 | .845 | .20 | | .02 |
| SHEET METAL WORKERS: | | | | | |
| Zone I (0-25 miles excluding Luke and Williams AFB) | 10.43 | 3%+.70 | 1.10 | | .07 |
| Zone II (25-50 miles including Luke and Williams AFB) | 11.08 | 3%+.70 | 1.10 | | .07 |
| Zone III (50 miles and over) | 12.93 | 3%+.70 | 1.10 | | .07 |
| SOFT FLOOR LAYERS: | | | | | |
| Zone A (0-40 miles from Court House in Phoenix and including Luke and Williams AFB) | 8.81 | .49 | .12 | | .12 |
| Zone B (41-60 miles from Court House in Phoenix) | 9.81 | .49 | .12 | | .12 |
| Zone C (61 miles and over) | 10.81 | .49 | .12 | | .12 |
| SPRINKLER FITTERS | 12.29 | .65 | .95 | | .08 |

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS | | | | | |
| Group 1: | $ 8.01 | .85 | .85 | | .10 |
| Group 2: | 8.14 | .85 | .85 | | .10 |
| Group 3: | 8.28 | .85 | .85 | | .10 |
| Group 4: | 8.39 | .85 | .85 | | .10 |
| Group 5: | 8.56 | .85 | .85 | | .10 |
| Group 6: | 8.935 | .85 | .85 | | .10 |
| Group 7: | 9.565 | .85 | .85 | | .10 |
| POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection) | | | | | |
| Group 1 | 8.60 | .95 | .90 | | .06 |
| Group 2: | 8.97 | .95 | .90 | | .06 |
| Group 3: | 9.43 | .95 | .90 | | .06 |
| Group 4: | 9.96 | .95 | .90 | | .06 |
| Group 5: | 10.49 | .95 | .90 | | .06 |
| Group 5A: | 10.80 | .95 | .90 | | .06 |
| Group 6: | 11.13 | .95 | .90 | | .06 |
| Group 7: | 11.73 | .95 | .90 | | .06 |
| TRUCK DRIVERS | | | | | |
| Group 1: | 8.19 | .85 | .85 | | .06 |
| Group 2: | 8.32 | .85 | .85 | | .06 |
| Group 3: | 8.54 | .85 | .85 | | .06 |
| Group 4: | 8.89 | .85 | .85 | | .06 |
| Group 5: | 9.05 | .85 | .85 | | .06 |
| Group 5A: | 9.23 | .85 | .85 | | .06 |
| Group 6: | 9.37 | .85 | .85 | | .06 |
| Group 7: | 9.78 | .85 | .85 | | .06 |
| Group 8: | 10.295 | .85 | .85 | | .06 |
| Group 8A: | 10.95 | .85 | .85 | | .06 |
| Group 8B: | 10.64 | .85 | .85 | | .06 |
| Group 8C: | 8.75 | .85 | .85 | | .06 |



LABORERS

Group 1: All Helpers not herein separately classified; Cesspool Diggers and installers; Chat Box Man; Checker, tool dispatcher; Concrete dump manbelt, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder highway; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer; Cleanup, Bull gang; Trackman-railroad

Group 2: Cement finisher tender; Concrete curer (impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy

Group 3: Bander; Chucktender (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spiker and wrenchers

Group 4: Cement dumpers (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Cribber and shorer (except tunnel); Floor sanders concrete; Hydraulic jacks, and similar mechanical tools not separately classified herein; Operators and tenders of penumatic and electric tools; Pipe caulker and/or backup man (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/Signalman (pipeline)

Group 5: Air and water wash-out nozzleman; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipelayers (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using Bos'ns chairs or safety belt); Tampers (mechanical - all types); Precast manhole erector

Group 6: Concrete Cutting Torch; Concrete saw (hand guided); Driller, (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and mixerman (gunite); Sandblaster (nozzleman)

Group 7: Concrete Road Form Setter; Gunite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 220 Gardner-Denver, Hydrasonic; Powderman; Scaler (drillers); Welders and/or pipelayers installing process piping; Form setter and/or builder

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air compressor operator; Field equipment serviceman helper; Heavy duty repair helper; Heavy duty welder helper; Oiler; Pump operator

Group 2: Conveyor operator; Generator operator - portable; Power grizzly operator; Self-propelled chip spreading machine - conveyor operator; Watch fireman; Welding machine operator - gasoline and diesel power

Group 3: Concrete mixer operator - skip type; Dinky operator - (under 20 tons wt.); Driver-moto paver, Slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group 4: A-Frame boom truck or winch truck operator; Asphalt plant firemen; Elevator hoist operator (including Tuskey hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types - except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including Slurry seal machine operator) Stationary pipewrapping and cleaning machine operator; Tugger operator

Group 5: Aggregate plant operator (including crushing, screening and sand plants, etc.); Asphalt plant mixer operator; Belterete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar types); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Drilling machine, including water wells; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signalman; Kolman belt loader operator or similar, w/belt width 48" or over; Locomotive engineer (incl. Dinky-20 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road Oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator - single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipewrapping machine operator

Group 5-A: Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator



POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 6: Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds., MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator- attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - Shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS

Group 1: Teamsters; Pickups; Station Wagons; Manhaul driver

Group 2: Dump or flatrack (2 or 3 axle); Water truck (under 2500 gals.); Buggymobile (1 c. y. or less); Tireman; Bus drivers, ambulance driver, self-propelled street sweeper; Warehouseman

Group 3: Dump or flatrack (4 axle); Dumptor or dumpster (less than 7 c. y.); Water truck (2500 gals. but less than 4000 gals.)

Group 4: Dumptor or dumpster (7 c. y. but less than 16 c. y.); Dump or flatrack (5 axle); Water truck (4000 gals. and over); Slurry type equipment or leverman; Flaherty spreader or similar type equipment or leverman; Transit mix (8 c. y. or less)

Group 5: Dump or flatrack (6 axle); Transit mix (over 8 c. y. but less than 10.5 c. y.); Rock truck (i.e. Dart, Euclid and other similar type end dumps, single unit) less than 16 c. y.))

Group 5A: Oil tanker or spreader and/or bootman, retortman or leverman

Group 6: Transit mix (over 10.5 c. y. but less than 14 c. y.); Ross Carrier fork lift or lift truck; Hydro lift, Swedish Crane Iowa 300 and similar types; Concrete pump (when integral part of transit mix truck); Dump or flatrack (7 axle)

Group 7: Dump or Flatrack (8 axles)

Group 8: Off-Highway Equipment Driver including but not limited to: 2 or 4 wheel power unit, i.e., Cat DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling water tanks, fuel tanks or other applications under Teamster Classifications; Rock trucks (Dart, Euclid, or other similar end dump types) 16 c. y. and over; Eject-alls; Dumptor or dumpster (16 c. y. and over); Dump or flatrack (9 axles)

Group 8A: Heavy duty mechanic/welder; Body and fender man

Group 8B: Field Equipment serviceman or fuel truck driver

Group 8C: Heavy duty mechanic/welder helper

SUPERSEDEAS DECISION

STATE: Arizona COUNTY: Pima
DECISION NUMBER: AZ77-5060 DATE : Date of Publication
Supersedes Decision No. AZ76-5111 dated November 26, 1976, in 41 FR 52204
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 | $ 11.04 | .50 | $ 1.10 | | .02 |
| BOILERMAKERS | 13.175 | .775 | 1.00 | .50 | .02 |
| BRICKLAYERS; Stonemasons: | | | | | |
| Zone A (0-15 miles from Tucson) | 10.42 | .80 | .80 | | .06 |
| Zone B (15-30 miles from Tucson) | 10.79 | .80 | .80 | | .06 |
| Zone C (30-40 miles from Tucson) | 11.17 | .80 | .80 | | .06 |
| Zone D (40 miles and over from Tucson) | 11.92 | .80 | .80 | | .06 |
| CARPENTERS: | | | | | |
| Carpenters; Drywall Applicator Piledrivermen; Floor Layers (finish) | 9.785 | .845 | .955 | | .025 |
| Millwrights | 10.07 | .845 | .955 | | .025 |
| CEMENT MASONS | 10.20 | .845 | .955 | | .025 |
| ELECTRICIANS: | 10.22 | .85 | .85 | | .05 |
| Zone A (0-16 miles from City Hall in Tucson) | 9.23 | 6.7% | 1% | | 1/2% |
| Zone B (26-32 miles from City Hall in Tucson) | 9.73 | 6.7% | 1% | | 1/2% |
| Zone C (32-48 miles from City Hall in Tucson) | 10.23 | 6.7% | 1% | | 1/2% |
| Zone D (48 miles and over from City Hall in Tucson) | 10.73 | 6/7% | 1% | | 1/2% |
| ELEVATOR CONSTRUCTORS | 11.55 | .495 | .32 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS | 70%JR | .495 | .32 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS (PROB.) | 50%JR | | | | |
| GLAZIERS | 9.42 | .70 | .30 | | .01 |
| IRONWORKERS | 10.94 | 1.14 | 1.86 | | .08 |
| LATHERS: | | | | | |
| Zone A (0-30 miles from Tucson) | 9.28 | .35 | .40 | | |
| Zone B (30-40 miles from Tucson) | 9.78 | .35 | .40 | | |
| Zone C (40-50 miles from Tucson) | 10.03 | .35 | .40 | | |
| Zone D (Area outside Zone C) | 10.78 | .35 | .40 | | |
| MARBLE SETTERS; Terrazzo Workers; Tile Setters | 9.42 | .70 | .75 | | |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS, Brush: | | | | | |
| Zone A (0-30 miles from Tucson P.O.) | $ 8.78 | .67 | .35 | | .04 |
| Zone B (31-40 miles from Tucson P. O.) | 9.53 | .67 | .35 | | .04 |
| Zone C (41-50 miles from Tucson P. O.) | 10.03 | .67 | .35 | | .04 |
| Zone D (51 miles and over from Tucson P. O.) | 10.78 | .67 | .35 | | .04 |
| Painters; Structural steel, Brush: | | | | | |
| Zone A (0-30 miles from Tucson P. O.) | 9.78 | .67 | .35 | | .04 |
| Zone B (31-40 miles from Tucson P. O.) | 10.53 | .67 | .35 | | .04 |
| Zone C (41-50 miles from Tucson P. O.) | 11.03 | .67 | .35 | | .04 |
| Zone D (51 miles and over from Tucson P. O.) | 11.78 | .67 | .35 | | .04 |
| PLASTERERS: | | | | | |
| Zone A (0-30 miles from Tucson P. O.) | 8.57 | .35 | .60 | | |
| Zone B (30-40 miles from Tucson P. O.) | 9.07 | .35 | .60 | | |
| Zone C (40-50 miles from Tucson P. O.) | 9.32 | .35 | .60 | | |
| Zone D (50 miles and over from Tucson P. O.) | 10.07 | .35 | .60 | | |
| PLASTERERS' TENDERS | 9.16 | .85 | .85 | | .10 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLUMBERS; Steamfitters: | | | | | |
| FREE ZONE 0-15 miles | | | | | |
| The "Free Zone" (Zone I shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 miles radius from the stated base point. In addition, all areas within the City limits of Phoenix, Chandler, Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow and Holbrook will be included as Free Zones). Any work contracted from outside of these zones will be determined from the Phoenix and Tucson basing points. | $ 11.14 | .75 | $ 1.35 | | .10 |
| Zone II (15-30 miles) | 11.49 | .75 | 1.35 | | .10 |
| Zone III (30-40 miles) | 11.91 | .75 | 1.35 | | .10 |
| Zone IV (40 miles and over) | 13.21 | .75 | 1.35 | | .10 |
| ROOFERS: | | | | | |
| Zone A (0-44 miles from Tucson) | 8.97 | .845 | .20 | | .20 |
| Zone B (Over 44 miles from Tucson) | 10.72 | .845 | .20 | | .02 |
| SHEET METAL WORKERS: | | | | | |
| Zone A (0-22 miles from Tucson) | 9.99 | 3%+.94 | 1.91 | | .01 |
| Zone B (22-45 miles from Tucson) | 10.94 | 3%+.94 | 1.91 | | .01 |
| Zone C (over 45 miles from Tucson) | 12.94 | 3%+.94 | 1.91 | | .01 |
| SOFT FLOOR LAYERS | 9.25 | .38 | | | |
| SPRINKLER FITTERS | 12.29 | .65 | .95 | | .08 |

FOOTNOTE:
a. Employer credits 4% basic hourly rate of employee with over 5 years service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Fund.
6 Paid Holidays: A through F.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

| LABORERS | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Group 1: | $ 8.01 | .85 | .85 | | .10 |
| Group 2: | 8.14 | .85 | .85 | | .10 |
| Group 3: | 8.28 | .85 | .85 | | .10 |
| Group 4: | 8.39 | .85 | .85 | | .10 |
| Group 5: | 8.56 | .85 | .85 | | .10 |
| Group 6: | 8.935 | .85 | .85 | | .10 |
| Group 7: | 9.565 | .85 | .85 | | .10 |
| POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection) | | | | | |
| Group 1 | 8.60 | .95 | .90 | | .06 |
| Group 2: | 8.97 | .95 | .90 | | .06 |
| Group 3: | 9.43 | .95 | .90 | | .06 |
| Group 4: | 9.96 | .95 | .90 | | .06 |
| Group 5: | 10.49 | .95 | .90 | | .06 |
| Group 5A: | 10.80 | .95 | .90 | | .06 |
| Group 6: | 11.13 | .95 | .90 | | .06 |
| Group 7: | 11.73 | .95 | .90 | | .06 |
| TRUCK DRIVERS | | | | | |
| Group 1: | 8.19 | .85 | .85 | | .06 |
| Group 2: | 8.32 | .85 | .85 | | .06 |
| Group 3: | 8.54 | .85 | .85 | | .06 |
| Group 4: | 8.89 | .85 | .85 | | .06 |
| Group 5: | 9.05 | .85 | .85 | | .06 |
| Group 5A: | 9.23 | .85 | .85 | | .06 |
| Group 6: | 9.37 | .85 | .85 | | .06 |
| Group 7: | 9.78 | .85 | .85 | | .06 |
| Group 8: | 10.295 | .85 | .85 | | .06 |
| Group 8A: | 10.95 | .85 | .85 | | .06 |
| Group 8B: | 10.64 | .85 | .85 | | .06 |
| Group 8C: | 8.75 | .85 | .85 | | .06 |



LABORERS

Group 1: All Helpers not herein separately classified; Cesspool Diggers and installers; Chat Box Man; Checker, tool dispatcher; Concrete dump manbelt, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder highway; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer; Cleanup, Bull gang; Trackman-railroad

Group 2: Cement finisher tender; Concrete curer (impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy

Group 3: Bander; Chucktender (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spiker and wrenchers

Group 4: Cement dumpers (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Cribber and shorer (except tunnel); Floor sanders concrete; Hydraulic jacks, and similar mechanical tools not separately classified herein; Operators and tenders of penumatic and electric tools; Pipe caulker and/or backup mah (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/Signalman (pipeline)

Group 5: Air and water wash-out nozzleman; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipelayers (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using Bos'ns chairs or safety bolt); Tampers (mechanical - all types); Precast manhole erector

Group 6: Concrete Cutting Torch; Concrete saw (hand guided); Driller, (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and mixerman (gunite); Sandblaster (nozzleman)

Group 7: Concrete Road Form Setter; Gunite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 220 Gardner-Denver, Hydrasonic; Powderman; Scaler (drillers); Welders and/or pipelayers installing process piping; Form setter and/or builder

31072 NOTICES

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air compressor operator; Field equipment serviceman helper; Heavy duty repair helper; Heavy duty welder helper; Oiler; Pump operator

Group 2: Conveyor operator; Generator operator - portable; Power grizzly operator; Self-propelled chip spreading machine - conveyor operator; Watch fireman; Welding machine operator - gasoline and diesel power

Group 3: Concrete mixer operator - skip type; Dinky operator - (under 20 tons wt.); Driver-moto paver, Slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group 4: A-Frame boom truck or winch truck operator; Asphalt plant firemen; Elevator hoist operator (including Tuskay hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types - except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including Slurry seal machine operator) Stationary pipewrapping and cleaning machine operator; Tugger operator

Group 5: Aggregate plant operator (including crushing, screening and sand plants, etc.); Asphalt plant mixer operator; Belterete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar types); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Drilling machine, including water wells; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signalman; Kolman belt loader operator or similar, w/belt width 48" or over; Locomotive engineer (incl. Dinky-20 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road Oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator - single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipewrapping machine operator

Group 5-A: Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator



POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 6: Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds., MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator- attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - Shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS

Group 1: Teamsters; Pickups; Station Wagons; Manhaul driver

Group 2: Dump or flatrack (2 or 3 axle); Water truck (under 2500 gals.); Buggymobile (1 c. y. or less); Tireman; Bus drivers, ambulance driver, self-propelled street sweeper; Warehouseman

Group 3: Dump or flatrack (4 axle); Dumptor or dumpster (less than 7 c. y.); Water truck (2500 gals. but less than 4000 gals.)

Group 4: Dumptor or dumpster (7 c. y. but less than 16 c. y.); Dump or flatrack (5 axle); Water truck (4000 gals. and over); Slurry type equipment or leverman; Flaherty spreader or similar type equipment or leverman; Transit mix (8 c. y. or less)

Group 5: Dump or flatrack (6 axle); Transit mix (over 8 c. y. but less than 10.5 c. y.); Rock truck (i.e. Dart, Euclid and other similar type end dumps, single unit) less than 16 c. y.))

Group 5A: Oil tanker or spreader and/or bootman, retortman or leverman

Group 6: Transit mix (over 10.5 c. y. but less than 14 c. y.); Ross Carrier fork lift or lift truck; Hydro lift, Swedish Crane Iowa 300 and similar types; Concrete pump (when integral part of transit mix truck); Dump or flatrack (7 axle)

Group 7: Dump or Flatrack (8 axles)

Group 8: Off-Highway Equipment Driver including but not limited to: 2 or 4 wheel power unit, i.e., Cat DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling water tanks, fuel tanks or other applications under Teamster Classifications; Rock trucks (Dart, Euclid, or other similar end dump types) 16 c. y. and over; Ejectalls; Dumptor or dumpster (16 c. y. and over); Dump or flatrack (9 axles)

Group 8A: Heavy duty mechanic/welder; Body and fender man

Group 8B: Field Equipment serviceman or fuel truck driver

Group 8C: Heavy duty mechanic/welder helper

SUPERSEDEAS DECISION

STATE: NEVADA COUNTY: Clark County (does not include the Nevada Test Site)

DECISION NUMBER: NV77-5061 DATE: Date of Publication

Supersedes Decision No. NV77-5022 dated March 18, 1977, in 42 FR 15273.

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 | $12.11 | .85 | $ 1.10 | | |
| BOILERMAKERS | 13.175 | .775 | 1.00 | .50 | .02 |
| BRICKLAYERS; Stonemasons | 11.37 | .70 | .60 | | .06 |
| BRICK TENDERS | 8.47 | .51 | 1.25 | 1.00 | |
| CARPENTERS: | | | | | |
| Zone 1: Area within the City limits of Henderson, Nevada, and Boulder City, Nevada; area within a 10 mile radius of Las Vegas, Nevada; In Clark County, the present fenced area of Nellis Air Force Base, as well as that area adjacent to Nellis Air Force Base bounded on the north by the Nellis spur track and on the west by the train line of the Union Pacific Railroad: | | | | | |
| Carpenters | 10.36 | .65 | .90 | 1.00 | .10 |
| Floor Layers; Patent Scaffold Erectors; | | | | — | |
| Power Saw Operators | 10.51 | .65 | .90 | 1.00 | .10 |
| Piledrivermen | 10.56 | .65 | .90 | 1.00 | .10 |
| Millwrights | 10.96 | .65 | .90 | 1.00 | .10 |
| Zone 2: Area outside of Zone 1 and not more than 20 miles from the communities described above: | | | | | |
| Carpenters | 10.86 | .65 | .90 | 1.00 | .10 |
| Floor Layers; Patent Scaffold Erectors; | | | | | |
| Power Saw Operators | 11.01 | .65 | .90 | 1.00 | .10 |
| Piledrivermen | 11.06 | .65 | .90 | 1.00 | .10 |
| Millwrights | 11.46 | .65 | .90 | 1.00 | .10 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| CARPENTERS: (Cont'd) | | | | | |
| Zone 3: Area over 20 miles and not more than 40 miles from the communities described in Zone 1: | | | | | |
| Carpenters | $11.11 | .65 | .90 | $1.00 | .10 |
| Floor Layers; Patent Scaffold Erectors; Power Saw Operators | 11.26 | .65 | .90 | 1.00 | .10 |
| Piledrivermen | 11.31 | .65 | .90 | 1.00 | .10 |
| Millwrights | 11.71 | .65 | .90 | 1.00 | .10 |
| Zone 4: Area over 40 miles from the communities described in Zone 1: | | | | | |
| Carpenters | 12.36 | .65 | .90 | 1.00 | .10 |
| Floor Layers; Patent Scaffold Erectors; Power Saw,Operators | 12.51 | .65 | .90 | 1.00 | .10 |
| Piledrivermen | 12.56 | .65 | .90 | 1.00 | .10 |
| Millwrights | 12.96 | .65 | .90 | 1.00 | .10 |
| CEMENT MASONS: | | | | | |
| Cement Masons | 8.90 | 1.00 | .40 | 2.00 | .08 |
| Cement Floor Finishing Machine; Color Work | 9.15 | 1.00 | .40 | 2.00 | .08 |
| ELECTRICIANS: | | | | | |
| Electricians; Technicians | 13.96 | .73 | 1%+1.30 | | .08 |
| Cable Splicers | 14.29 | .73 | 1%+1.30 | | .08 |
| ELEVATOR CONSTRUCTORS | 12.95 | .545 | .35 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS | 70%JR | .545 | .35 | 3%+a | .02 |
| ELEVATOR CONSTRUCTORS' HELPERS (PROB.) | 50%JR | | | | |
| GLAZIERS | 12.88 | .35 | .40 | | .05 |
| IRONWORKERS: | | | | | |
| Fence Erectors | 10.41 | 1.14 | 1.86 | 1.20 | .04 |
| Ornamental; Reinforcing; Structural | 11.30 | 1.14 | 1.86 | 1.20 | .04 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LATHERS | $10.00 | .60 | $ 1.00 | $1.00 | .06 |
| MARBLE MASONS | 11.37 | .70 | .60 | | .06 |
| PAINTERS: | | | | | |
| Brush; Roller Paperhangers; Spray; Steel; Swing Stage; Sandblasters; Tapers | 11.55 | .75 | .35 | | .06 |
| | 11.90 | .75 | .35 | | .06 |
| PLASTERERS | 9.98 | 1.00 | .40 | 1.20 | .08 |
| PLUMBERS; Steamfitters | 11.05 | 1.05 | 1.90 | 1.85 | .08 |
| ROOFERS | 12.75 | .65 | | | |
| SHEET METAL WORKERS | 11.43 | .93 | 1.60 | 1.00 | .07 |
| SOFT FLOOR LAYERS | 12.52 | .40 | | | .15 |
| SPRINKLER FITTERS | 15.05 | .65 | .95 | | .08 |
| TERRAZZO WORKERS, TILE SETTERS | 11.37 | .70 | .60 | | .06 |

FOOTNOTE:
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.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS | | | | | |
| Group 1 | $ 8.00 | .66 | $ 1.53 | $ 1.00 | |
| Group 2 | 8.05 | .66 | 1.53 | 1.00 | |
| Group 3 | 8.08 | .66 | 1.53 | 1.00 | |
| Group 4 | 8.10 | .66 | 1.53 | 1.00 | |
| Group 5 | 8.12 | .66 | 1.53 | 1.00 | |
| Group 6 | 8.13 | .66 | 1.53 | 1.00 | |
| Group 7 | 8.15 | .66 | 1.53 | 1.00 | |
| Group 8 | 8.18 | .66 | 1.53 | 1.00 | |
| Group 9 | 8.19 | .66 | 1.53 | 1.00 | |
| Group 10 | 8.21 | .66 | 1.53 | 1.00 | |
| Group 11 | 8.26 | .66 | 1.53 | 1.00 | |
| Group 12 | 8.29 | .66 | 1.53 | 1.00 | |
| Group 13 | 8.31 | .66 | 1.53 | 1.00 | |
| Group 14 | 8.34 | .66 | 1.53 | 1.00 | |
| Group 15 | 8.36 | .66 | 1.53 | 1.00 | |
| Group 16 | 8.425 | .66 | 1.53 | 1.00 | |
| Group 17 | 8.45 | .66 | 1.53 | 1.00 | |
| Group 18 | 8.52 | .66 | 1.53 | 1.00 | |



LABORERS

Group 1: Debris Handler; Dry Packing of Concrete and Filling of Form-bolt Holes; Dumpman; Gas and Oil Pipeline Laborers; Demolition Laborers; General or construction laborers; Spotter; Window cleaner

Group 2: Cutting Torch Operator (Demolition); Tarman and Mortarman

Group 3: Guinea Chaser

Group 4: Fine Grader, highway and street paving, airport, runways and similar type heavy construction; Landscape Gardener and Nursery-man

Group 5: Laborers - packing rod steel and pans

Group 6: Underground Laborers including Caisson Bellowers

Group 7: Chucktender (except tunnels); Scaler; Septic Tank Digger and Installer (leadman); Tank Scaler and Cleaner

Group 8: Cesspool Digger and Installer

Group 9: Concrete Curer-impervious Membrane and Oiler of all materials; Making and caulking of all non-metallic pipe joints; Riprap Stonepaver; Sandblaster (pot tender)

Group 10: Asphalt Ironer, Raker, Spreader; Buggymobile; Cement Dumper (on 1 yd. or larger mixers and handling bulk concrete); Cement Grinding machine operator; Concrete Core Cutter; Concrete Saw Man, excluding tractor type; Gas and Oil Pipeline Wrapper, Pot Tender and Form Man; Tree Climber, faller, Chain Saw Operator; Pittsburgh Chipper and similar type; Vibrators and all pneumatic gas, electric and similar mechanical tools not separately classified herein; Roto Scraper

Group 11: Rock Slinger; Scaler, using bosun chair, safety belt or power tools

Group 12: Driller and/or Pavement Breaker

Group 13: Laying of all non-metallic Pipe (including sewer pipe, drain pipe and underground tile)

Group 14: Gas and Oil Pipeline Wrapper - 6 inch pipe and over

Group 15: Cribber or Shorer; Powderman

Group 16: Steel Headerboard Man

Group 17: Driller (Core, Diamond or Wagon); Joy Driller Model TW-M-2A, Gardner-Denver Model DH-163 and similar drills; Sandblaster - Nozzleman

Group 18: Head Rock Slinger

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection) | | | | | |
| Group 1 | $ 9.75 | .95 | $ 2.00 | .50 | .04 |
| Group 2 | 10.03 | .95 | 2.00 | .50 | .04 |
| Group 3 | 10.32 | .95 | 2.00 | .50 | .04 |
| Group 4 | 10.46 | .95 | 2.00 | .50 | .04 |
| Group 5 | 10.68 | .95 | 2.00 | .50 | .04 |
| Group 6 | 10.79 | .95 | 2.00 | .50 | .04 |
| Group 7 | 10.91 | .95 | 2.00 | .50 | .04 |
| Group 8 | 11.08 | .95 | 2.00 | .50 | .04 |
| Group 9 | 11.21 | .95 | 2.00 | .50 | .04 |



POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Brakeman; Compressor Operator (less than 600 C.F.M.); Engineer Oiler; Generator Operator; Heavy Duty Repairman Helper; Pump; Signalman; Switchman

Group 2: Concrete Mixer Operator, Skip Type; Conveyor Operator; Fireman; Generator, Pump or Compressor (2-5 inclusive); Generator, Pump or Compressor Portable 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. w/o attachment; Soils Field Technician; Tar Pot Fireman; Temporary Heating Plant; Trenching Machine Oiler; Truck Crane Oiler; Rotary Drill Helper (oilfield)

Group 3: A-Frame or Winch Truck; Elevator Operator (inside); Equipment Greaser (rack); Ford Ferguson (with dragtype attachments); Helicopter Radioman (ground); Power Concrete Curing Machine; Power Concrete Saw; Power-driven Jumbo Form Setter; Rosa 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; Dinkey Locomotive or Motorman (up to and including 10 tons); Equipment Greaser (grease truck); Helicopter Hoist; Highline Cableway Signalman; Hydra-Hammer-Aero Stomper; Power Sweeper; Roller (compacting); Screed (Asphalt or Concrete); Trenching Machine (up to 6 ft.)

Group 5: Asphalt Plant Engineer; Backhoe Operator (up to and including 3/4 yd.); Batch Plant Operator; Bit Sharpener; Concrete Joint Machine Operator (canal and similar type); Concrete Planer Operator; Deck Engine Operator; Derrickman (oil field type); Drilling Machine Operator (including water wells); Forklift Operator (under 5 ton capacity); Machine Tool Operator; Maginnis Internal Full Slab Vibrator; Mechanical Berm, Curb or Gutter (concrete or asphalt); Mechanical Finisher (concrete - Clary-Johnson-Bidwell or similar); Pavement Breaker (truck mounted); Road Oil Mixing Machine; Roller Operator (asphalt or finish); Rubber-tired Earth Moving Equipment (single engine, up to and including 25 yd. struck); Self-propelled Tar Pipelining Machine; 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 (Crawler and wheel type over 3/4 yd. and up to and including 1½ yds.); Tractor - Bulldozer, Tamper, Scraper (single engine, up to 100 h.p., Flywheel and similar types up to and including D-5 and similar types)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 6: Asphalt or Concrete Spreading (tamping or finishing); Asphalt Paving Machine (Barber Greene or similar type); BHL Lima Road Pactor, Wagner Pactor or similar; Bridge Crane; Pipe Laying Machine (cast-in-place); Combination Mixer and Compressor (gunite work); Concrete Pump (truck mounted); Concrete Mixer - paving; Crane (up to and including 25 ton capacity); Crushing Plant; Drill Doctor; Elevating Grader; Forklift (over 5 tons); Grade Checker; Gradeall; Grouting Machine; Heading Shield; Heavy Duty Repairman; Hoist (Chicago boom and similar type); Kolman Belt Loader and similar; LeTourneau Blob Compactor or similar type; Lift Slab Machine (Vagtborg and similar types); Lift Mobile; Loader (Athey, Euclid, Sierra and similar type); Material Hoist; Mucking Machine (¼ yd. - rubber-tired, rail or track type); Pneumatic Concrete Placing Machine (Hackley-Presswell or similar type); Pneumatic Heading Shield (tunnel); Pumpcrete Gun; Rotary Drill (excluding Caisson type); Rubber-tired Earth Moving Equipment Operator (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 - John Deere, 1040 and similar single unit); Skiploader (Crawler and wheel type - over 1½ yds., up to and including 6½ yds.); 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, manufacturers' 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; Tunnel Locomotive (over 30 ton); Shovel, Backhoe, Dragline, Clamshell (over 3/4 yd. and up to 5 cu. yds. M.R.C.)



POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 7: Crane (over 25 ton up to and including 100 ton M.R.C.); Derrick Barge; Dual Drum Mixer; Hoist, stiff legs, Guy Derrick or similar type, up to and including 100 tons; Monorail Locomotive (Diesel, gas or electric); Motor Patrol - Blade Operator (single engine); Multiple Engine Tractor Operator (Euclid and similar type except Quad 9 Cat); Rubber-tired Earth Moving Equipment (single engine over 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 Operator (Crawler and Wheel type over 6½ yds.); Tower Crane Repairman; Shovel, Backhoe, Dragline, Clamshell Operator (over 5 cu. yds. M.R. C.); Woods Mixer and similar Pugmill Equipment; Heavy Duty Repairman - Welder Combination

Group 8: Auto Grader; Automatic Slip Form; Crane (over 100 tons); Hoist, Stiff Legs, Guy Derricks or similar types (capable of hoisting 100 tons or more); Mass Excavator (less than 750 cu. yds.); Mechanical Finishing Machine; Mobile Form Traveler; Motor 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 self-loading Scraper (Paddle wheel - Auger type self-loading - 2 or more units); Rubber-tired Scraper (pushing one another without Push Cat, Push-Pull) (50¢ per hour additional); Tandem Equipment (2 units only); Tandem Tractor (Quad 9 or similar type); Tunnel Mole Boring Machine

Group 9: Canal Liner; Canal Trimmer; Helicopter Pilot; Highline Cableway; Remote Controlled Earth Moving Equipment ($1.00 per hour additional); Wheel Excavator (over 750 cu. yds.)

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| TRUCK DRIVERS | | | | | |
| Group 1 | $ 9.35 | .40 | .65 | | |
| Group 2 | 9.46 | .40 | .65 | | |
| Group 3 | 9.51 | .40 | .65 | | |
| Group 4 | 9.67 | .40 | .65 | | |
| Group 5 | 9.85 | .40 | .65 | | |
| Group 6 | 10.35 | .40 | .65 | | |



TRUCK DRIVERS

Group 1: Dump Trucks (less than 12 yds.); Trucks (legal payload capacity less than 15 tons); Water and Fuel Trucks (under 2500 gallons); Pickups; Service; Teamster Equipment (highest rate for dual craft operation); Repairman Helper; Drivers of busses (on jobsite used for transportation of up to 25 passengers)

Group 2: Dump Trucks (12 yds. but less than 16 yds.); Trucks (legal payload capacity between 15 and 20 tons); Truck Driver working on gas and oil pipeline (including Winch Truck and all sizes of trucks); Bootman; Water and Fuel Trucks (2500 to 4000 gallons); Truck Greaser; Drivers of busses (on jobsite used for transportation of more than 25 passengers)

Group 3: Transit-mix (less than 3 yds.); Dumperete (less than 6½ yds.); Warehouse Clerk; Fireman

Group 4: Dump Trucks (16 yds. up to and including 22 yds.); Trucks (legal payload capacity 20 tons but less than 30 tons); Euclid-type Spreader Trucks; Dumpster; Road Oil Spreader Truck, time spent spreading oil; Transit-mix (3 yds. but less than 6 yds.); Dumperete (6½ yds. and over); Fork Lift; Ross Carrier, highway; Water and Fuel Trucks (4000 gallons but less than 6000 gallons)

Group 5: Transit-mix (6 yds. and over); Truck Repairman; Dump Trucks (over 22 yds.); Trucks (legal payload capacity 30 tons and over); Water and Fuel Trucks (6000 gallons and over)

Group 6: D.W. and similar-type equipment, D.W. 10 and D.W. 20, Euclid-type equipment, LeTourneau Pulls, Terra Cobras and similar types of equipment, also PB and similar type trucks when performing work within Teamster jurisdiction, regardless of types of attachment, including power units pulling off-highway belly dumps in tandem

SUPERSEDEAS DECISION

STATE: NEW JERSEY

COUNTIES: ATLANTIC, BURLINGTON, CAMDEN, CAPE MAY, CUMBERLAND, GLOUCESTER, MERCER, MONMOUTH, OCEAN AND SALEM

DECISION NO.: NJ77-3079

DATE: DATE OF PUBLICATION

Supersedes Decision No. NJ77-3037 dated April 22, 1977 in 42 FR 21028

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| AIR CONDITIONING & REFRIGERATION MECHANICS: | | | | | |
| Installation of refrigeration equipment for any type of building where the combined compressor tonnage does not exceed 5 tons; installation of water-cooled air-conditioning that does not exceed 10 tons (includes the piping of component system and the erection of the water tower); installation of air-cooled airconditioning that does not exceed 15 tons | $ 8.50 | .045 | .18 | r | .04 |
| ASBESTOS WORKERS: | | | | | |
| ZONE 1 | 11.62 | .70 | .75 | | |
| ZONE 2 | 11.10 | .70 | .75 | | .025 |
| ZONE 3 | 10.25 | .92 | 1.03 | 1.74 | .04 |
| ZONE 4 | 11.44 | .55 | 1.00 | | .03 |
| ZONE 5 | 11.72 | .70 | .75 | | .06 |

AREA COVERED BY ASBESTOS WORKERS ZONES

ZONE 1 - Atlantic, Burlington (Bass River and Washington Twps.), Cape May, Cumberland and Ocean (Eaglewood, Lacy, Little Egg Harbor, Long Beach, Ocean, Stafford, Tuckerton and Union Twps.) Counties

ZONE 2 - Burlington (Bordentown, Burlington, Chesterfield, Easthampton, Florence, Mansfield, Mount Holly, New Hanover, North Hanover, Pemberton, Roebling, Springfield, Wrightstown and Woodlawn Twps.), Mercer, Monmouth (Allentown, Blansinburg, Brielle, Englishtown, Farmingdale, Freehold, Howell, Manalapan, Manasquan, Millstone, Roosevelt, Sea Girt, South Belmar, Spring Lake Heights, Upper Freehold, Wall and West Belmar Twps.) and Ocean (Remainder of County) Counties

ZONE 3 - Monmouth (remainder of County) County

ZONE 4 - Salem County

ZONE 5 - Burlington (remainder of County), Camden and Gloucester Counties



DECISION NO. NJ77-3079

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| BOILERMAKERS | $10.57 | 8% | 20%+.25 | 10% | .01 |
| BOILERMAKERS HELPERS | 10.04 | 8% | 20%+.25 | 10% | .01 |
| BRICKLAYERS, STONEMASONS; MARBLE MASONS, CEMENT MASONS, PLASTERERS, TILE LAYERS AND TERRAZZO WORKERS: | | | | | |
| ZONE 1 | | | | | |
| Bricklayers, Stonemasons, Marble Masons and Plasterers | 10.52 | .75 | .80 | | .02 |
| Cement Masons, Tile Layers and Terrazzo Workers | 10.27 | .75 | .80 | | .02 |
| ZONE 2 | | | | | |
| Bricklayers, Stonemasons, Marble Masons, Tile Layers and Terrazzo Workers | 10.50 | 1.05 | 1.15 | | |
| Cement Masons | 10.15 | .85 | .80 | | |
| Plasterers | 9.27 | | | | |
| ZONE 3 | 9.90 | .50 | .25 | | .02 |
| ZONE 4 | 10.10 | .60 | 1.00 | | .03 |
| ZONE 5 | 11.02 | | .58 | | |

AREA COVERED BY BRICKLAYERS, STONEMASONS, ETC. ZONES

ZONE 1 - Atlantic and Cape May Counties

ZONE 2 - Camden, Gloucester and Salem Counties

ZONE 3 - Cumberland County

ZONE 4 - Burlington and Mercer Counties

ZONE 5 - Monmouth and Ocean Counties

| | | | | | |
|---|---|---|---|---|---|
| CARPENTERS, MILLWRIGHTS AND INSULATORS: | | | | | |
| ZONE 1 | 11.26 | 8% | 7% | | 1/5 of 1% |
| ZONE 2 | | | | | |
| Carpenters and Insulators | 11.26 | 8% | 7% | | 1/5 of 1% |
| Millwrights | 11.51 | 8% | 7% | | 1/5 of 1% |
| ZONE 3 | 10.65 | 8% | 7% | | 1/5 of 1% |
| ZONE 4 | 10.85 | .60 | 1.00 | .50 | .02 |

DECISION NO. NJ77-3079

AREA COVERED BY CARPENTERS, MILLWRIGHTS AND INSULATORS

ZONE 1 - Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem Counties

ZONE 2 - Burlington (except the City of Bordentown), Monmouth and Ocean Counties

ZONE 3 - Mercer (beginning from the present Post Office in Lawrenceville to a point northward through the present "Radio Site" to the junction of Rosedale Road and Read's Mill Road to the junction of Pennington and Mount Rose Road to the Somerset County Line; again starting at the present Post Office in Lawrenceville and eastward to the junction of Brunswick Pike and Delaware and Raritan Canal Bridge taking the center of the road to Clarksville then south on Providence Line Road to the Pennsylvania Railroad then east to Dutch Neck North to Grover's Mills to the Middlesex County Line) County

ZONE 4 - Burlington (City of Bordentown only) and Mercer (remainder of County) Counties

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| DOCKBUILDERS & PILEDRIVERMEN: | | | | | |
| ZONE 1 | 10.42 | 1.88 | 1.30 | a | .12 |
| ZONE 2 | 10.92 | 1.25 | 1.73 | .71 | .02 |

AREA COVERED BY DOCKBUILDERS & PILEDRIVERMEN ZONES

ZONE 1 - Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer (Trenton Area), Ocean and Salem Counties

ZONE 2 - Mercer (Princeton Area) and Monmouth Counties

| | | | | | |
|---|---|---|---|---|---|
| DRYWALL TAPERS & FINISHERS | | | | | |
| ZONE 1 | 10.60 | 1.10 | .50 | | .10 |
| ZONE 2 | 9.75 | .94 | .75 | .85 | .03 |

AREA COVERED BY DRYWALL TAPERS & FINISHERS ZONES

ZONE 1 - Atlantic, Burlington, Cape May, Cumberland, Mercer, Monmouth & Ocean Counties

ZONE 2 - Camden, Gloucester & Salem Counties



DECISION NO. NJ77-3079

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS & CABLE SPLICERS: | | | | | |
| ZONE 1 | 11.70 | 6% | 1%+1.35 | | .01 |
| ZONE 2 | 13.20 | 6% | 1%+.40 | | .13 |
| ZONE 3 | 11.90 | 6% | 1%+.45 | | .05 |
| ZONE 4 | 11.80 | 6% | 1%+.30 | | .04 |
| ZONE 5 | 11.41 | 6% | 1%+.35 | | .02 |

AREA COVERED BY ELECTRICIANS & CABLE SPLICERS

ZONE 1 - Monmouth & Ocean Counties

ZONE 2 - Burlington (that portion north of a line following the west and south limits of Burlington Borough from the Delaware River in a southeasterly direction to the Burlington - Mt. Holly Road; south - southeast along this road to and including the town of Mt. Holly, east along the Pennsylvania Railroad to and including New Lisbon, and continuing along the Pennsylvania Railroad to the Ocean County Line) and Mercer Counties

ZONE 3 - Burlington (Edgewater Park, Delanco, Delran, Cinnaminson, Moorestown, Mount Laurel, Willingsboro, Hainesport, Lumberton, Medford, Evesham Townships in Burlington County and that portion of Shamong, Tabernacle, Woodland Townships north of the Central Railroad of New Jersey Line and that portion of Burlington, Westhampton, Easthampton, South Hampton and Pemberton Townships in the county south of a line starting at the Delaware River and following the southern boundary of Burlington Borough to the Burlington, Mount Holly Road, along this road to Mount Holly around but excluding Mount Holly to the Pennsylvania Railroad, along the Pennsylvania Line through, but excluding Pemberton, through but excluding New Lisbon to the Ocean County Line), Camden, Gloucester (Washington, Deptford, West Deptford, Greenwich, East Greenwich, Mantua, Harrison, South Harrison, Woolwich and Logan Twps. and Pitman Borough) and Salem (from Lower Penns Neck, Upper Penns Neck, Oldmans Twps. and that portion of Mannington and Pilesgrove Twps. north of a line following State Hwy. #45 northeast from Penswick Creek to the Borough of Woodstown, around and including Woodtown to U.S. Hwy #40 and east on #40 to Upper Pittsgrove Twp. line) Counties

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AREA COVERED BY ELECTRICIANS & CABLE SPLICERS (CONT'D)

ZONE 4 - Atlantic (that portion south and west of a line following the White Horse Pile (U.S. Hwy #30) in a southeasternly direction from Camden County to the Mays Landing - DaCosta Road, continuing south along that road to the Great Egg Harbor River near Weymouth along that river to the Harding Hwy. to the Mays Landing - Tuckahoe Road, south on that road to the north limits of County), Cumberland, Gloucester (remainder of County) & Salem (remainder of county) Counties

ZONE 5 - Atlantic (remainder of county), Burlington (remainder of county) and Cape May Counties

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELEVATOR CONSTRUCTORS: | | | | | |
| Mechanics | 12.09 | .545 | .35 | 4%+b+c | .02 |
| Helpers | 8.46 | .545 | .35 | 4%+b+c | .02 |
| Probationary Helpers | 6.045 | | | | |
| GLAZIERS: | | | | | |
| Monmouth and Ocean Counties | 11.50 | .91 | .65 | | .02 |
| Atlantic and Cape May Counties | 7.80 | | .30 | | |
| Camden, Gloucester and Salem Cos. | 10.53 | .50 | .30 | | .01 |
| Burlington (that portion north of a line that begins at Florence-Roebling and that extends in a southeasterly direction that includes Fort Dix to the Ocean County Line) & Mercer Counties | 9.41 | .35 | .50 | | .02 |
| IRONWORKERS-STRUCTURAL, ORNAMENTAL AND REINFORCING: | | | | | |
| ZONE 1 | 10.82 | 7% | 23% | 10% | 1% |
| ZONE 2 | 11.60 | .64 | 1.21 | | |
| ZONE 3 | 11.75 | .84 | 1.21 | | .03 |
| ZONE 4 | 10.36 | .79 | 1.11 | | .05 |

AREA COVERED BY IRONWORKERS ZONES

ZONE 1 - Monmouth & Ocean (northern half of county) Counties

ZONE 2 - Atlantic, Cape May, Camberland (that portion east of a line drawn from the Delaware Bay through the Town of Cedarville and upwards to the point where the county lines of Gloucester, Cumberland & Atlantic meets) & Ocean (remainder of county) Counties



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AREA COVERED BY IRONWORKERS ZONES (CONT'D)

ZONE 3 - Burlington (southern portion of county up to but not including Lumberton & Chatsworth Twps.) Camden, Cumberland (remainder of county), Gloucester & Salem Counties

ZONE 4 - Burlington (remainder of county) & Mercer Counties

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS, BUILDING CONSTRUCTION: | | | | | |
| ZONE 1 | | | | | |
| Laborers, mason tenders and plasterers tenders | 7.40 | .55 | .40 | | .02 |
| Air, gas, electric tool operators | 7.65 | .55 | .40 | | .02 |
| Gunnite men | 7.80 | .55 | .40 | | .02 |
| ZONE 2 | | | | | |
| Construction laborers | 7.90 | .50 | .75 | | .02 |
| Brick tenders, motor tenders, scaffold builders (brick), hod carriers (brick) & power tool operators | 8.00 | .50 | .75 | | .02 |
| Motorized buggy operators, burners, nozzlemen (gunnite work) | 8.125 | .50 | .75 | | .02 |
| Jackhammer operators, barko tamper operators & concrete vibrator operators (over 27 lbs) | 8.25 | .50 | .75 | | .02 |
| Plasterer & lather tenders | 8.40 | .50 | .75 | | .02 |
| ZONE 3 | | | | | |
| Laborers | 8.10 | .40 | .40 | | .02 |
| Hod carriers, mason tenders, operators of jackhammers, tampers and electric hammers | 8.35 | .40 | .40 | | .02 |
| ZONE 4 | 8.45 | .45 | | | .02 |
| ZONE 5 | | | | | |
| Laborers | 7.45 | .80 | .65 | | .02 |
| Jackhammers | 7.70 | .80 | .65 | | .02 |
| ZONE 6 | | | | | |
| Laborers | 7.70 | .40 | .80 | | .02 |
| Hod carriers and plasterers tenders | 7.80 | .40 | .80 | | .02 |

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AREA COVERED BY LABORERS, BUILDING ZONES

ZONE 1 - Atlantic, Burlington (Twps of Washington and Bass River), Cape May, Cumberland (Twps of Fairfield, Millville, Maurice River, Lawrence Dawne and Commercial) and Ocean (that portion of the county up to and including Lacey Twp.) Counties

ZONE 2 - Burlington (Twps of Edgewater Park, Delance, Willingsboro, West Hampton, East Hampton, Pemberton, Delran, Cinnaminson, Morrestown, Mt. Laurel, Hainesport, Lumberton, South Hampton, Evesham, Medford, Shamong, Tabernacle and Woodland), Camden, Gloucester and Salem Counties

ZONE 3 - Mercer (Twps of Princetown, Lawrence and West Windsor and Boro of Princeton) County

ZONE 4 - Monmouth (Twps of Matawan, Union Beach, Raritan, Keansburg, Highlands, Holmdel, Middletown, Fair Haven, Red Bank, Matawan Boro. and Marlboro) County

ZONE 5 - Mercer (Twps of Washington, Highstown and East Windsor) Monmouth (remainder of county) and Ocean (remainder of county) Counties

ZONE 6 - Burlington (remainder of county) and Mercer (remainder of county) Counties



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| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS, HEAVY & HIGHWAY CONSTRUCTION: | | | | | |
| ZONE 1 | | | | | |
| GROUP 1 | 8.60 | .70 | 1.00 | d | .10 |
| GROUP 2 | 8.30 | .70 | 1.00 | d | .10 |
| GROUP 3 | 8.25 | .70 | 1.00 | d | .10 |
| GROUP 4 | 8.10 | .70 | 1.00 | d | .10 |
| GROUP 5 | 8.00 | .70 | 1.00 | d | .10 |
| GROUP 6 | 7.75 | .70 | 1.00 | d | .10 |
| GROUP 7 | 7.70 | .70 | 1.00 | d | .10 |
| GROUP 8 | 7.60 | .70 | 1.00 | d | .10 |
| ZONE 2 | | | | | |
| GROUP 1 | 9.10 | .70 | 1.00 | d | .10 |
| GROUP 2 | 8.95 | .70 | 1.00 | d | .10 |
| GROUP 3 | 8.70 | .70 | 1.00 | d | .10 |
| GROUP 4 | 8.65 | .70 | 1.00 | d | .10 |
| GROUP 5 | 8.55 | .70 | 1.00 | d | .10 |
| GROUP 6 | 8.45 | .70 | 1.00 | d | .10 |
| GROUP 7 | 8.20 | .70 | 1.00 | d | .10 |
| GROUP 8 | 8.05 | .70 | 1.00 | d | .10 |
| GROUP 9 | 8.00 | .70 | 1.00 | d | .10 |
| FREE AIR TUNNEL JOBS | | | | | |
| GROUP 1 | 9.47 | .70 | 1.00 | d | .10 |
| GROUP 2 | 9.07 | .70 | 1.00 | d | .10 |
| GROUP 3 | 8.91 | .70 | 1.00 | d | .10 |
| GROUP 4 | 8.40 | .70 | 1.00 | d | .10 |

AREA COVERED BY LABORERS, HEAVY & HIGHWAY CONSTRUCTION ZONES

ZONE 1 - Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean & Salem Counties

ZONE 2 - Monmouth County

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CLASSIFICATION DEFINITIONS
LABORERS, HEAVY & HIGHWAY CONSTRUCTION - ZONE 1

Group 1 - Blasters

Group 2 - Finisher, Rammers, Pavers, Gunnite Nozzle Men, Stone Cutters & Form Setters

Group 3 - Timbermen

Group 4 - Wagon Drill Operator, Drill Master, Jack Hammers, Chipping Hammers, Pavement Breakers, Power Buggy, Concrete Cutters, Asphalt Cutters, Sheet Hammer & Tree Cutter Operators, Sandblasting, Cutting, Burning & such other power tools used to perform work usually done manually by Laborers

Group 5 - Sewer Pipe, Laser Men, Conduit and Duct Line Layers

Group 6 - Wagon drill operator helpers, Drill Master Helpers, Power Carrier and Magazine Tenders

Group 7 - Wrapping and Coating of all pipes

Group 8 - Common Laborers, Landscape Laborers, Railroad Track Laborers, Flagmen, Traffic Directors, Salamander Tenders, Pitmen and Dumpmen, Waterproofing, Rakers & Tampers on Cold Patch Work

LABORERS, HEAVY & HIGHWAY CONSTRUCTION - ZONE 2

Group 1 - Blasters

Group 2 - Finishers, Rammers, Pavers, Gunnite Nozzle Men And Stonecutters

Group 3 - Timberman

Group 4 - Form Setters

Group 5 - Wagon Drill Operators, Drill Maters, Jack Hammers, Chipping Hammers, Pavement Breakers, Power Buggy, Concrete Cutters, Asphalt Cutters, Sheet Hammers and Tree Cutter Operators, Sandblasting, Cutting, Burning and Such other power tools used to perform work usually done manually by laborers

Group 6 - Sewer Pipe, Laser Men, Conduit and Duct Line Layers

Group 7 - Wagon Drill Operator Helpers, Drill Master Helpers, Powder Carriers and Magazine Tenders

Group 8 - Wrapping and Coating of all Pipe

Group 9 - Common Laborers, Landscape Laborers, Railroad Track Laborers, Flagmen, Traffic Directors, Salamander Tenders, Pitmen and Dumpmen, Water-Proofing, Rakers and Tampers on Cold Patch Work



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LABORERS - FREE AIR TUNNEL JOBS

GROUP 1 - Blasters

GROUP 2 - Skilled Men (including Miners, Drill Runners, Iron Men, Maintenance Men, Conveyor Men, Safety Miners, Riggers, Block Layers, Cement Finishers, Rod Men, Caulkers, Powder Carriers, All other Skilled Men)

GROUP 3 - Semi-skilled men (including Miner's Helpers, Chuck Tenders, Track Men, Nippers, Brake Men, Derail Men, Cable Men, Hose Men, Grout Men, Gravel Men, Form Men, Bell or Signal Men (top or bottom), Form Workers and Movers, Concrete Workers, Shaft Men, Tunnel Laborers, Caulkers' Helpers, All other Semi-skilled Men)

GROUP 4 - All others (including Powder Watchmen, change house attendants, Top Laborers)

| | Basic Hourly Rates. | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS, ASPHALT CONSTRUCTION: | | | | | |
| STREET: | | | | | |
| Head Rakers | 7.90 | .60 | 1.00 | d | .10 |
| Rakers & Screed Men | 7.75 | .60 | 1.00 | d | .10 |
| Tampers, Smoothers, Kettlemen, Painters, Shovelers & Roller Boys | 7.50 | .60 | 1.00 | | .10 |
| PLANT: | | | | | |
| Scale Mixer & Burner Men | 7.75 | .60 | 1.00 | d | .10 |
| Feeders & Dust Men | 7.50 | .60 | 1.00 | d | .10 |
| LATHERS: | | | | | |
| ZONE 1 | 10.00 | .60 | .25 | | .02 |
| ZONE 2 | 7.85 | | .15 | | .01 |

AREA COVERED BY LATHERS ZONES

ZONE 1 - Burlington, Camden, Cumberland, Gloucester, Mercer, Monmouth, Ocean and Salem Counties

ZONE 2 - Atlantic & Cape May Counties

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| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LEADBURNERS | 10.75 | .40 | .25 | a | .01 |
| LINE CONSTRUCTION: | | | | | |
| ZONE 1 | | | | | |
| Linemen, Cable Splicers & Equipment Operators | 11.70 | 6% | 1%+1.35 | | 1/2 of 1% |
| Groundmen | 9.75 | 6% | 1%+1.35 | | 1/2 of 1% |
| ZONE 2 | | | | | |
| Linemen, Cable Splicers & Equipment Operators | 13.20 | 6% | 1%+.40 | | 1/2 of 1% |
| Groundmen & Winch Operators | 10.55 | 6% | 1%+.40 | | 1/2 of 1% |
| ZONE 3 | | | | | |
| Linemen | 11.90 | 6% | 1%+.45 | | 1/2 of 1% |
| Groundmen & Winch Operators | 9.50 | 6% | 1%+.45 | | 1/2 of 1% |
| ZONE 4 | | | | | |
| Linemen | 11.80 | 6% | 1%+.30 | | 1/2 of 1% |
| Line Digger Truck Drivers | 7.33 | 6% | 1%+.30 | | 1/2 of 1% |
| Groundmen | 8.48 | 6% | 1%+.30 | | 1/2 of 1% |
| ZONE 5 | | | | | |
| Linemen, Equipment Operators, Technicians & Centified Linemen Welders | 11.75 | .25 | 1%+.60 | | 1/2 of 1% |
| Truck Drivers | 8.33 | .25 | 1%+.60 | | 1/2 of 1% |
| Groundmen | 7.74 | .25 | 1%+.60 | | 1/2 of 1% |



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AREA COVERED BY LINE CONSTRUCTION ZONES

ZONE 1 - Monmouth & Ocean Counties

ZONE 2 - Burlington (that portion north of a line following the west and south limits of Burlington Borough from the Delaware River in a southeasterly direction to the Burlington - Mt. Holly Road, south -southeast along this road to and including the town of Mt. Holly, east along the Pennsylvania Railroad to and including New Lisbon and continuing along the Pennsylvania Railroad to the Ocean County Line) & Mercer Counties

ZONE 3 - Burlington (Edgewater Park, Delanco, Delran, Cinnaminson, Moorestown, Mount Laurel, Willingsboro, Hainesport, Lumberton, Medford, Evesham Twps. in the county and that portion of Shamong, Tabernacle, Woodland Twps north of the Central Railroad of New Jersey Line and that portion of Burlington, Westhampton, Easthampton, South Hampton and Pemberton Twps. in the county south of a line starting at the Delaware River and following the southern boundary of Burlington Borough to the Burlington, Mount Holly Road, along this road to Mount Holly around but excluding Mount Holly to the Pennsylvania Railroad along the Pennsylvania Line through, but excluding Pemberton, through but excluding New Lisbon to the Ocean County Line), Camden, Gloucester (Washington, Deptford, West Deptford, Greenwich, East Greenwich, Manuta, Harrison, South Harrison, Woolwich and Logan Twps. and Pitman Borough) and Salem (from Lower Penns Neck, Upper Penns Neck, Oldmans Twps. and that portion of Mannington and Pilesgrove Twps. North of a line following State Hwy. #45 northeast from Penswick Creek to the Borough of Woodstown, around and including Woodstown to U. S. Hwy #40 and east on #40 to Upper Pittsgrove Twps. line) Counties

ZONE 4 - Atlantic (that portion south and west of a line following the White Horse Pike (U. S. Hwy. #30) in a southeasterly direction from Camden County to the Mays Landing-DaCosta Road, continuing south along that road to the Great Egg Harbor River near Weymouth along that river to the Harding Hwy. to the Mays Landing - Tuckahoe Road, south on that road to the north limits of Corbin City to the Tuckahoe River), Cumberland, Gloucester (remainder of county) and Salem (remainder of county) Counties

ZONE 5 - Atlantic (remainder of county), Burlington (remainder of county) and Cape May Counties

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| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: | | | | | |
| Zone 1 | | | | | |
| Base Rates: | | | | | |
| Paperhanding, Painting & Allied Work | $ 9.55 | | .50 | | |
| Spraying & Sandblasting | 10.45 | | .50 | | |
| Middle Rates: | | | | | |
| Work performed 25' or more above the finished floor & from swinging scaffolds three stories or less in height | 9.85 | | .50 | | |
| Spraying & Sandblasting under these conditions | 10.75 | | .50 | | |
| Premium Rates: | | | | | |
| Work on Tanks, Stacks, Bridges, Radio & T.V. Towers, Water Towers, Open Structural Steel & all work above 3 stories on the exterior of all structures | 10.45 | | .50 | | |
| Spraying & Sandblasting under these conditions | 11.10 | | .50 | | |
| Zone 2 | | | | | |
| Painters on New Construction and Major Alterations | 9.40 | .55 | .50 | .30 | .05 |
| Painters on Repaint Work | 8.90 | .55 | .50 | .30 | .05 |
| Spraying or application of hazardous or dangerous materials on Repaint Work | 9.50 | .55 | .50 | .30 | .05 |
| Exterior work exceeding 3 stories in height for painting of open structural steel and tanks under 3 stories in height except flat tanks on the ground and on interior work which requires painting higher than 20' above the ground or floor (this shall not be applicable to machinery or equipment located therein) | 9.55 | .55 | .50 | .30 | .05 |



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| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: (Cont'd) | | | | | |
| Repaint Work as described above | 9.05 | .55 | .50 | .30 | .05 |
| On Bridges, Television and Radio Towers, Structural Steel and Tanks above 3 stories in height (30' or over), Smoke Stacks, Water Towers, Sandblasting, Steam-cleaning, Spraying or application of hazardous materials. | 10.00 | .55 | .50 | .30 | .05 |
| ZONE 3 | | | | | |
| Commercial brush & roller | 10.25 | .50 | .50 | | .05 |
| Commercial spray or dipping, or the use of any special material, brushing or rolling on steel or tanks, or working swing or chair | 11.00 | .50 | .50 | | .05 |
| Sandblasting or power tools, spraying or the use of any special material on steel or tanks | 11.75 | .50 | .50 | | .05 |
| ZONE 4 | | | | | |
| New Construction: | | | | | |
| Brush or roller, paperhanging, & vinyl-wall covering | 10.75 | .55 | .55 | | .05 |
| Work on all structural steel & iron, steeples, stacks, tanks, flagpoles, all swing work & window jack-work above 2 stories, spray painting & sandblasting & line striping by machinery, all power tools, & hazardous materials (ie. creosote, epoxy, acid, pitchmastic & urethanes) | 11.75 | .55 | .55 | | .05 |
| Repaint Construction | | | | | |
| Brush or roller, paperhanging & vinyl-wall covering | 8.00 | .55 | .55 | | .05 |
| Work on all structural steel | | | | | |

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| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: (Cont'd) | | | | | |
| & iron, steeples, stacks, tanks, flagpoles, all swing work & window-jack work above 2 stories, spray painting & sandblasting & line striping by machinery all power tools & hazardous materials (ie. creosote, epoxy, acid, pitchmastic & urethanes) | 9.00 | .55 | .55 | | .05 |
| ZONE 5 | | | | | |
| New Construction & Major Alteration Work: | | | | | |
| Brush & Roller Rates: | | | | | |
| Any surface except steel | 8.75 | .40 | .25 | | |
| Any surface except steel (exotic materials) | 9.75 | .40 | .25 | | |
| Steel & swing | 9.00 | .40 | .25 | | |
| Steel & swing (exotic material) | 10.00 | .40 | .25 | | |
| Steel above 70' | 9.40 | .40 | .25 | | |
| Steel above 70' (exotic materials) | 10.40 | .40 | .25 | | |
| Spray Rates: | | | | | |
| Any surface except steel | 8.80 | .40 | .25 | | |
| Any surface except steel (exotic materials) | 9.80 | .40 | .25 | | |
| Steel & Swing | 9.05 | .40 | .25 | | |
| Steel (exotic materials) | 10.05 | .40 | .25 | | |
| Steel above 70' | 9.45 | .40 | .25 | | |
| Steel above 70' (exotic materials) | 10.45 | .40 | .25 | | |
| Sandblasting Rates: | | | | | |
| Any surface except steel | 8.80 | .40 | .25 | | |
| Steel & swing | 9.05 | .40 | .25 | | |
| Steelabove 70' | 9.45 | .40 | .25 | | |
| Vacuum Blasting Rates: | | | | | |
| Any surface except steel | 9.10 | .40 | .25 | | |
| STeel & swing | 9.35 | .40 | .25 | | |
| Steel above 70' | 9.75 | .40 | .25 | | |
| Repaint Work (except bridges,) tank towers & all other open structural steel): | | | | | |
| Any surface | 8.00 | .40 | .25 | | |
| Any surface (exotic materials) | 8.50 | .40 | .25 | | |



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AREA COVERED BY PAINTERS ZONES

ZONE 1 - Monmouth & Ocean (northern half of county) Counties

ZONE 2 - Mercer County

ZONE 3 - Burlington, Camden, Gloucester & Salem (the northern portion of county north of Salem Bridge) Counties

ZONE 4 - Atlantic, Cape May & Ocean (remainder of county) Counties

ZONE 5 - Cumberland & Salem (remainder of county) Counties

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLUMBERS & PIPEFITTERS | | | | | |
| ZONE 1 | 11.73 | 4% | .47 | | .025 |
| ZONE 2 | 11.30 | .62 | 1.10 | 1.00 | .05 |
| ZONE 3 | 10.25 | 1.04 | .77 | 1.10 | .09 |
| ZONE 4 | 11.69 | .67 | .90 | | .05 |
| ZONE 5 | 11.49 | 5% | .75 | | .05 |
| ZONE 6 | 10.96 | .41 | .70 | 1.00 | .20 |

AREA COVERED BY PLUMBERS & PIPEFITTERS ZONES

ZONE 1 - Atlantic, Burlington (that portion of the County including Atsion, Bass River Twp., Batsto, Chatsworth, Green Bank, Herman, Jenkins, New Gretna, Quaker Bridge, Wading River, Washington & Woodland Twp.), Cape May, Cumberland, Gloucester (Ashbury, Blue Bell, Malaga & Newfield Twps. only), Ocean (southern half of the county to and including Whiting, Bamber, Waretown & Barnegat Light) & Salem (that portion of the county including Aldine, Alliance, Alloway, Brotmanville, Canton, Centerton, Friesburg, Hancock's Bridge, Lower Alloways Creek Twps., Moore's Corner, Norma, Oakwood Beach, Olivet,Penn (Beach), Pittsgrove Twp. Quinton & Shirley) Counties

ZONE 2 - Burlington (that portion of the county starting on the west by the Delaware River, on the north by a line following the center of High Street to the Pennsylvania Railroad running from Camden to Mount Holly, Birmingham, Seaside Park & Shore Points on the Jersey Coast. Along afore-said Railroad to the Town of Whitings; thence diagonally across Burlington County to the junction of Burlington, Camden & Atlantic Counties), Camden, Gloucester (remainder of county) & Salem (remainder of county) Counties

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AREA COVERED BY PLUMBERS & PIPEFITTERS ZONES (CONT'D)

ZONE 3 - Mercer (Bakersville, Berrien City, Clarksville, Dutch Neck, East Windsor Twp., Edinburg, Etra, Grover's Mills, Hightstown, Locust Corner, Mount Rose, North Princeton, Penns Neck, Port Mercer, Princeton & Rosedale) County

ZONE 4 - Burlington (remainder of county), Mercer (remainder of county) & Monmouth (Allentown only) Counties

ZONE 5 - Monmouth (the southern half of the county to and including Manalapan, Eton, Jerseyville, West Farms, Collingwood Park & Deal) & Ocean (remainder of Counties) Counties

ZONE 6 - Monmouth (remainder of county) County

| POWER EQUIPMENT OPERATORS: | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| GROUP 1 | $14.39 | 7% | 15% | f | 3% |
| GROUP 2 | 12.68 | 7% | 15% | f | 3% |
| GROUP 3 | 11.85 | 7% | 15% | f | 3% |
| GROUP 4 | 11.75 | 7% | 15% | f | 3% |
| GROUP 5 | 11.53 | 7% | 15% | f | 3% |
| GROUP 6 | 11.07 | 7% | 15% | f | 3% |
| GROUP 7 | 10.80 | 7% | 15% | f | 3% |
| GROUP 8 | 10.64 | 7% | 15% | f | 3% |
| GROUP 9 | 10.59 | 7% | 15% | f | 3% |
| GROUP 10 | 10.48 | 7% | 15% | f | 3% |
| GROUP 11 | 10.43 | 7% | 15% | f | 3% |
| GROUP 12 | 10.21 | 7% | 15% | f | 3% |
| GROUP 13 | 9.83 | 7% | 15% | f | 3% |
| GROUP 14 | 9.67 | 7% | 15% | f | 3% |
| GROUP 15 | 9.35 | 7% | 15% | f | 3% |

50¢ per hour on machines where "Cat Head" or "Sheave Point" is at least 100 feet above ground level and less than 140 feet; 75¢ per hour on machines where "Cat Head" or "Sheave Point" is 140 feet or over above ground level.



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CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

GROUP 1 - Helicopters pilot/engineer.

GROUP 2 - Autograde-combination subgrader, base MTL spreader & base trimmer (CMI & similar type); autograde placer-trimmer-spreader-combination (CMI & similar types); autograde slip form paver (CMI & similar types); back hoes (all types, including all combination hoe loaders); central power plants (all types); concrete paving machines; cranes (all types, including overhead & straddle travelling type); cranes, gantry; derricks - land or floating (building & heavy construction rate only), drillmaster, quarry master (down the hole drill); draglines; elevator graders; engines, large diesel (1625 HP) and staging pump; front end loaders (5 yds & over); gradalls; grader, rago; helicopters co-pilot and communication engineer; jacks, screw air hydraulic power operated unit or console type (not hand jack or pile load test type); locomotive (large); mucking machines; pavers (21E and over); paver, resinous, Broyhill; pavement and concrete breaker (i.e. superhammer); pavement breaker truck mounted; piledriver; scooper (loader and shovel) Kochring; shovels; treechopper with boom; trench machines.

GROUP 3 - Pump, staging.

GROUP 4 - A-frame, boom attachment on loaders; boring & drilling machines; brush chopper, chipper & shredder; cableways; carryalls; cherry pickers - 6 tons & under (over 6 tons - crane rate applies); concrete pump; concrete pump system, pumpcrete, squeezecrete & similar types; conveyors, 125' & over; economobiles (hilo, lull, hyster similar type equipment); forklifts; front end loaders (2yds but less than 5yds); groove cutting machines (ride or type); heater planer; hoist (Chicago Boom); Pans, LeTourneau, DW's, Ukes, pumpcrete-unit type; pumpcrete machines, squeezecrete & concrete pumping; scrapers-LeTourneau, DW's Ukes; side booms; squeezecrete; "straddle" carrier, Ross and similar types; winch trucks (hoisting).

DECISION NO. NJ77-3079

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 5 - Aerial platform (used as hoist); hoists all types except Chicago Boom type (building & heavy construction rate only); elevator or house cars (building and heavy construction rate only); roof hoists.

GROUP 6 - Asphalt spreaders; bridge deck finisher; grader, finish only; rollers-blacktop.

GROUP 7 - Asphalt curbing machines; asphalt plant engineer; autograde tube finisher & texturing machine (CMI & similar types); autograde curecrete machine (CMI & similar types); autograde curb trimmer & sidewalk shoulder, slipform (CMI & similar types); barbending machines (power); batchers, batching plant & crusher on site; bet convey or systems; boilers and steam jennies (building & heavy construction rate only); boom type skimmer machines (building & heavy construction rate only); car dumpers (railroad); compressor and blower type units; concrete breaking machines; concrete finishing machines; concrete saws & cutters (ride on type); concrete spreaders-hetzel, recomatic & similar types; concrete vibrators (highway, road, street & sewer construction rate only); conveyors, under 125 ft.; crushing machines; ditching machine, small (ditch witch or similar); drill doctor (duties include dust collector); dope pots (mechanical with or without pump); dumpsters; fine grade machine (large type); front end loaders (1 yd & over but less than 2 yds) - highway, road, street & sewer construction rate only; front end loaders (under 2 yds) - building and heavy construction rates only; generators; giraffe grinders; graders and motor patrols; gunnite machines (excluding nozzle); hammer vibratory (in conjunction with generator); hoppers; hopper doors (power operated); ladders (motorized) - building & heavy construction rate only; laddervator; lights, portable generating light plants; locomotive (dinky type); mechanic; mixers (excepting paving mixers); motor patrols & graders; pavers (under 21E); pavement breakers - small, self-propelled ride on type (also maintains compressor or hydraulic unit); pipe bending machine (power); pitch pump; plaster pump (regardless of size) - building & heavy construction rate only; post hole digger; rod bending machines (power); scales, power; seaman pulverizing mixer; silos; skimmer machines (boom type) - highway, road, street & sewer construction rate only; steam jennies and boilers; steel cutting machines, services & maintains; vibrating plants (used in conjunction with unloading); welder and repair mechanic



DECISION NO. NJ77-3079

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 8 - Compressors (2 or 3 within a total distance of 100' constitutes a battery) - building & heavy construction rate only; welding machines, gas or electric converters of any type - (2 or 3 in battery) - building and heavy construction rates only; welding system, multiple (rectifier transformer type) - building & heavy construction rate only.

GROUP 9 - Brooms & sweepers; bulldozer, D5 and over; fireman; sprinkler and water pump trucks (used on job site or in conjunction with jobsite); stone spreaders; sweepers & brooms; tractors, D8 & over; water and sprinkler trucks (used on job site or in conjunction with job site).

GROUP 10 - Compressors (2 or 3 within a total distance of 100' constitutes a battery) - highway, road, street and sewer construction rate only.

GROUP 11 - Front end loaders (under 1 yd.) - highway, road, street & sewer construction rate only.

GROUP 12 - Bulldozer under D5; rollers - grade fill or stone base; tractors, under D8.

GROUP 13 - Compressor (single); heaters (Nelson or other type including propane, natural gas or flow type units); pumps (4 inch suction & over including submersible pumps); pumps (2 of less than 4 inch suction including submersible pumps); pumps, diesel engine & hydraulic (material of power) - highway, road, street & sewer construction rate only; temporary heating plant (Nelson or other type, including propane, natural gas or flow type units); welding machines, gas or electric converters of any type - single (building & heavy construction rate only); welding machines, gas or electric converters of any type (2 or 3 in battery) - highway, road, street & sewer construction rate only; wellpoint systems (including installation and maintenance).

DECISION NO. NJ77-3079

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 14 - Concrete spreaders, (small type) convey or loaders (not including elevator graders) - highway, road, street & sewer construction rate only; farm tractors (highway, road, street & sewer construction rate only); fertilizing equipment; fine grade machine (small type) - highway, road, street and sewer construction rate only; form line graders (small type) highway, road, street & sewer construction rate only; grease, gas, fuel and oil supply trucks; mixers, concrete small (highway, road, street and sewer construction rate only); muching equipment; road finishing machines (small type) - highway, road, street and sewer construction only; seeding equipment; tamping machines, vibrating self-propelled; welding machines, gas or electric converters of any type-single (highway, road, street and sewer construction rate only).

GROUP 15 - Assistant engineer/oiler; mechanics helper; tire repair and maintenance.

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vocation | Education and/or Appr. Tr. |
| POWER EQUIPMENT OPERATORS: STEEL ERECTION: | | | | | |
| GROUP 1 | $16.09 | 7% | 15% | f | 3% |
| GROUP 2 | 14.39 | 7% | 15% | f | 3% |
| GROUP 3 | 13.53 | 7% | 15% | f | 3% |
| GROUP 4 | 12.84 | 7% | 15% | f | 3% |
| GROUP 5 | 11.17 | 7% | 15% | f | 3% |
| GROUP 6 | 10.80 | 7% | 15% | f | 3% |
| GROUP 7 | 10.66 | 7% | 15% | f | 3% |
| GROUP 8 | 10.31 | 7% | 15% | f | 3% |
| GROUP 9 | 9.78 | 7% | 15% | f | 3% |



DECISION NO. NJ77-3079

CLASSIFICATIONS DEFINITIONS
POWER EQUIPMENT OPERATORS (CONT'D)

GROUP 1 - Helicopters pilot/engineer.

GROUP 2 - Cranes (all cranes - land or floating with booms - including jib, 140 feet and over above the ground); derricks (land or floating with booms including jib, 140 feet and over above the ground); helicopters co-pilot & communications engineer.

GROUP 3 - Cranes (all cranes - land or floating with booms - including jib, less than 140 feet above the ground); derricks (land or floating, with booms including jib, less than 140 feet above the ground).

GROUP 4 - Aerial platform used as hoist; A-frame; cherry pickers - 6 tons and under (over 6 tons - crane rate applies); fork lifts; hoists (all types except Chicago Boom type); jacks (screw air hydraulic power operated unit or console type, not hand jack or pile load test type); side booms.

GROUP 5 - Compressors (2 or 3 in battery); generators; welding machines (gas or electric convertors of any type 2 or 3 in battery multiple welders); welding system multiple (rectifier transformer type).

GROUP 6 - Maintenance engineer.

GROUP 7 - Fireman

GROUP 8 - Compressor (single); rod bending machines (power); welding machines (gas or electric converters of any type-single).

GROUP 9 - Assistant engineer/oiler; straddle carrier.

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| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ROOFERS: | | | | | |
| ZONE 1 | | | | | |
| Composition, Rollermen and Kettlemen | 10.25 | .60 | .77 | | |
| Slate, Tile, Dampproofing & Mopmen | 10.50 | .60 | .77 | | |
| Helpers | 4.60 | .60 | .77 | | |
| ZONE 2 | | | | | |
| Composition | 11.36 | 1.30 | .82 | g | |
| Mechanic II (reroofing) | 5.50 | 1.30 | .82 | g | |
| Slate & Tile | 10.75 | 1.00 | .50 | | |
| Asphalt Shingle: | | | | | |
| Commercial | 8.91 | 1.00 | .50 | | |
| Re-roofing | 8.10 | 1.00 | .50 | | |
| ZONE 3 | | | | | |
| Composition, Damp and Waterproofing | 11.75 | 1.00 | .65 | | |
| Slate and Tile | 11.875 | 1.00 | .65 | | |
| Slate and Tile Helpers | 10.75 | 1.00 | .65 | | |
| ZONE 4 | | | | | |
| Composition, Waterproofing, Slate and Asphalt Shingle | 10.15 | .50 | .60 | | |

AREA COVERED BY ROOFERS ZONES

ZONE 1 - Atlantic, Cape May and Cumberland Counties

ZONE 2 - Burlington (Beverly, Charleston, Rancocas, Lumberton, Medford, Fairview, Medford Lakes, Smalls, Atsion and areas inclusive to the Camden County Line), Camden, Gloucester and Salem Counties

ZONE 3 - Monmouth (the entire county except the southwest corner which includes Perrineville and the towns west there of) and Ocean (from the county line southward to Cassville, Lakehurst, Whitings, Wheatland and Cedar Bridge inclusive) Counties

ZONE 4 - Burlington (remainder of County), Mercer, Monmouth (remainder of county) and Ocean (remainder of County) Counties



DECISION NO. NJ77-3079

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| SHEET METAL WORKERS: | | | | | |
| ZONE 1 | 10.80 | .97 | .77 | | .02 |
| ZONE 2 | 10.94 | 6%+.38 | 5%+.11 | 0% | .07 |
| ZONE 3 | 10.21 | .84 | .60 | | .02 |
| ZONE 4 | 12.61 | 1.04 | .65 | | .03 |

AREA COVERED BY SHEET METAL WORKERS ZONES

ZONE 1 - Atlantic, Cape May & Cumberland Counties

ZONE 2 - Monmouth & Ocean Counties

ZONE 3 - Burlington & Mercer Counties

ZONE 4 - Camden, Gloucester & Salem Counties

| | | | | | |
|---|---|---|---|---|---|
| SOFT FLOOR LAYERS | | | | | |
| ZONE 1 | 10.65 | 8% | 7% | | 1/5 of 1% |
| ZONE 2 | 10.33 | 6% | 5% + .50 | | |

AREA COVERED BY SOFT FLOOR LAYERS ZONES

ZONE 1 - Atlantic, Camden, Cape May, Cumberland, Gloucester & Salem Counties

ZONE 2 - Burlington, Mercer, Monmouth & Ocean Counties

| | | | | | |
|---|---|---|---|---|---|
| SPRINKLER FITTERS: | | | | | |
| ZONE 1 | 12.04 | .60 | .90 | | .10 |
| ZONE 2 | 12.40 | .65 | .95 | | .08 |

AREA COVERED BY SPRINKLER FITTERS ZONES

ZONE 1 - Camden, Gloucester, Mercer (Town of Trenton) & Salem (Penns Grove exluding Penns Grove Airport) Counties

ZONE 2 - Atlantic, Burlington, Cape May, Cumberland, Mercer (remainder of county Monmouth, Ocean & Salem (remainder of county) Counties

| DECISION NO. NJ77-3079 | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| TILE SETTERS FINISHERS: | | | | | |
| Atlantic & Monmouth Counties | 8.45 | 6% | 7% | | |
| TRUCK DRIVERS: | | | | | |
| ZONE 1 | | | | | |
| GROUP 1 | 5.45 | g&h | i | j&k | |
| GROUP 2 | 5.55 | g&h | i | j&k | |
| GROUP 3 | 5.70 | g&h | i | j&k | |
| GROUP 4 | 5.85 | g&h | i | j&k | |
| ZONE 2 | | | | | |
| GROUP 1 | 7.00 | l | m | n+o | |
| GROUP 2 | 7.70 | l | m | n+o | |
| GROUP 3 | 7.85 | l | m | n+o | |
| GROUP 4 | 7.90 | l | m | n+o | |
| GROUP 5 | 8.05 | l | m | n+o | |
| GROUP 6 | 8.25 | l | m | n+o | |
| GROUP 7 | 8.40 | l | m | n+o | |
| ZONE 3 | | | | | |
| GROUP 1 | 7.27 | .68 | .75 | p+q | |
| GROUP 2 | 7.50 | .68 | .75 | p+q | |
| GROUP 3 | 7.55 | .68 | .75 | p+q | |
| GROUP 4 | 7.65 | .68 | .75 | p+q | |
| GROUP 5 | 7.75 | .68 | .75 | p+q | |

AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 1 - Atlantic & Cape May Counties

ZONE 2 - Burlington (that portion west of the Jersey Turnpike to the Delaware River), Camden, Cumberland, Gloucester & Salem Counties

ZONE 3 - Burlington (remainder of county), Mercer, Monmouth & Ocean Counties

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS - ZONE 1

GROUP 1 - Warehousemen and Helpers

GROUP 2 - Teamsters & Chauffeurs

GROUP 3 - Drivers on Tractors, Trailers, 10 wheel Flats and Dumps

GROUP 4 - Drivers on Euclids, 10 Wheel Tractors and Tractor Trailer Trucks, Low Beds and Pole Trailers







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TRUCK DRIVERS - ZONE 2

GROUP 1 - Ten wheel dump truck driver and trailer dump driver off site

GROUP 2 - Straight truck driver (helper)

GROUP 3 - Warehousemen, fork lift truck and part men

GROUP 4 - Straight truck driver including all "dual purpose" trucks, (straight), transit mix trucks, fuel trucks, seeding trucks, fertilizing trucks, dumpcrete trucks, mulching trucks, "A" frame (when transporting material), water sprinkler trucks, tanks, straight trucks with mechanical tailgates, asphalt distributor trucks, batch trucks and similar type of equipment and mechanics (helper), Pick-up trucks (only when transporting material), & flat bed trucks.

GROUP 5 - All truck towing

GROUP 6 -Winch straight tractor and trailer truck driver and Euclid trailer dump (not self-loading), fuel truck drivers and asphalt oil distributors on dump-crete trucks, transit - mixers, flat bed trucks, low bed trucks, tanks, water tanks, fuel tanks, euclid water sprinkler, asphalt distributor, pole trailer, winch trailer, I beam trucks, euclids (all), and similar type equipment

GROUP 7 - Mechanics

TRUCK DRIVERS - ZONE 3

GROUP 1 - Mechanic Helper

GROUP 2 - Drivers on the following type vehicles: Straight dumps, flats, floats, pick-ups, container haulers, fuel, water sprinkler, road oil, stringer, bead, hot pass, bus, dumpcrete, transit mixers, agitator mixer, half truck, winch truck, side-o-matic, dynamite, powder, X-Ray, welding, skid, jeep, station wagon, stringer, A-Frame, all dual purpose trucks, truck with mechanical tailgate, asphalt distributor, batch trucks, seeding, mulching, fertilizer, air compressor trucks (intransit), parts chaser, escort, scissor, Hi-lift, telescope, concrete breaker, gin pole, stone, sand, asphalt distributor and spreader, Nipper, fuel trucks (drivers on fuel trucks including handling of unit), skid truck (debris container - entire unit), concrete mobile trucks (entire unit), Expediter (parts chaser), beltcrete trucks, pumpcrete trucks, line truck, reel truck, wreckers, utility trucks, tack trucks, warehousemen, warehouse parts-men, yardmen, lift truck in warehouse, helper when required on lift truck in warehouse, warehouse clerk, parts man, material checkers, receivers, shippers, binning men (materials cardex man; helper when required on Broyhill coal tar epoxy truck and asphalt and bituminous distributor truck; drivers on the following type vehicles: Broyhill Coal tar epoxy trucks, Little-Ford Bituminous distributor, Slurry seal truck or vehicle, Thiokol trackmaster pick-up (swamp cat pickup), bucket loader dump truck and any rubber tired tractor used in pulling and towing farm wagons and trailers of any description, similar type vehicles; Off-site and on-site repair shop, team drivers, vacuum or vac-all trucks (entire unit)

DECISION NO. NJ77-3079

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS - ZONE 3 (CONT'D)

GROUP 3 - Drivers on straight 3-axle materials: Truck & Floats

GROUP 4 - Drivers on all Euclid-Type Vehicle: Euclids, International Harvesters, Wabcos, Caterpillar, Koehring, Tractors, and wagons, Dumptors, Straight, Bottom, Rear and side dumps, Carryalls and scrapers (not self-loading - loading over the top), Water sprinkler, Trailers, Water pulls and similar types of vehicles; Drivers on tractors and trailer type vehicles: Flat, Floats, I-beam, Low beds, Water sprinkler, Bituminous transit mix, Road Oil, Fuel, Bottom, Dump Hopper, Rear Dump, Office Shanty, Epoxy, Asphalt, Agitator Mixer, Mulching, Stringer, Seeding, Fertilizing Pole Spread, Bituminous Distributor, Water Pulls, (entire unit) (Tractor Trailer), Reel Trailer and similar types of vehicles

GROUP 5 - Winch trailer drivers

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. Paid Holidays: Washington's Birthday, Good Friday, Memorial Day; Independence Day; Presidential Election Day, Veterans Day or Thanksgiving Day.

b. Paid Holidays: A through F

c. Employer contributes 4% of the basic hourly rate for 5 years or more of service, or 2% of the basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. Paid Holidays: A through F, plus Washington's Birthday, Good Friday, Christmas Presidential Election Day providing the employee works on 3 days for the same employer within a period of 10 working days, consisting of 5 working days before and 5 working days after the day upon which the holiday falls or is observed as such.



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FOOTNOTES: (Cont'd)

e. Paid Holidays: A through F, plus Washington's Birthday, Good Friday, Christmas Eve, providing the employee has worked 30 full days for the employer during the 90 calendar days immediately prior to the holiday, and the employee works his regular scheduled work days immediately preceeding and following the holiday.

f. Paid Holidays: A through F, plus Washington's Birthday, Presidential Election Day and Veterans Day provided the employee works any of the 3 days in the 5 work days preceeding the holiday and the first work day after the recognized holiday.

g. $1.00 per week employer contribution to Life Insurance Fund per employee.

h. Employer contributes $2.30 per day per employee to Health and Welfare Funds.

i. Employer contributes $1.60 per day per employee to the Pension Fund.

j. One week vacation after one year's work; two weeks vacation after 3 year's work.

k. Paid Holidays: A through F, plus Washington's Birthday, Veterans' Day and Presidential Election Day provided the employee works 3 days in the week in which the holiday falls.

l. Employer contributes $28.50 per week per employee to the Health Welfare Fund.

m. Employer contributes $17.00 per week per employee to the Pension Fund

n. Employee who has worked or received pay for 90 days within a year prior to his anniversary date shall receive 56 hours straight time vacation pay; for 3 years but less than 8 years of service he will receive 100 hours of straight time vacation pay; more than 8 years but less than 15 years he will receive 125 hours of straight time vacation pay; 15 years or more he will receive 165 hours of straight time vacation pay.

o. Paid Holidays: A through F, plus Washington's Birthday, Presidential Election Day, Armistice Day, 2 Personal Holidays, Good Friday, and Christmas Eve afternoon (provided the employee works that morning) on the condition that the employee works or is available for work on at least 2 days in the week in which the holiday occurs.

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FOOTNOTES: (Cont'd)

p. Employees working or receiving pay for 80 days within a year receive one weeks paid vacation (48 hours); 125 days receive two weeks vacation (96 hours); 145 days receive 15 days (120 hours); 15 years seniority and 145 days receive 4 weeks vacation (160).

q. Paid Holidays: A through F,plus Lincoln's Birthday, Washington's Birthday, Good Friday, General Election Day, Columbus Day and Veterans' Day provided the employee has been assigned to work or "shapes" one day of the calendar week during which the holiday falls.

r. Paid Holidays: A through F plus Armistice Day and Washington's Birthday.

SUPERSEDEAS DECISION

STATE: New Mexico COUNTY: Statewide
DECISION NO. NM77-4116 DATE: Date of Publication
Supersedeas Decision No. NM77-4074 dated April 8, 1977 in 42 FR 18825

DESCRIPTION OF WORK: Building and Heavy Construction (Heavy construction consists of modifications, addition, alterations or repairs on railroad construction projects, drainage project, aqueducts, irrigation projects, flood control projects, reclamation projects, reservoirs, water supply projects (exclusive of distribution lines and appurtenances & filtration plants earth dams(over 1 million yds) concrete dams, dikes, levees, revetments, channels, channel cutoffs, intakes, dredging projects, jetties, breakwaters, docks, harbors, excavation and disposals by contract or overburden and the excavation and loading of all material from which the overburden has been removed, open-pit strip mining, viaducts, pedestrian tunnels, piers, abutments and clearing and grubbing, incidental to such heavy construction projects (exclusive of such work in connection with highway, building and light construction projects), subways, tunnels, shafts, missile silos and missil/ projects. (Except buildings underground), hydroelectric power plant projects and power plant facilities in their entirety (exclusive of steam plants), electric transmission lines, and including the operation, maintenance and repair of all land and floating plant, equipment, vehicles and other facilities used in connection with and serving the aforementioned work and serviced incidental to such projects) (also, including Residential construction in Santa Fe, McKinley, Bernalillo, Rio Arriba, Taos, Sandoval, Valencia and San Juan Counties, but not on the Navajo Indian Reservation).

| BUILDING AND HEAVY CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ASBESTOS WORKERS (Statewide, except Union, Harding, Lea, Curry, Roosevelt and Quay Counties) | $10.66 | .50 | 1.17a | | .06 |
| ASBESTOS WORKERS (Union, Harding, Lea, Roosevelt, Curry and Quay Counties) | 9.85 | .55 | .45 | | .07 |
| BOILERMAKERS | 9.625 | .775 | 1.00 | .50 | .02 |
| BRICKLAYERS-Stonemasons: | | | | | |
| Zone I-A | 9.56 | .57 | .50 | | .10 |
| Zone I-B | 10.56 | .57 | .50 | | .10 |
| Zone I-C | 11.06 | .57 | .50 | | .10 |
| Zone II | 9.61 | .57 | .30 | | .10 |
| Zone III | 10.36 | .57 | .30 | | .10 |
| Zone IV | 9.81 | .57 | .20 | | .10 |
| Zone V | 10.56 | .57 | .20 | | .10 |
| Zone VI | 9.01 | .57 | .30 | | .10 |
| Zone VII | 9.81 | .57 | .20 | | .10 |
| Zone VIII | 7.765 | .48 | | | |
| Zone IX | 7.89 | .48 | | | |
| Zone X | 8.015 | .48 | | | |
| Zone XI | 7.64 | .48 | | | |

BRICKLAYERS' ZONE DEFINITIONS

Zone I - Union, Harding, Santa Fe, Valencia, Torrence, Taos, Scorro, Mora, McKinley, Colfax, Catron, San Miguel, San Juan, Sandoval, Rio Arriba, Bernalillo and Los Alamos Counties.

From basing point of Albuquerque Main Post Office:
Zone I-A - 0 to 25 road miles
Zone I-B - 25 to 50 road miles
Zone I-C - Over 50 road miles

ZONE II - Curry, Roosevelt Counties

ZONE III - DeBaca, Guadalupe and Quay Counties

ZONE IV - Chaves County

ZONE V - Lincoln County

ZONE VI - Lee and Eddy Counties

ZONE VII - Otero County

ZONE VIII - Luna County

ZONE IX - Grant County Communities of Silver City, Bayard, Central, Hurley, and New town site of Tyrone; Hidalgo and Sierra Counties.

ZONE X - Grant County, except communities listed in Zone IX.

ZONE XI - Dona Ana County

| BUILDING AND HEAVY CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| CARPENTERS: | | | | | |
| Dwelling houses & apartments not to exceed two stories in height | | | | | |
| Zone I-A | $ 7.50 | .90 | .90 | .65 | .20 |
| Zone I-B | 8.50 | .90 | .90 | .65 | .20 |
| Zone I-C | 9.25 | .90 | .90 | .65 | .20 |
| General Building and Heavy Engineering and Residential Construction (Dwelling Houses and apartments over two stories in height): | | | | | |
| Zone 2-A | 9.20 | .90 | .90 | .65 | .20 |
| Zone 2-B | 10.45 | .90 | .90 | .65 | .20 |
| Zone 2-C | 10.75 | .90 | .90 | .65 | .20 |



CARPENTERS' ZONE DEFINITIONS

CARPENTERS (STATEWIDE) - From nearest basing points of the following cities of Towns: Alamogordo, Albuquerque, Artesia, Bayard, Belen, Carlsbad, Clovis, Deming, Espanola, Eunice, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Santa Rosa, Silver City, Socorro, Taos, and Tucumcari:
ZONE I - Dwelling houses & apartments not to exceed two stories in height:
Zone I-A - 0 - 15 road miles from nearest basing point
Zone I-B - 15 to 35 road miles from nearest basing point
Zone I-C - Over 35 road miles from nearest basing point
ZONE II - General Building & Heavy Engineering and Residential Construction (Dwelling Houses and Apartments over two stories in height):
Zone 2-A - 0 to 15 road miles from nearest basing point
Zone 2-B - 15 to 35 road miles from nearest basing point
Zone 2-C - Over 35 road miles from nearest basing point

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| MILLWRIGHTS & PILEDRIVERMEN: | | | | | |
| Zone 1 | $9.95 | .90 | .90 | .65 | .20 |
| Zone 2 | 11.20 | .90 | .90 | .65 | .20 |
| Zone 3 | 11.95 | .90 | .90 | .65 | .20 |

MILLWRIGHTS & PILEDRIVERMEN ZONE DEFINITIONS

BASING POINT - From Albuquerque City Limits:
Zone 1 - 0 to 15 road miles from basing point
Zone 2 - 15 to 35 road miles from basing point
Zone 3 - Over 35 road miles from basing point

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| CEMENT MASONS | | | | | |
| Area I | $ 8.37 | .57 | .50 | | |
| Area II | | | | | |
| Zone 1 | 8.42 | .57 | .50 | | |
| Zone 2 | 8.77 | .57 | .45 | | |
| Zone 3 | 9.02 | .57 | .45 | | |
| Cement masons (Residential) | 5.35 | .57 | .50 | | |
| Cement masons (Heavy) | 8.37 | .57 | .50 | | |
| CEMENT MASONS: | | | | | |
| Composition & Machine Operators | | | | | |
| Area I | 8.62 | .57 | .50 | | |
| Area II | | | | | |
| Zone 1 | 8.67 | .57 | .50 | | |
| Zone 2 | 8.92 | .57 | .45 | | |
| Zone 3 | 9.27 | .57 | .45 | | |

CEMENT MASONS AREA DEFINITIONS

AREA I - Statewide except Farmington, San Juan County
AREA II - Farmington, San Juan County
Zone I - 0-15 miles from Farmington City Hall
Zone II - 15-35 miles from Farmington City Hall
Zone III - 35 miles and over from Farmington City Hall

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTRICIANS: | | | | | |
| ZONE I | | | | | |
| Area I | | | | | |
| 1-A | $10.50 | .60 | 1%+.70 | | ½% |
| 1-B | 11.24 | .60 | 1%+.70 | | ½% |
| 1-C | 11.87 | .60 | 1%+.70 | | ½% |
| 1-D | 12.60 | .60 | 1%+.70 | | ½% |
| Area 2 | | | | | |
| 2-A | 9.91 | .60 | 1%+.70 | | ½% |
| 2-B | 10.60 | .60 | 1%+.70 | | ½% |
| 2-C | 11.20 | .60 | 1%+.70 | | ½% |
| 2-D | 11.89 | .60 | 1%+.70 | | ½% |
| ZONE II | 11.87 | .60 | 1%+.70 | | ½% |
| ZONE III | | | | | |
| 3-A | 9.10 | .30 | 1% | | ½% |
| 3-B | 10.55 | .30 | 1% | | ½% |
| ZONE IV | | | | | |
| 4-A | 9.70 | .60 | 1% | | .01 |
| 4-B | 10.05 | .60 | 1% | | .01 |
| 4-C | 10.20 | .60 | 1% | | .01 |
| 4-D | 10.45 | .60 | 1% | | .01 |
| ZONE V | 5.80 | .30 | 1% | | 1/4% |
| CABLE SPLICERS: | | | | | |
| ZONE I | | | | | |
| AREA I | | | | | |
| 1-A | 11.55 | .60 | 1%+.70 | | ½% |
| 1-B | 12.29 | .60 | 1%+.70 | | ½% |
| 1-C | 12.92 | .60 | 1%+.70 | | ½% |
| 1-D | 13.65 | .60 | 1%+.70 | | ½% |
| AREA 2 | | | | | |
| 2-A | 10.90 | .60 | 1%+.70 | | ½% |
| 2-B | 11.59 | .60 | 1%+.70 | | ½% |
| 2-C | 12.19 | .60 | 1%+.70 | | ½% |
| 2-D | 12.88 | .60 | 1%+.70 | | ½% |
| ZONE II | 12.40 | .60 | 1%+.70 | | ½% |
| ZONE III | | | | | |
| 3-A | 9.35 | .30 | 1% | | ½% |
| 3-B | 10.80 | .30 | 1% | | ½% |
| ZONE IV | | | | | |
| 4-A | 10.05 | .60 | 1% | | .01 |
| 4-B | 10.40 | .60 | 1% | | .01 |
| 4-C | 10.55 | .60 | 1% | | .01 |
| 4-D | 10.80 | .60 | 1% | | .01 |



ELECTRICIANS-CABLE SPLICERS ZONE DEFINITIONS

ZONE I
AREA 1 - Bernalillo, Santa Fe, Torrance, DeBaca, Guadalupe, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos Rio Arriba, Grant, Sandoval, Valencia, Socorro, Catron, McKinley, Sierra and all of San Juan County excluding the Navajo Indian Reservation.
AREA 2 - Chaves, Curry, Lincoln and Roosevelt Counties

AREAS 1-A & 2-A
From nearest basing point cities, towns and mileage from main post office in the following towns:
Albuquerque - 15 miles from main post office
Santa Fe - 15 miles from main post office
Las Vegas - 8 miles from main post office
Farmington - 8 miles from main post office
Raton - 6 miles from main post office
Tucumari - 6 miles from main post office
Aztec - 6 miles from main post office
Roswell - 12 miles from main post office
Ruidoso - 12 miles from main post office
Portales - 12 miles from main post office
Carrizozo - 12 miles from main post office
Clovis - 12 miles from main post office
Gallup - 10 miles from main post office
*Pojoaque - 2 miles from main post office
*All areas adjacent to Pojoaque that are over two (2) miles distant from the main post office in that town will be zoned out of Santa Fe.

AREAS 1-B & 2-B
Area 1-B and 2-B extending up to 20 miles beyond Area 1-A & 2-A
AREAS 1-C & 2-C
Area 1-C & 2-C extending up to 30 miles from Area 1-A & 2-A
AREAS 1-D & 2-D
Area 1-D & 2-D anything beyond 30 miles from Area 1-A & 2-A
ZONE II - Los Alamos County
ZONE III - Dona Ana, Otero, Luna, Hidalgo Counties
Zone 3-A - Within 10 miles radius from the post office in Las Cruces and within a 5 mile radius from the Post Office in Alamogordo.
Zone 3-B - Dona Ana, Otero, Luna, and Hidalgo Counties (except that area specified in Zone 3-A)
ZONE IV - Eddy and Lea Counties - the following zones shall be designated from the main post office of Arteasia, Carlsbad, Hobbs and Lovington:
Zone 4-A - 0 - 12 miles from main post office
Zone 4-B - 12 to 22 miles from main post office
Zone 4-C - 22 to 40 miles beyond main post office
Zone 4-D - 40 miles and beyond main post office

ZONE V - Single or mutiple, family dwelling or apartments up to and including 26 units under one roof not exceeding two stories - Bernalillo, Santa Fe, Taos, Rio Arriba, Sandoval, Valencia and San Juan Counties, but not on the Navajo Indian Reservation

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELEVATOR CONSTRUCTORS: | | | | | |
| Bernalillo, Catron, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union and Valencia Counties: | | | | | |
| Elevator constructors | $ 10.42 | .545 | .35 | 4%+a+b | .02 |
| Elevator constructors helpers | 70%JR | .545 | .35 | 4%+a+b | .02 |
| Elevator constructors, prob. | 50%JR | | | | |
| Chaves, Hidalgo, Dona Ana, Eddy Grant, Lea, Luna, Otero and Sierra Counties: | | | | | |
| Elevator constructors | 8.17 | .545 | .35 | 4%+a+b | .02 |
| Elevator constructors helper | 70%JR | .545 | .35 | 4%+a+b | .02 |
| Elevator constructors prob. | 50%JR | | | | |
| GLAZIERS: | | | | | |
| Zone I | 6.94 | .30 | .10 | | .02 |
| Zone II | 8.54 | .35 | .20 | | .02 |

GLAZIERS' ZONE DEFINITIONS

GLAZIERS
ZONE I - Dona Ana, Luna, Otero Counties.
ZONE II - Statewide, except Doan Ana, Luna and Otero Counties.

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| IRONWORKERS: | | | | | |
| ZONE I - Area I | $10.30 | .55 | 1.00 | | .14 |
| ZONE I - Area II | | | | | |
| Zone 1 | 10.30 | .55 | 1.00 | | .14 |
| Zone 2 | 11.05 | .55 | 1.00 | | .14 |
| Zone 3 | 11.80 | .55 | 1.00 | | .14 |
| Zone 4 | 12.05 | .55 | 1.00 | | .14 |
| ZONE II | 9.75 | .55 | 1.00 | | .10 |
| ZONE III | 10.75 | .55 | 1.00 | | .10 |



IRONWORKERS ZONE DEFINITIONS

ZONE I
AREA I - Bernalillo, Catron, Colfax, DeBaca, Guadalupe, Lincoln, Los Alamos McKinley, Mora, Rio Arriba, Sandoval, Santa Fe, Socorro, Taos, Torrance and Valencia Counties

ZONE I
AREA II - Farmington, San Juan County
Zone 1 - Shall extend a distance of 6 road miles inclusive beyond the City Hall.
Zone 2 - Shall extend a distance of 8 road miles inclusive beyond the outer perimeter of zone 1.
Zone 3 - Shall extend a distance of 10 road miles inclusive beyond the outer limits of zone 2.
Zone 4 - Shall extend a distance of 27 road miles inclusive beyond the outer limits of zone 3.
All areas not within Zones 1, 2, 3, and 4 shall revert to the $15.00 per day subsistence rate.

ZONE II - Dona Ana, county with the exception of that portion of the county that lies within the White Sands Missile Range; Chaves County, Eddy County except that Potash Basin and defined as the area 10 road miles on Highway 62 and Highway 180, east of Carlsbad.

ZONE III - Curry, Harding, Quay, Union, Hidalgo, Grant, Lea, Luna, Otero and Sierra Counties; also Potash Basin, White Sands and McGregor Missile Ranges.

| LABORERS: BUILDING, HEAVY, CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Group I | $6.31 | .53 | .50 | | .05 |
| Group II | 6.61 | .53 | .50 | | .05 |
| Group III | 6.61 | .53 | .50 | | .05 |
| Group IV | 6.91 | .53 | .50 | | .05 |
| Group V | 7.06 | .53 | .50 | | .05 |

LABORERS' CLASSIFICATION DEFINITIONS

GROUP I - UNSKILLED: Building and Common Laborers, Carpenter tenders, Concrete workers, chainmen-stakedrivers, concrete buggy operators

GROUP II - SEMI-SKILLED: Air and power tool operator, asphalt rakers, demolition, gunite rebound men, fog machine operator, power buggy operators, rodmen, sand blasterers (pot men), nozzlemen, wagon core, rod & chairmen, cutting torch operators; and diamond drillers tender outside, grade setter.

GROUP III - Wagon core, diamond drillers

GROUP IV - Concrete burner, cement mason tenders, hod carriers, mortar mixers, plaster spreader operators, plaster tenders, gunite nozzlemen, pipe layer, pumpcrete nozzlemen

GROUP V - Powdermen and blasterers

| LABORERS (RESIDENTIAL CONSTRUCTION) | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Group I | $5.02 | .53 | .50 | | .05 |
| Group II | 5.32 | .53 | .50 | | .05 |
| Group III | 5.42 | .53 | .50 | | .05 |
| Group IV | 5.62 | .53 | .50 | | .05 |

RESIDENTIAL LABORERS' CLASSIFICATION DEFINITIONS

GROUP I - UNSKILLED: - Building and common laborers, carpenter tenders, concrete workers, chainmen-stakedrivers, concrete buggy operators, hand

GROUP II - SEMI-SKILLED: Air and power tool operator, asphalt rakers, demolition, gunite rebound men, fog machine operator, power buggy operator, rodmen, sand blasterers (pot men), nozzlemen, wagon core, rod & chairmen, cutting torch operators; and diamond drillers tender outside.

GROUP III - Wagon core, diamond drillers

GROUP IV - Concrete burner, cement mason tenders, hod carriers, mortar mixers, plaster spreader operators, plaster tenders, gunite nozzlemen, pipe layer, pumperote nozzlemen

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LATHERS: | | | | | |
| Zone I | $ 7.895 | .48 | | .50 | .02 |
| Zone II | 10.00 | | | | .01 |

LATHERS' ZONE DEFINITIONS

LATHERS
Zone I - Catron, Grant, Bernalillo, Roosevelt, Union, Sandoval, San Juan, Socorro, Torrance and Valencia Counties.
Zone II - Colfax, Los Alamos, Mora, Rio Arriba, San Miguel, Santa Fe and Taos Counties.



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LINE CONSTRUCTION: | | | | | |
| BERNALILLO COUNTY ONLY | | | | | |
| Cable splicers | $ 9.65 | .60 | 17%+.60 | | ½% |
| Linemen - technicians | 9.00 | .60 | 17%+.60 | | ½% |
| Equipment operators | 8.58 | .60 | 17%+.60 | | ½% |
| Equipment mechanics | 7.88 | .60 | 17%+.60 | | ½% |
| Powderman | 7.88 | .60 | 17%+.60 | | ½% |
| Groundmen and jackhammer opers. | | | | | |
| 1st 6 months | 4.88 | .60 | 17%+.60 | | ½% |
| 2nd 6 months | 5.51 | .60 | 17%+.60 | | ½% |
| Experienced | 6.36 | .60 | 17%+.60 | | ½% |
| LINE CONSTRUCTION: | | | | | |
| STATEWIDE (Except Bernalillo Co. | | .60 | 17%+.60 | | |
| Cable splicers | 10.51 | .60 | 17%+.60 | | ½% |
| Linemen - technicians | 9.82 | .60 | 17%+.60 | | ½% |
| Equipment operators | 9.35 | .60 | 17%+.60 | | ½% |
| Equipment mechanics | 8.58 | .60 | 17%+.60 | | ½% |
| Powdermen | 8.58 | .60 | 17%+.60 | | ½% |
| Groundmen and jackhammer Oprs.: | | | | | |
| 1st 6 months | 5.31 | .60 | 17%+.60 | | ½% |
| 2nd 6 months | 5.99 | .60 | 17%+.60 | | ½% |
| Experienced | 6.96 | .60 | 17%+.60 | | ½% |
| MARBLE, TILE & TERRAZZO WORKERS | 7.85 | .67 | | | |
| MARBLE, TILE & TERRAZZO FINISHERS | 6.28 | .67 | | | |
| TERRAZZO MACHINE OPERATORS | 6.53 | .67 | | | |
| PAINTER: ZONE I | | | | | |
| Zone 1-A | 8.52 | .35 | .20 | | .05 |
| Zone 1-B | 9.02 | .35 | .20 | | .05 |
| Zone 1-C | 8.77 | .35 | .20 | | .05 |
| Zone 1-D | 9.10 | .35 | .20 | | .05 |
| Zone 1-E | 8.85 | .35 | .20 | | .05 |
| PAINTERS (INDUSTRIAL WORK): | | | | | |
| Brush, roller, sandblast and grinder operators | 9.32 | .35 | .20 | | .05 |
| Spray | 9.82 | .35 | .20 | | .05 |
| Pot tender | 8.32 | .35 | .20 | | .05 |

| PAINTERS' ZONE II CONT'D | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| **PAINTERS: ZONE II** | | | | | |
| Zone 2-A | $ 7.95 | .35 | .20 | | .05 |
| Zone 2-B | 9.17 | .35 | .20 | | .05 |
| Zone 2-C | 8.60 | .35 | .20 | | .05 |
| Zone 2-D | 8.05 | .35 | .20 | | .05 |
| Zone 2-E | 8.70 | .35 | .20 | | .05 |
| Zone 2-F | 7.95 | .35 | .20 | | .05 |
| Zone 2-G | 8.45 | .35 | .20 | | .05 |
| **PAINTERS: ZONE III** | | | | | |
| Zone 3-A | 7.66 | .30 | | | .02 |
| Zone 3-B | 8.08 | .30 | | | .02 |
| Zone 3-C | 7.805 | .30 | | | .02 |
| Zone 3-D | 8.08 | .30 | | | .02 |
| Zone 3-E | 8.51 | .30 | | | .02 |
| Zone 3-F - 12½¢ above scale | | .30 | | | .02 |
| Zone 3-G - 25¢ above scale | | .30 | | | .02 |
| Zone 3-H - 50¢ above scale | | .30 | | | .02 |
| Zone 3-I - 75¢ above scale | | .30 | | | .02 |
| Zone 3-J - $1.00 above scale | | .30 | | | .02 |
| **PAINTERS: ZONE IV** | | | | | |
| Zone 4-A | 7.12 | .35 | .20 | | .05 |
| Zone 4-B | 7.62 | .35 | .20 | | .05 |
| Zone 4-C | 7.37 | .35 | .20 | | .05 |
| Zone 4-D | 7.22 | .35 | .20 | | .05 |
| Zone 4-E | 7.70 | .35 | .20 | | .05 |
| Zone 4-F | 7.45 | .35 | .20 | | .05 |



## PAINTERS' ZONE AND CLASSIFICATION DEFINITIONS

**PAINTERS:**

ZONE I - San Juan, McKinley, Bernalillo, Torrance, Guadalupe, Quay, Catron; Socorro, Lincoln, DeBaca, Roosevelt, Chaves, Valencia, Sierra, Grant, Hidalgo, Curry, Lea and Eddy Counties, New Mexico.
- Zone 1-A - Painters, roller and hand textures
- Zone 1-B - Painters, spray, sandblasting, painter on steel bridges, tanks towers, pipe and structural
- Zone 1-C - Paperhanger
- Zone 1-D - Drywall finisher; ames tool operator.
- Zone 1-E - Hand finisher machine texture

ZONE II - Colfax, Harding, Los Alamos, Mora, Sandoval, San Miguel, Rio Arriba, Taos, Union and Santa Fe Counties.
- Zone 2-A - Painters and roller
- Zone 2-B - Paperhangers
- Zone 2-C - Spray, sandblast, steel, special coating applicator
- Zone 2-D - Vinyl hangers
- Zone 2-E - Drywall finisher tool and machine texture
- Zone 2-F - Hand texture
- Zone 2-G - Hand finisher

ZONE III - Luna, Otero and Dona Ana Counties
- Zone 3-A - Brush, tapers and rollers
- Zone 3-B - Spray, sandblasting
- Zone 3-C - Ames tool and steel brush after erection
- Zone 3-D - Stripping machine
- Zone 3-E - Radio towers, water tanks, smoke stack
- Zone 3-F - Radio towers, water tanks, smoke stacks 50 to 75 feet
- Zone 3-G - Radio towers, water tanks, smoke stacks 75 to 100 feet
- Zone 3-H - Radio towers, water tanks, smoke stacks 100 to 200 ft
- Zone 3-I - Radio towers, water tanks, smoke stacks 200 to 300 ft
- Zone 3-J - Radio towers, water tanks, smoke stacks 300 to 400 ft.

ZONE IV - Residential Construction in Santa Fe, Sandoval, Rio Arriba & Taos Cos.
- Zone 4-A - Brush and roller
- Zone 4-B - Spray, parking lot striping
- Zone 4-C - Paperhangers
- Zone 4-D - Vinyl hangers
- Zone 4-E - Drywall finishers - ames tool op., machine texture
- Zone 4-F - Drywall finishers - hand finisher

| BUILDING AND HEAVY CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLASTERERS: | | | | | |
| Statewide, (except Otero, Grant, Sierra, Dona Ana, Luna and Hidalgo Counties | $ 8.00 | .48 | .30 | | .01 |
| Otero, Grant, Sierra, Dona Ana Luna and Hidalgo Counties | 7.27 | .48 | | | .01 |
| PLUMBERS-PIPEIFTTERS: | | | | | |
| Area I | 10.95 | .63 | 1.36 | | .12 |
| Area II | 11.45 | .63 | 1.36 | | .12 |
| Area III | 12.70 | .63 | 1.36 | | .12 |
| Specific Area | 11.58 | .63 | 1.36 | | .12 |
| Residential | 6.50 | .63 | .25 | | .12 |

PLUMBERS - PIPEIFTTERS' ZONES DEFINITIONS

BASING POINT CITIES OR TOWNS:
Albuquerque, Alamogordo, Anthony, Artesia, Belen, Carlsbad, Clovis, Deming, Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Silver City, Santa Rosa, Taos, Rucumari, Truth of Consequence and Socorro, New Mexico.

Area I - Shall include a distance of seven road miles inclusive beyond the city or town limits.

Area II - Shall extend a distance of four road miles inclusive beyond the outer perimeter of area I.

Area III - Shall apply to all areas not within areas 1 or 2, or not within the specific area.

Specific Area - Los Alamos, White Rock, South Mesa, McGregor Range, White Sands Missile Range and/or Proving Grounds, Atlas Missile Comples Sites in Chaves and Lincoln Counties, and the Oro Grande Range Camp and Dona Ana and Otero Counties.



POWER EQUIPMENT OPERATORS AREA DEFINITIONS:
AREA I - Farmington, San Juan County
Zone I - 0 - 15 miles from Farmington City Hall
Zone II - 15-35 miles from Farmington City Hall
Zone III - 35-50 miles from Farmington City Hall
AREA II - Statewide, except San Juan County

| BUILDING AND HEAVY CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| AREA I (RESIDENTIAL AND BUILDING CONSTRUCTION) | | | | | |
| ZONE I | | | | | |
| Group 1 | $7.58 | .60 | .60 | | .11 |
| Group 2 | 8.12 | .60 | .60 | | .11 |
| Group 3 | 8.20 | .60 | .60 | | .11 |
| Group 4 | 8.26 | .60 | .60 | | .11 |
| Group 5 | 8.32 | .60 | .60 | | .11 |
| Group 6 | 8.42 | .60 | .60 | | .11 |
| Group 7 | 8.52 | .60 | .60 | | .11 |
| Group 8 | 8.70 | .60 | .60 | | .11 |
| Group 9 | 9.50 | .60 | .60 | | .11 |
| ZONE II | | | | | |
| Group 1 | 8.83 | .60 | .60 | | .11 |
| Group 2 | 9.37 | .60 | .60 | | .11 |
| Group 3 | 9.45 | .60 | .60 | | .11 |
| Group 4 | 9.51 | .60 | .60 | | .11 |
| Group 5 | 9.57 | .60 | .60 | | .11 |
| Group 6 | 9.67 | .60 | .60 | | .11 |
| Group 7 | 9.77 | .60 | .60 | | .11 |
| Group 8 | 9.95 | .60 | .60 | | .11 |
| Group 9 | 10.75 | .60 | .60 | | .11 |
| ZONE III | | | | | |
| Group 1 | 9.08 | .60 | .60 | | .11 |
| Group 2 | 9.62 | .60 | .60 | | .11 |
| Group 3 | 9.70 | .60 | .60 | | .11 |
| Group 4 | 9.76 | .60 | .60 | | .11 |
| Group 5 | 9.82 | .60 | .60 | | .11 |
| Group 6 | 9.92 | .60 | .60 | | .11 |
| Group 7 | 10.02 | .60 | .60 | | .11 |
| Group 8 | 10.20 | .60 | .60 | | .11 |
| Group 9 | 11.00 | .60 | .60 | | .11 |
| AREA II (RESIDENTIAL AND GENERAL BUILDING CONSTRUCTION) | | | | | |
| Group 1 | 7.58 | .60 | .60 | | .11 |
| Group 2 | 8.12 | .60 | .60 | | .11 |
| Group 3 | 8.20 | .60 | .60 | | .11 |
| Group 4 | 8.26 | .60 | .60 | | .11 |
| Group 5 | 8.32 | .60 | .60 | | .11 |
| Group 6 | 8.42 | .60 | .60 | | .11 |
| Group 7 | 8.52 | .60 | .60 | | .11 |
| Group 8 | 8.70 | .60 | .60 | | .11 |
| Group 9 | 9.50 | .60 | .60 | | .11 |

## HEAVY CONSTRUCTION (POWER EQUIPMENT OPERATORS AREA DEFINITIONS

AREA I - Statewide, except San Juan County
Basing points for zone pay shall be determined from the Center of the following cities - Albuquerque, Carlsbad, Gallup, Raton and Las Cruces.
Zone I - 0 to 50 miles
Zone II - Over 50 miles
AREA II - Farmington, San Juan County
Zone I - 0 to 15 miles from Farmington City Hall
Zone II - 15 to 35 miles from Farmington City Hall
Zone III - Over 35 miles from Farmington City Hall

| HEAVY CONSTRUCTION (AREA I): | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| GROUP I | | | | | |
| Zone 1 | $7.43 | .60 | .60 | | .11 |
| Zone 2 | 8.43 | .60 | .60 | | .11 |
| GROUP II | | | | | |
| Zone 1 | 7.97 | .60 | .60 | | .11 |
| Zone 2 | 8.97 | .60 | .60 | | .11 |
| GROUP III | | | | | |
| Zone 1 | 8.05 | .60 | .60 | | .11 |
| Zone 2 | 9.05 | .60 | .60 | | .11 |
| GROUP IV | | | | | |
| Zone 1 | 8.11 | .60 | .60 | | .11 |
| Zone 2 | 9.11 | .60 | .60 | | .11 |
| GROUP V | | | | | |
| Zone 1 | 8.17 | .60 | .60 | | .11 |
| Zone 2 | 9.17 | .60 | .60 | | .11 |
| GROUP VI | | | | | |
| Zone 1 | 8.27 | .60 | .60 | | .11 |
| Zone 2 | 9.27 | .60 | .60 | | .11 |
| GROUP VII | | | | | |
| Zone 1 | 8.37 | .60 | .60 | | .11 |
| Zone 2 | 9.37 | .60 | .60 | | .11 |
| GROUP VIII | | | | | |
| Zone 1 | 8.55 | .60 | .60 | | .11 |
| Zone 2 | 9.55 | .60 | .60 | | .11 |
| GROUP IX | | | | | |
| Zone 1 | 9.35 | .60 | .60 | | .11 |
| Zone 2 | 10.35 | .60 | .60 | | .11 |



HEAVY CONSTRUCTION)
POWER EQUIPMENT OPERATORS

| HEAVY CONSTRUCTION (AREA II) | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| GROUP I | | | | | |
| Zone 1 | $ 7.43 | .60 | .60 | | .11 |
| Zone 2 | 8.18 | .60 | .60 | | .11 |
| Zone 3 | 8.43 | .60 | .60 | | .11 |
| GROUP II | | | | | |
| Zone 1 | 7.97 | .60 | .60 | | .11 |
| Zone 2 | 8.72 | .60 | .60 | | .11 |
| Zone 3 | 8.97 | .60 | .60 | | .11 |
| GROUP III | | | | | |
| Zone 1 | 8.05 | .60 | .60 | | .11 |
| Zone 2 | 8.80 | .60 | .60 | | .11 |
| Zone 3 | 9.15 | .60 | .60 | | .11 |
| GROUP IV | | | | | |
| Zone 1 | 8.11 | .60 | .60 | | .11 |
| Zone 2 | 8.86 | .60 | .60 | | .11 |
| Zone 3 | 9.11 | .60 | .60 | | .11 |
| GROUP V | | | | | |
| Zone 1 | 8.17 | .60 | .60 | | .11 |
| Zone 2 | 8.92 | .60 | .60 | | .11 |
| Zone 3 | 9.12 | .60 | .60 | | .11 |
| GROUP VI | | | | | |
| Zone 1 | 8.27 | .60 | .60 | | .11 |
| Zone 2 | 9.02 | .60 | .60 | | .11 |
| Zone 3 | 9.27 | .60 | .60 | | .11 |
| GROUP VII | | | | | |
| Zone 1 | 8.37 | .60 | .60 | | .11 |
| Zone 2 | 9.12 | .60 | .60 | | .11 |
| Zone 3 | 9.37 | .60 | .60 | | .11 |
| GROUP VIII | | | | | |
| Zone 1 | 8.55 | .60 | .60 | | .11 |
| Zone 2 | 9.30 | .60 | .60 | | .11 |
| Zone 3 | 9.55 | .60 | .60 | | .11 |
| GROUP IX | | | | | |
| Zone 1 | 9.35 | .60 | .60 | | .11 |
| Zone 2 | 10.10 | .60 | .60 | | .11 |
| Zone 3 | 10.35 | .60 | .60 | | .11 |

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (BUILDING & RESIDENTIAL)

GROUP I
Fireman, oiler, screedman, scale operator such as (Bin-A-Batch), rubber tired farm type tractor, tractors under 50 HP w/o attachments, breakman, concrete paving curing machine (bridge-type), helpers; mechanic, welder grease truck.

GROUP II
Roller, sheepsfoot or pneumatic self propelled w/o dozer, concrete conveyor, service truck operator (head oiler), air compressor (300 CFM and over), pumps (6" and over), screening plants, concrete mixers (under 1 CY), concrete saw or grinder-span type, 1 drum hoists, air tugger, elevating belt type loaders, forklift, lumber stacker, tractor-farm type (under 50 HP w/attachments), motorman and industrial locomotive operator, winch trucks, front end loader (under 2 CY), power plants which generate over 15 KW, welding machines

GROUP III
Bituminous distributors, boilers, retort and hot oil heaters, concrete mixers (1 CY and over), concrete paver-single drum, drilling equipment, motor graders (rough), shaft and tunnel equipment; (refrigeration, slusher, jumbo form), trenching machines (all types), pump crete and gunite machines, slipform paver, mechanical bullfloats, concrete slab spreading machine, concrete slab finishing machines, crushing plants.

GROUP IV
Front end loader (2 thru 10 CY), rollers, steel wheeled-all types, bulldozers, scrapers, (motor or towed), elevating graders, concrete batching plants, self propelled rollers equipped with dozer. Twin bowl scrapers and quad 8 or 9 pushers (35¢ over basic rate). Three bowl scrapers (60¢ over basic rate). Tractor (farm type w/hydraulic backhoes).

GROUP V
Hydraulic cranes with less than 50 feet of boom (20 tons and under). Concrete paver double drum. 2 drum hoist, auto fine grader, cat cranes, hysters, side and swingboom cats.

GROUP VI
Mucking machines, all types; motor grader, finish; mechanic, welder

GROUP VII
Steam engineers; loader (front end over 10 CY); concrete pump (snorkel type)

GROUP VIII
All shovel type equipment; cranes, draglines, backhoes, derricks, guy and stiff leg; pipemobile (No. 2 op.), pile driver, hydraulic cranes (20 tons and over), mine hoist, belt loader ("C.M.I." type), cranes & draglines, with booms and jib over 150 feet - 25¢ per hour additional.

GROUP IX
Shovel (wheel type), boring machine (tunnel or shaft mole), pipemobile



POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (HEAVY CONSTRUCTION)

GROUP I
Fireman, oiler, screedman, scale operator such as (bin-a-batch), rubber tired farm type tractor, tractors under 50 HP w/o attachments, breakman, concrete paving curing machine (bridge-type), helpers; (mechanic, welder), grease truck

GROUP II
Rollers, sheepsfoot or pneumatic self propelled w/o dozer, concrete conveyor, service truck operator (head oiler), air compressor (300 CFM and over), pumps, (6" and over), screening plants, concrete mixers (under 1 CY), concrete saw or grinder-span type, 1 drum hoist, air tugger, elevating belt type loaders, forklift, lumber stacker, tractor-farm type (under 50 HP w/attachment), motorman and industrial locomotive operator, winch truck front end loader (under 2 CY), power plants which generate over 15 KW, welding machines

GROUP III
Bituminous distributors, boilers, retort and hot oil heaters, concrete mixers (1 CY and over), concrete paver-single drum, drilling equipment, motor graders (rough), shaft and tunnel equipment, refrigeration, slusher, jumbo forms, trenching machines, (all types), pump crete and gunite machines, slipform paver, mechanical bullfloats, concrete slab spreading machine, concrete slab finishing machine, asphalt plants, bituminous finishing machines, crushing plants

GROUP IV
Front end loader ( 2 thru 7 CY), rollers steel wheeled (all types), bulldozers, scrapers, (motor or towed), elevating graders, concrete batching plants, self-propelled rollers, equipped with dozer, twin-bowl scrapers and quad 8 or 9 pushers (35¢ over basic rate), three bowl scrapers (60¢ over basic rate).

GROUP V
Front end loader (over 7 CY thru 10 CY), hydraulic cranes, with less than 50 feet of boom (20 tons and under), concrete paver, double drum, cat cranes, hysters, side and swingboom cats, 2 drum hoist, auto fine grader.

GROUP VI
Mucking machines, alltypes, motor grader (finish), mechanic, welder

GROUP VII
Steam engineers, loader (front end over 10 CY)

GROUP VIII
All shovel type equipment; cranes, draglines, backhoes, derricks, guy and stiff leg, pipemobile (NO. 2 operator), piledriver, hydraulic cranes (20 tons and over), mine hoist, belt loader ("C.M.I." Type)

GROUP IX
Shovel (wheel type), boring machine (tunnel or shaft mole), pipe mobile

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ROOFERS | $7.55 | .25 | | | |
| SHEET METAL WORKERS: | | | | | |
| Zone 1 | 10.87 | .53 | 1.00 | | .12 |
| Zone 2 | 9.17 | 3%+.51 | .385 | | .025 |
| Zone 3 | 8.35 | .20 | | | .05 |
| Zone 4 | 11.87 | .53 | 1.00 | | .12 |

SHEET METAL WORKERS ZONE DEFINITIONS

Zone 1 - Bernalillo, Catron, Chaves, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Miguel, Santa Fe, Socorro, Union, Taos, Torrance, Valencia, San Juan Counties, Kirtland Air Force Base.
Zone 2 - Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Sierra and Otero Counties
Zone 3 - Holloman Air Force Base, White Sands and McGregor Ranges
Zone 4 - Los Alamos County

| | | | | | |
|---|---|---|---|---|---|
| SPRINKLER FITTERS | 11.26 | .65 | .95 | | .08 |
| SOFT FLOOR LAYERS: | | | | | |
| Zone 1 | 7.23 | .30 | .10 | | .02 |
| Zone 2 | 7.85 | .35 | .30 | | .02 |

SOFT FLOOR LAYERS' ZONE DEFINITIONS

Zone 1 - Dona Ana, Luna and Otero Counties
Zone 2 - Statewide (excluding Dona Ana, Luna and Otero Counties)

| | | | | | |
|---|---|---|---|---|---|
| SOUND INSTALLERS: | | | | | |
| SOUNDMAN | | | | | |
| Zone 1 | 9.30 | .60 | 1% | | 1/2% |
| Zone 2 | 10.46 | .60 | 1% | | 1/2% |
| Zone 3 | 12.79 | .60 | 1% | | 1/2% |
| TECHNICIANS | | | | | |
| Zone 1 | 7.44 | .60 | 1% | | 1/2% |
| Zone 2 | 8.60 | .60 | 1% | | 1/2% |
| Zone 3 | 10.93 | .60 | 1% | | 1/2% |
| SOUND INSTALLERS | | | | | |
| Zone 1 | 6.05 | .60 | 1% | | 1/2% |
| Zone 2 | 7.21 | .60 | 1% | | 1/2% |
| Zone 3 | 9.54 | .60 | 1% | | 1/2% |



SOUND INSTALLERS ZONE DEFINITIONS

ZONE I
Thirty mile radius of main post office of Albuquerque
ZONE II
Remainder of Valencia, Sandoval, Santa Fe, Torrance, and Socorro Counties, the hourly rates of pay shall be increased to twelve and one-half (12½) percent of journeyman rate of pay for Zone I.
ZONE III
Chavez, Curry, Roosevelt, Lincoln, Guadalupe, DeBaca. Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Catron, Sierra, Grant, Los Alamos, San Juan, McKinley Counties, the hourly rates of pay shall be increased by thirty-seven and one-half (37.5) percent of the journeyman rate of pay for Zone I.

| GENERAL BUILDING CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| TRUCK DRIVERS: | | | | | |
| Group 1 | $6.61 | .57 | .50 | | |
| Group 2 | 6.73 | .57 | .50 | | |
| Group 3 | 6.81 | .57 | .50 | | |
| Group 4 | 6.93 | .57 | .50 | | |
| Group 5 | 6.98 | .57 | .50 | | |
| Group 6 | 7.08 | .57 | .50 | | |
| Group 7 | 7.18 | .57 | .50 | | |
| Group 8 | 7.32 | .57 | .50 | | |
| Group 9 | 7.47 | .57 | .50 | | |
| TRUCK DRIVERS (RESIDENTIAL CONST.) | | | | | |
| Group 1 | 6.31 | .57 | .50 | | |
| Group 2 | 6.43 | .57 | .50 | | |
| Group 3 | 6.51 | .57 | .50 | | |
| Group 4 | 6.63 | .57 | .50 | | |
| Group 5 | 6.68 | .57 | .50 | | |
| Group 6 | 6.78 | .57 | .50 | | |
| Group 7 | 6.88 | .57 | .50 | | |
| Group 8 | 7.02 | .57 | .50 | | |
| Group 9 | 7.17 | .57 | .50 | | |
| TRUCK DRIVERS (HEAVY CONSTRUCTION | | | | | |
| Group 1 | 6.76 | .57 | .50 | | |
| Group 2 | 6.88 | .57 | .50 | | |
| Group 3 | 6.96 | .57 | .50 | | |
| Group 4 | 7.08 | .57 | .50 | | |
| Group 5 | 7.13 | .57 | .50 | | |
| Group 6 | 7.23 | .57 | .50 | | |
| Group 7 | 7.33 | .57 | .50 | | |
| Group 8 | 7.47 | .57 | .50 | | |
| Group 9 | 7.62 | .57 | .50 | | |

TRUCK DRIVERS CLASSIFICATION DEFINITIONS (BUILDING, RESIDENTIAL AND HEAVY CONSTRUCTION.

GROUP I
Pickup 3/4 ton and under, service station, including lubrication, light tire repair and washer, swamper or riding helper, 2 or up

GROUP II
Bus or taxi driver, dump or batch truck under 8 C.W.L.C.; flat bed (bobtail) 2 ton and under; mechanic and welder helper; fork lift under 5 ton MRC.

GROUP III
Dump trucks (including all highway and off highway) 8 up to 16 C.Y.W.L.C.; water, fuel or oil trucks less than 3,000 gal., flat bed (bobtail) over 2 tons

GROUP IV
Distributor driver; heavy tire repairman; lumber carrier driver; young buggy or similar equipment, transit mix or agitator 2 or 3 axle bobtail equipment; scissor truck; bulk cement bobtail 2 or 3 axles; semi-trailer driver (flat-bed or van single axle); forklifts 5 ton and over MRC; field equipment servicemen.

GROUP V
Dumpster and dumpcrete driver; water, fuel or oil truck, 3,000 to 6,000 gal; lowboys and light equipment driver; euclid type tank wagon under 6,000 gal.

GROUP VI
Vacuum truck; dump trucks (including all highway and off-highway 16 up to 22 C.Y.W.L.C.

GROUP VII
Transit mix or agitator semi or 4 axle equipment driver; flaherty truck type spreader box driver; slurry truck driver; bulk cement driver; semi-doubles; 4 axle bobtail; winch truck and "A" frame; dump trucks (including all highway and off-highway) 22 CY up to 35 C.Y.W.L.C.; head field equipment servicemen.

GROUP VIII
Euclid diesel power turnarocker; terra coba-DW10--DW20--LeTourneau Pulls and similar diesel powered equipment when used to haul materials and assigned to a teamster--lowboy heavy equipment driver; water, fuel or oil trucks 6,000 gal. and over including tank wagon drivers, semi-trailer driver (flat-bed or van tandems); light equipment mechanic; dump trucks (including all highway and off-highway) 35 C.Y.W.L.C. and over; truck and trailer or semi-trailer (flatbed); eject all

GROUP IX
Warehousemen including material checker; cardex man; lowboy (heavy equipment double gooseneck); heavy equipment mechanic; welder (body and fender men)

TEAMSTERS classifications not listed shall be paid a rate comparable to classifications listed.



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LEAD BURNERS | | | | | |
| AREA I | $11.35 | .63 | 1.42 | | .16 |
| AREA II | 11.85 | .63 | 1.42 | | .16 |
| AREA III | 13.20 | .63 | 1.42 | | .16 |
| AREA IV | 11.98 | .63 | 1.42 | | .16 |

LEAD BURNERS BASING POINT & AREA DEFINITIONS

BASING POINT CITIES OR TOWNS:
Albuquerque, Alamogordo, Anthony, Artesia, Belen, Carlsbad, Clovis, Deming, Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lovington, Portales, Raton, Scorro, Roswell, Ruidoso, Santa Fe, Silver City, Santa Rosa, Taos, Tucumcari and Truth or Consequence.

AREA I
Shall include a distance of seven road miles inclusive beyond the city or town limits.

AREA II
Shall extend a distance of 4 road miles inclusive beyond the outer perimeter of area I.

AREA III
Shall apply to all areas not within areas 1 or 2, or not within the specific areas.

AREA IV (SPECIFIC AREA)
Los Alamos, White Rock, South Mesa, McGregor Range, White Sands Missile Range, and/or Proving Grounds.

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:
a - Includes $0.07 contribution to the Occupational Health Fund.
b - 1st 6 months - none; 6 months to 5 years, 2%; over 5 years, 4% of basic hourly rate.
c - Paid Holidays; A through F

PAID HOLIDAYS:
A- New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

SUPERSEDEAS DECISION

STATE: NEW YORK

COUNTIES: BRONX, KINGS, QUEENS, NEW YORK AND RICHMOND

DECISION NO.: NY77-3025

DATE: DATE OF PUBLICATION

Supersedes Decision No. NY76-3256 dated October 8, 1976 in 41 FR 44645

Description of Work: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Asbestos Workers | $10.45 | 1.43 | .94 | 1.25 | |
| Boilermakers | 12.33 | 5% | 15% | 7% | .02 |
| Bricklayers | 11.04 | 1.48 | 3.38 | .30 | .01 |
| Bricklayers (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 8.62 | 1.13 | 1.33 | | |
| Carpenters, Building: Carpenters, Dock Builders, Millwrights, Piledrivermen, Soft Floor Layers | 10.92 | 1.25 | 1.73 | .65 | .04 |
| Carpenters, Heavy: Carpenters, Dock Builders, and Piledrivermen | 10.92 | 1.25 | 1.73 | .65 | .04 |
| Carpenters, Millwrights, Piledrivermen, Soft Floor Layers (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 9.16 | 1.25 | .49 | | .02 |
| Cement Masons | 9.50 | 1.36 | 1.13 | 1.75 | .01 |
| Electricians and Linemen | 12.25 | 7% | 1%+e | 5.7%+b | 3% |
| Electricians and Linemen (Rehabilitation work on buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 9.50 | 7% | 1%+e | 5.365% | 4% |

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DECISION NO. NY77-3025

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Elevator Constructors | 10.12 | .495 | .32+e | c+d | .02 |
| Elevator Constructors helpers | 7.59 | .495 | .32+e | c+d | .02 |
| Elevator Constructors helpers probation | 5.06 | | | | |
| Elevator Constructors Modernization | 9.35 | .495 | .32+e | c+d | .02 |
| Elevator Constructors helpers Modernization | 7.01 | .495 | .32+e | c+d | .02 |
| Elevator Constructors Repair | 8.50 | .495 | .32+e | c+m | .02 |
| Elevator Constructors Repair helpers | 6.38 | .495 | .32+e | c+d | .02 |
| Glaziers | 10.70 | .66 | 1.66 | .47 | .01 |
| Ironworkers: | | | | | |
| Ornamental Finisher | 10.33 | 1.06 | 2.44 | .78 | .04 |
| Reinforcing | 10.10 | .785 | 1.765 | .75+g | .01 |
| Structural | 11.75 | 1.30 | 3.00 | 1.60+f | .07 |
| Laborers: | | | | | |
| Asphalt Laborers | 9.25 | 1.10 | 1.00 | h | |
| Asphalt Rakers | 9.49 | 1.10 | 1.00 | h | |
| Asphalt Tampers | 9.27 | 1.10 | 1.00 | h | |
| Cement Concrete Workers | 9.15 | .8025 | 1.3525 | i | |
| Mason Tenders | 9.00 | .687 | 1.3925 | | |
| Mason Tenders (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 7.52 | .79 | | | |
| Blasters (Heavy) | 9.78 | .985 | 1.725 | 1.50 | |
| Concrete Breakers, Chippers, Jackhammers, Pneumatic tools; Spaders (Heavy) | 8.39 | .985 | 1.725 | 1.50 | |
| Wagon Drills (Heavy) | 8.61 | .985 | 1.725 | 1.50 | |
| Powder Carriers (Heavy) | 7.54 | .985 | 1.725 | 1.50 | |

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DECISION NO. NY77-3025

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Laborers (Cont'd): | | | | | |
| Laborers (Building and Heavy) | 8.15 | 1.30 | 1.41 | | |
| Curb Setters (Highway) | 11.58 | 1.10 | 1.00 | h | |
| Laborers, Puddlers, Concrete Rakers | 9.32 | 1.10 | 1.00 | h | |
| Pavers (Highway) | 11.58 | 1.10 | 1.00 | h | |
| Rammers (Highway) | 11.16 | 1.10 | 1.00 | h | |
| Demolition: | | | | | |
| Barmen | 9.58 | 8% | 10% | | |
| Barmen Helpers | 9.28 | 8% | 10% | | |
| Plasterers helpers (Kings) | 8.20 | 2.45 | | .80 | |
| Plasterers helpers (Queens) | 9.60 | 1.55 | | 1.35 | .01 |
| Plasterers helpers (Bronx-NY-Richmond) | 8.30 | .90 | 1.19 | | |
| Lathers, Metalic | 10.41 | .945 | 1.985 | .75+p | .03 |
| Lathers, Nail-on (Kings-Queens) | 8.40 | .655 | 1.655 | .70 | .01 |
| Lathers, Nail-on (Bronx-NY-Richmond) | 8.60 | | .25 | | .01 |
| Leadburners | 10.75 | .40 | .25 | r | .01 |
| Marble Setters: | | | | | |
| Carvers | 10.15 | 1.13 | 1.19 | k | |
| Cutters and Setters | 10.00 | 1.13 | 1.19 | k | |
| Sawyers, Rubbers, and Polishers | 9.77 | 1.13 | 1.19 | k | |
| Crane operators and Derrickmen | 8.28 | 1.13 | 1.19 | k | |
| Painters: | | | | | |
| Brush | 9.20 | 8½% | 5%+q | 3% | |
| Brush (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 8.50 | .90 | .50 | | |
| Spray, Spray Gun, Scaffold Work | 11.17 | 8½% | 5%+q | 3% | |
| Structural Steel | 7.50 | 8% | 11% | | |
| Structural Steel Spray | 8.50 | 8% | 11% | | |

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DECISION NO. NY77-3025

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Plasterers: | | | | | |
| Kings | 9.90 | 1.10 | | 1.40 | .01 |
| Queens | 8.70 | 1.00 | .20 | 1.40 | .01 |
| Bronx-NY-Richmond | 9.30 | 1.10 | 1.19 | .90 | .01 |
| Bronx-NY-Kings-Queens-NY-Richmond (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 7.17 | 2.30 | | | |
| Plumbers: | | | | | |
| NY-Bronx | 9.25 | 1.07 | 1.86 | .72 | .06 |
| NY-Bronx (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 7.58 | 3.49 | r | | |
| Kings-Queens | 10.10 | 1.90 | 1.79 | 1.19 | .22 |
| Richmond | 10.40 | 1.00+L | 1.48 | 1.05 | .30 |
| Roofers: | | | | | |
| Composition, Damp, Waterproofers | 9.15 | 1.79 | 2.45 | .65 | |
| Composition, Damp, Waterproofers (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use) | 6.86 | 1.34 | 1.84 | .49 | |
| Slate-Tile (Kings-Queens) | 10.82 | .55 | 1.20 | 1.75 | |
| Slate-Tile helpers (Kings-Queens) | 5.13 | .50 | 1.40 | 1.40 | |

DECISION NO. NY77-3025

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Slate-Tile (Bronx-NY-Richmond) | 9.70 | .50 | 1.40 | 1.60 | |
| Slate-Tile helpers (Bronx-NY-Richmond) | 7.90 | .50 | 1.00 | 1.20 | |
| Sheet Metal Workers | 11.87 | 1.82 | 1.15 | .41 | .02 |
| Sprinkler Fitters and Steamfitters | 10.52 | 2.65 | 1.12 | .86 | .07 |
| Stonemasons | 10.25 | .50 | 1.00 | | |
| Stone Derrickmen and Riggers | 11.42 | .98 | 1.01 | | |
| Terrazzo Workers | 10.38 | 1.21 | 1.50 | | |
| Terrazzo Workers helpers | 9.14 | 1.21 | 1.50 | | |
| Tile Setters | 9.15 | .85 | 2.10 | | |
| Tile Setters helpers | 7.90 | .50 | 1.27 | | |
| Timbermen (Heavy) | 9.93 | 1.25 | 1.73 | .65 | .04 |
| Tuckpointers: | | | | | |
| Sandblasters | 9.72 | .70 | 1.44 | .50 | .015 |
| Steamcleaners | 8.97 | .70 | 1.44 | .50 | .015 |
| Waterproofers | 8.72 | .70 | 1.44 | .50 | .015 |
| Truckdrivers, Building: | | | | | |
| Ready Mix Concrete, Sand, Gravel and Asphalt | 8.87 | .9675 | 1.8525 | n+p | |
| Euclids and Turnapulls | 8.825 | .9675 | 1.8525 | n+p | |
| 4-Wheel, Hi-Lo Lift operators | 7.525 | .9675 | 1.8525 | n+p | |
| Euclids and Turnapulls (Heavy) | 8.825 | .9675 | 1.8525 | n+p | |

Welders-receive rate prescribed for craft performing the 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 an Annuity and Security Benefit fund.

b. Holidays: A through F, Columbus Day, Day after Thanksgiving, Election Day, and Employees Birthday.

c. Holidays: A through F, Columbus Day, Election Day, Lincoln's Birthday, Washington's Birthday, Armistice Day.



DECISION NO. NY77-3025

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |

FOOTNOTES (CONT'D):

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 vacation.

e. Employer contributes $7.00 per day to an Annuity Fund.

f. Holidays: New Year's Eve and Christmas Eve, provided the employee works a full half day preceding the holiday.

g. Work on Christmas Eve and New Year's Eve will terminate at Noon, but employee will receive a full days pay.

h. Holidays: B,C, D, E, Election Day, Columbus Day, providing the employee works at least 1 day in the week in which the holiday occurs.

i. If men work the last regular work day before Christmas Day or the last regular day before New Year's Day, the work day will end at Noon, but men will be paid for a full 7 hour day; However, if men are required to work after Noon they will be paid an additional time and a half for the hours worked.

j. Holidays: A through F, Washington's Birthday, Christmas Eve, Good Friday, providing the employee has worked 30 full days during the 90 calendar days prior to the holiday, and regular scheduled work days immediately preceding and following the holiday.

k. One half days pay for Labor Day.

l. Employer contributes $6.01 per day to an additional Security Benefit Fund.

m. Employees with 6 months or more but less than 5 years service recieve 2 weeks vacation, 5 or more years of service but less than 15 years service receive 3 weeks vacation, 15 or more years of service receive 4 weeks vacation.

n. Holidays: A through F, Lincoln's Birthday, Washington's Birthday, Election Day, Veteran's Day, provided the employee works 2 days in the calender week in which the holiday falls and each remaining work day during such calender week.

DECISION NO. NY77-3025

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |

FOOTNOTES (CONT'D):

p. For each 15 days worked within the contract year an employee will receive one day's vacation with pay with a maximum vacation of 3 weeks per year.

q. Employer contributes $5.00 per day to an Annuity Fund.

r. Employer contributes $4.50 per day to an Annuity Fund.



DECISION NO. NY77-3025

| POWER EQUIPMENT OPERATORS: BUILDING CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Double Drum Hoist | $11.66 | .93 | 1.95 | .70+a | .02 |
| Stone Derrick, Cranes, Cherry Pickers | 11.44 | .93 | 1.95 | .70+a | .02 |
| Hoists, Fork Lifts, House Cars, Plaster (platform machine), Plaster Bucket, Plaster Pump, Compressors-Welding Machines (cutting concrete-tank work), Paint Spraying, Sandblasting, and All Equipment Used For Hoisting Material | 11.01 | .93 | 1.95 | .70+a | .02 |
| Cranes: All types-crawler or truck | | | | | |
| 100' to 149' Boom | 11.94 | .93 | 1.95 | .70+a | .02 |
| 150' to 249' Boom | 12.19 | .93 | 1.95 | .70+a | .02 |
| 250' to 349' Boom | 12.44 | .93 | 1.95 | .70+a | .02 |
| 350' to 450' Boom | 12.94 | .93 | 1.95 | .70+a | .02 |
| Steel Erection: | | | | | |
| Three Drum Derricks | 12.25 | .93 | 1.95 | .70+a | .02 |
| Cranes, 2 Drum Derricks, Cherry Pickers | 11.74 | .93 | 1.95 | .70+a | .02 |
| Compressors, Welding Machines | 10.51 | .93 | 1.95 | .70+a | .02 |
| Tower Cranes | 12.19 | .93 | 1.95 | .70+a | .02 |

FOOTNOTES:

a. 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 occurs.

DECISION NO. NYTT-3025

| POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Class 1 | $11.66 | .93 | 1.95 | .70+a | .02 |
| Class 2 | 11.58 | .93 | 1.95 | .70+a | .02 |
| Class 3 | 11.33 | .93 | 1.95 | .70+a | .02 |
| Class 4 | 11.11 | .93 | 1.95 | .70+a | .02 |
| Class 5 | 10.88 | .93 | 1.95 | .70+a | .02 |
| Class 6 | 10.87 | .93 | 1.95 | .70+a | .02 |
| Class 7 | 10.59 | .93 | 1.95 | .70+a | .02 |
| Class 8 | 10.36 | .93 | 1.95 | .70+a | .02 |
| Class 9 | 9.89 | .93 | 1.95 | .70+a | .02 |
| Class 10 | | | | | |
| a | 12.08 | .93 | 1.95 | .70+a | .02 |
| b | 12.33 | .93 | 1.95 | .70+a | .02 |
| c | 12.58 | .93 | 1.95 | .70+a | .02 |
| d | 13.08 | .93 | 1.95 | .70+a | .02 |
| Class 11 | 12.07 | .93 | 1.95 | .70+a | .02 |
| Class 12 | 11.78 | .93 | 1.95 | .70+a | .02 |
| Class 13 | 11.58 | .93 | 1.95 | .70+a | .02 |
| Class 14 | 11.13 | .93 | 1.95 | .70+a | .02 |

FOOTNOTES:

a. Paid Holidays: New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving Day, Christmas Day, providing the employee works one day in the payroll week in which the holiday occurs.



DECISION NO. NYTT-3025

POWER EQUIPMENT OPERATORS
HEAVY AND HIGHWAY CONSTRUCTION

Class 1: Backhoes, Power shovels.

Class 2: Mine hoist, Cranes, etc, used as mine hoists.

Class 3: Gradalls, Whitstones, Cranes (with digging buckets including sand dock cranes, bridge cranes), Trenching machines.

Class 4: Rigs (under direction of a dockbuilder foreman), Derrick boats, Tunnel shovels, Pile drivers.

Class 5: Raise Bore Drill.

Class 6: Mucking machines, Back filling machines, Cranes, Paver dual drums.

Class 7: Elevator (manually operated), Concrete pavers, Cableways, Land Derricks, Mixers, Power Houses (which contain low pressure units).

Class 8: Power Houses (other than above), Compressors (3 or more in battery), Stone Crusher, Double Drum Hoist, Concrete pumps, Well point pumps, Tugger machines (caissons), Drilled in caissons, Soil solidification equipment, Welding machines (used for steel erection), Concrete plant, Conveyor attachment, Well Drilling machine.

Class 9: River cofferdam pumps, Welding machines, Boilers, High pressure, Compressors (portable, single or two in a battery), not over 100' apart, Concrete breaking machines, Hoists, Single drum, Load Masters, Locomotives and Dinkies over 10 tons, Mixers (concrete with loading attachment), Push button machines.

Class 10: Long Boom Land Cranes:
a---100' to 149'
b---150' to 249'
c---250' to 349'
d---350' to 450'

Class 11: 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.

DECISION NO. NY77-3025

POWER EQUIPMENT OPERATORS (CONT'D)
HEAVY AND HIGHWAY CONSTRUCTION

Class 12: Junior engineers when operating the following equipment and attachments: Scrapers, Turnapulls, Tugger hoists used exclusively for handling excavated material, Tractors (rubber tired and/or track type), Hysters and roustabout cranes, Back scratchers, Cherrypickers under 20 tons, Austin Western and machines of a similar nature, Bulldozers, Loaders rubber tired and/ or tractor type with a manufacturer's minimun rated bucket capacity or less than 6 cubic yards, Conveyors, Motor Graders, Curb and Gutter Pavers and machines of a similar nature.

Class 13: Junior engineers when operating the flooring pieces of minor equipment: Tractors, Locomotives 10 tons and under, Post hole diggers, 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, Dempster Dumpsters, Firemen tending to: Steam operated shovels, power boilers, steam operated piledrivers, steam operated derrick boats, steam operated water rigs.

Class 14: Apprentice engineers and oilers (all gasoline, electric, diesel, or air operated), Shovels, Cranes, Draglines, Backhoes, Keystones, Gradalls, Pavers, Trenching machines, Concrete pumps, Gunite machines, Compressors (3 or more in a 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 : NEW YORK

COUNTIES: BRONX, KINGS, NEW YORK, QUEENS, RICHMOND

DECISION NO.: NY77-3044

DATE: DATE OF PUBLICATION

Supersedes Decision No. NY77-3022 dated February 4, 1977 in 42 FR 7063

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

| RESIDENTIAL CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Asbestos Workers | $10.45 | 1.43 | .94 | 1.25 | |
| Boilermakers | 12.33 | 5% | 15% | 7% | .02 |
| Bricklayers | 11.04 | 1.48 | 3.38 | .30 | .01 |
| Bricklayers (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 8.62 | 1.13 | 1.33 | | |
| Carpenters, Millwrights, Pile-drivers and Soft Floor Layers | 10.92 | 1.25 | 1.73 | .65 | .04 |
| Carpenters, Millwrights, Pile-drivers and Soft Floor Layers (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 9.16 | 1.25 | .49 | | .02 |
| Cement Masons | 9.50 | 1.36 | 1.13 | 1.75 | .01 |
| Electricians and Linemen | 12.25 | 7% | 1%+a | 5.7%+b | 1% |
| Electricians and Linemen (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 9.50 | 7% | 1%+a | 5.365% | 1% |
| Elevator Constructors | 10.12 | .495 | .32+j | c+d | .02 |
| Elevator Constructors helpers | 7.59 | .495 | .32+j | c+d | .02 |
| Elevator Constructors helpers probationary | 5.06 | | | | |
| Elevator Constructors Modernization | 9.35 | .495 | .32+j | c+d | .02 |
| Elevator Constructors Modernization helpers | 7.01 | .495 | .32+j | c+d | .02 |
| Elevator Constructors Repair | 8.50 | .495 | .32+j | c+e | .02 |
| Elevator COnstructors Repair Helpers | 6.38 | .495 | .32+j | c+e | .02 |
| Glaziers | 10.70 | .66 | 1.66 | 4% | .01 |

DECISION NO. NY77-3044

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Ironworkers: | | | | | |
| Structural | 11.75 | 1.30 | 3.00 | 1.60+i | .07 |
| Ornamental Finisher | 10.33 | 1.06 | 2.44 | .78 | .04 |
| Reinforcing | 10.10 | .785 | 1.765 | .75+n | .01 |
| Laborers: | | | | | |
| Asphalt Rakers | 9.49 | 1.10 | 1.00 | m | |
| Asphalt Tampers | 9.27 | 1.10 | 1.00 | m | |
| Asphalt Laborers | 9.25 | 1.10 | 1.00 | m | |
| Cement Concrete Workers | 9.15 | .8025 | 1.3525 | q | |
| Mason Tenders | 9.00 | .687 | 1.3925 | | |
| Mason Tenders (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 7.52 | .79 | | | |
| Laborers | 8.185 | 1.30 | 1.41 | | |
| Plasterer Tenders (King) | 8.20 | 2.45 | | .80 | |
| Plasterer Tenders (Queens) | 9.60 | 1.55 | | 1.35 | |
| Plasterer Tenders (NY-Bronx-Richmond) | 8.25 | .90 | 1.00 | .35 | .01 |
| Lathers, Metallic | 10.41 | .945 | 1.985 | .75+n | .03 |
| Lead Burners | 10.75 | .40 | .25 | g | .01 |
| Marble Setters: | | | | | |
| Carvers | 10.15 | 1.13 | 1.19 | f | |
| Cutters and Setters | 10.00 | 1.13 | 1.19 | f | |
| Sawyers, Rubbers, and Polishers | 9.77 | 1.13 | 1.19 | f | |
| Crane operators and Derrickmen | 8.28 | 1.13 | 1.19 | f | |
| Painters: | | | | | |
| Brush | 9.20 | 8½% | 5%+h | 3% | |
| Brush (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 8.50 | .90 | .50 | | |
| Spray, Spray Gun, and Scaffold | 11.17 | 8½% | 5%+h | 3% | |



DECISION NO. NY77-3044

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Plasterers: | | | | | |
| Kings | 9.90 | 1.10 | | 1.40 | .01 |
| Queens | 8.70 | 1.00 | .20 | 1.40 | .01 |
| Bronx-NY | 9.30 | 1.10 | 1.19 | .90 | .01 |
| Plasterers: All Counties (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 7.17 | 2.30 | | | |
| Plumbers: | | | | | |
| Bronx and NY | 9.25 | 1.07 | 1.86 | .72 | .06 |
| Bronx and NY (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominantly residential use) | 7.58 | 3.49 | r | | |
| Kings-Queens | 10.10 | 1.90 | 1.79 | 1.19 | .22 |
| Richmond | 10.40 | 1.00+p | 1.48 | 1.05 | .30 |
| Roofers: | | | | | |
| Composition, Damp, Waterproofers | 9.15 | 1.79 | 2.45 | .65 | |
| Composition, Damp, and Waterproofers (Rehabilitation work on residential structures defined to include demolition, repair, and alteration on existing structures which are intended for predominently residential use) | 6.86 | 1.34 | 1.84 | .49 | |
| Sheet Metal Workers | 11.87 | 1.82 | 1.15 | .41 | .02 |
| Sprinkler Fitters & Steamfitters | 10.52 | 2.65 | 1.12 | .86 | .07 |
| Steamfitters | 10.25 | .50 | 1.00 | | |
| Terrazzo Workers | 10.38 | 1.21 | 1.50 | | |
| Terrazzo Workers helpers | 9.14 | 1.21 | 1.50 | | |
| Tile Setters | 9.15 | .85 | 2.10 | | |
| Tile Setters helpers | 7.90 | .50 | 1.27 | | |
| Truck Drivers: | | | | | |
| Ready-mix concrete, sand, gravel and asphalt | 8.87 | .9675 | 1.8525 | k+1 | |
| Euclids and Turnapulls | 8.825 | .9675 | 1.8525 | 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; G-Columbus Day; H-Day after Thanksgiving

FOOTNOTES:

a. Employer contributes $7.00 per day to an Annuity and Security Benefit Fund.

b. Paid Holidays: A through F.

c. Paid Holidays: A through G; Lincoln's Birthday, Washington's Birthday; 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 4 weeks vacation.

e. Employees with 6 months or more but less than 5 years service receive 2 weeks vacatio 5 or more years but less than 15 years receive 3 weeks vacation, 15 or more years of service receive 4 weeks vacation.

f. Paid Holidays: ½ day's pay for Labor Day.

g. Paid Holidays: A through F; Washington's Birthday, Christmas Eve, Good Friday, providing the employee has worked 30 full days during the 90 calendar days prior to the holiday, and the regular scheduled worked days immediately preceeding and following the holiday.

h. Employer contributes $5.00 per day to an Annuity Fund.

i. Paid Holidays: New Year's Eve and Christmas Eve, providing the employee works a full half day preceeding the holiday.

j. Employer contributes $7.00 per day to an Annuity Fund.

k. Paid Holidays: A through G; Lincoln's Birthday, Washington's Birthday, Election Day, Veteran's Day, providing the employee works 2 days in the calendar week in which the holiday falls and each remaining work day during such calendar week.

l. For each 15 days within the contract year an employee will receive 1 days vacation with pay, with a maximum vacation of 3 weeks per year.

m. Paid Holidays: B,C,D,E,G,Election Day, providing the employee works at least 1 day i the week in which the holiday occurs.

n. Work on Christmas Eve and New Year's Eve will terminate at noon, but the employee will receive a full day's pay.

p. Employer contributes $6.01 per day to an additional Security Benefit Fund.

q. If men work the last regular work day before Christmas Day, or the last regular work day before New Year's Day, the work day will end at Noon but men will be paid for a full 7 hour day; however, if men are required to work after 12 Noon they will be pai additional time and one-half for the hours worked.



FOOTNOTES (CONT'D):

r. Employer contributes $4.50 per day to an Annuity Fund.

DECISION NO. [illegible]

| POWER EQUIPMENT OPERATORS: | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Double Drum Hoist | $11.66 | .93 | 1.95 | .70+a | .02 |
| Stone Derrick, Cranes, Cherry Pickers | 11.44 | .93 | 1.95 | .70+a | .02 |
| Hoists, Fork Lifts, House Cars, Plaster (platform machine), Plaster Buckets, Plaster Pump, Compressors-Welding Machines (cutting concrete-tank work), Paint Spraying, Sandblasting, and All Equipment Used For Hoisting Material | 11.01 | .93 | 1.95 | .70+a | .02 |
| Cranes: All types-crawler or truck: | | | | | |
| 100' to 149' Boom | 11.94 | .93 | 1.95 | .70+a | .02 |
| 150' to 249' Boom | 12.19 | .93 | 1.95 | .70+a | .02 |
| 250' to 349' Boom | 12.44 | .93 | 1.95 | .70+a | .02 |
| 350' to 450' Boom | 12.94 | .93 | 1.95 | .70+a | .02 |
| Steel Erection: | | | | | |
| Three Drum Derricks | 12.25 | .93 | 1.95 | .70+a | .02 |
| Cranes, 2 Drum Derricks, Cherry Pickers | 11.74 | .93 | 1.95 | .70+a | .02 |
| Compressors, Welding Machines | 10.51 | .93 | 1.95 | .70+a | .02 |

FOOTNOTES:

a. 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 occurs.

SUPERSEDEAS DECISION

STATE: South Dakota COUNTY: , Minnehaha

DECISION NUMBER: SD77-5064 DATE: Date of Publication

Supersedeas Decision No. SD77-5027 date March 4, 1977, 42 FR 12665:

DESCRIPTION OF WORK: Building Construction (does not include 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 | $10.48 | .60 | .65 | | |
| BOILERMAKERS | 10.30 | .85 | 1.00 | | .02 |
| BRICKLAYERS; Stonemasons | 10.55 | .45 | .40 | | .05 |
| CARPENTERS: | | | | | |
| Carpenters; Pilediverman | 8.83 | | .20 | | .05 |
| Millwrights | 9.79 | | .20 | | .05 |
| CEMENT MASONS | 9.54 | | | | |
| ELECTRICIANS: | | | | | |
| 0 miles through 30 miles from Sioux Falls Post Office | | | | | |
| Electricians | 10.12 | .40 | 1% | 6% | 1½% |
| Cable Splicers | 11.13 | .40 | 1% | 6% | 1½% |
| Over 30 miles from Sioux Falls Post Office | | | | | |
| Electricians | 11.12 | .40 | 1% | 6% | 1½% |
| Cable Splicers | 12.13 | .40 | 1% | 6% | 1½% |
| GLAZIERS | 7.59 | | | | |
| LABORERS: | | | | | |
| Laborers | 4.35 | | | | |
| Mortar Mixers, paving breakers, jack hammer operator | 4.45 | | | | |
| Nozzleman (gunnite, sandblast and shotcrete) | 4.60 | | | | |
| LATHERS | 9.36 | | | | .01 |
| PAINTERS: | | | | | |
| Brush | 7.79 | | | | |
| Spray | 8.29 | | | | |
| Tapers | 8.04 | | | | |
| PLASTERERS | 9.36 | | | | .01 |
| PLUMBERS; Steamfitters | 9.79 | .55 | .30 | .27 | .03 |
| SHEET METAL WORKERS | 9.22 | | .15 | .50 | |
| SPRINKLER FITTERS | 9.90 | .65 | .95 | | .08 |
| WELDER: Receive rate prescribed for craft performing operation to which welding is incidental. | | | | | |

SUPERSEDEAS DECISION

STATE: South Dakota COUNTIES: Meade and Pennington
DECISION NUMBER: SD77-5065 DATE : Date of Publication
Supersedes Decision No. SD77-5028 dated March 4, 1977, in 42 FR 12666.
DESCRIPTION OF WORK: Building Construction, (does not include 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 | $ 10.48 | .60 | .65 | | |
| BOILERMAKERS | 10.30 | .85 | 1.00 | | .02 |
| BRICKLAYERS; Stonemasons | 9.65 | | .30 | | |
| CARPENTERS: | | | | | |
| Carpenters, Acoustical and Drywall Applicators | 9.21 | | .30 | | .05 |
| Piledrivermen | 9.46 | | .30 | | .05 |
| Millwrights | 9.71 | | .30 | | .05 |
| CEMENT MASONS | 7.85 | .35 | .40 | | |
| ELECTRICIANS: | --- | | | | |
| Within 15 mile radius of Rapid City Post Office | | | | | |
| Electricians | 9.20 | .40 | 1% | 6% | 1½% |
| Cable Splicers | 9.75 | .40 | 1% | 6% | 1½% |
| Within 15 to 35 miles radius of Rapid City Post Office | | | | | |
| Electricians | 9.60 | .40 | 1% | 6% | 1½% |
| Cable Splicers | 10.15 | .40 | 1% | 6% | 1½% |
| Outside a 35 mile radius of Rapid City Post Office | | | | | |
| Electricians | 10.45 | .40 | 1% | 6% | 1½% |
| Cable Splicers | 11.00 | .40 | 1% | 6% | 1½% |
| IRONWORKERS: | | | | | |
| Fence Erectors; Ornamental; Reinforcing; Sheeter; Structural | 9.90 | .55 | 1.00 | | .25 |
| LABORERS: | | | | | |
| Laborers; Power Tool Operator or all Mechanical Air, gas, electric tools, including self-propelled Buggies, Wagon and Air Track Drills; Pipe Layer (non-metallic); Sandblasting; Mortar Mixer; Mason Tender; Plaster Tender | 5.80 | .50 | .15 | | |
| Gunnite Nozzlemen; Powdermen; Miner; Timbermen | 6.30 | .50 | .15 | | |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: | | | | | |
| Brush | $ 7.79 | | | | |
| Spray | 8.29 | | | | |
| Tapers | 8.04 | | | | |
| PLASTERERS | 8.50 | | | | |
| PLUMBERS; Steamfitters | 9.13 | .40 | .35 | | .03 |
| SHEET METAL WORKERS | 9.25 | | | | .005 |
| SPRINKLER FITTERS | 9.90 | .65 | .95 | | .08 |
| RIGGERS; WELDERS: Receive rate prescribed for craft performing operation to which rigging or welding is incidental. | | | | | |

SUPERSEDEAS DECISION

STATE: Washington
DECISION NUMBER: WA77-5055
COUNTIES: Statewide
DATE: Date of Publication
Supersedes Decision No. WA77-5032 dated April 1, 1977, in 42 FR 17789.
DESCRIPTION OF WORK: Building Construction (does not include 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: | | | | | |
| Chelan, Clallam, Douglas, Grays Harbor, Island, Jefferson, King Kitsap, Kitttias, Lewis, Mason, Okanogan, Pacific (Northern portion), Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima Counties | $ 11.76 | .51 | $ 1.10 | | .04 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | 11.91 | .56 | .95 | | .12 |
| Remaining Counties | 11.75 | .51 | .95 | | |
| BOILERMAKERS | 11.60 | .75 | 1.00 | .50 | .02 |
| BRICKLAYERS: | | | | | |
| Adams (except City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Grand Coulee Dam area in Okanogan County | 11.01 | .65 | .70 | | .04 |
| Benton, Franklin and Walla Walla Counties | 10.68 | .55 | .50 | | |
| Chelan, Douglas and Okanogan (except area of Grand Coulee Dam) | 9.50 | .55 | .50 | | |
| Clallam, Island, Jefferson, King Kitsap, Snohomish and Skagit (south of the Cities of Burlington, Sedro-Woolley and Concrete) Counties | 10.42 | .65 | .65 | | .08 |
| BRICKLAYERS: (Cont'd) | | | | | |
| Clark, Cowlitz, Pacific (Southern portion), Skamania, Wahkiakum Counties and ten mile strip bordering the Columbia River in Klickitat County | $11.03 | .65 | .75 | | .10 |
| Grant County and that portion of Adams County including the City of Othello | 10.50 | .40 | | | |
| Kittitas, Yakima and Klickitat (except a ten mile strip bordering the Columbia River) Counties | 10.10 | .65 | .75 | | |
| Grays Harbor, Lewis, Mason, Thurston and northern portion of Pacific County | 9.20 | .55 | .30 | | |
| Pierce County | 10.23 | .65 | .75 | | .02 |
| San Juan, Skagit (including the Cities of Burlington, Sedro-Woolley, Concrete and north thereof), and Whatcom Counties | 10.35 | .55 | .45 | | |
| CARPENTERS: | | | | | |
| All Counties and parts of Counties east of the 120th Meridian (except those parts of Kittitas, Klickitat and Yakima east of the 120th Meridian) | | | | | |
| Carpenters | 9.74 | .60 | .55 | | .055 |
| Piledriver; Floor Sanders; Saw Filers; Stationary Power Woodworking Tool Operator | 9.89 | .60 | .55 | | .055 |
| Shingler (wood or composition) | 9.94 | .60 | .55 | | .055 |
| Boom Men; Carpenters (Creosoted material) | 9.99 | .60 | .55 | | .055 |
| Piledriver (creosoted material) | 10.14 | .60 | .55 | | .055 |
| Millwright and Machine Erector | 10.24 | .60 | .55 | | .055 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| CARPENTERS: (Cont'd) | | | | | |
| All Counties and parts of Counties west of the 120th Meridian except Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | | | | | |
| Carpenters and Drywall Applicators | $ 9.75 | .50 | .70 | | .02 |
| Carpenters on Creosoted material | 9.85 | .50 | .70 | | .02 |
| Sawfilers; Stationary power saw; Floor Finisher; Floor Layer; Shingles; Floor Sander and other stationary power woodwdrking tools | 9.88 | .50 | .70 | | .02 |
| Millwrights and Machine Erectors | 10.25 | .50 | .70 | | .02 |
| Piledrivers; Bridge, dock and wharf builders | 9.90 | .50 | .70 | | .02 |
| Acoustical Workers | 9.91 | .50 | .70 | | .02 |
| Boommen | 9.95 | .50 | .70 | | .02 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | | | | | |
| Carpenters; Form Strippers; Manhole Builders; Acoustical Applicators, Drywall Applicators | 10.65 | .55 | .85 | .50 | .03 |
| Piledrivermen, bridge, dock and wharf builders | 10.75 | .55 | .85 | .50 | .03 |
| Floor Layers; Floor Finishers; Stationary Power Saw Operator | 10.80 | .55 | .85 | .50 | .03 |
| Boomman | 10.85 | .55 | .85 | .50 | .03 |
| Millwrights; Machine Erectors | 10.90 | .55 | .85 | .50 | .03 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| CEMENT MASONS: | | | | | |
| Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas (except for western portion lying one mile west of City of Easton), Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima Counties | $ 9.64 | .50 | .75 | | .04 |
| Clallam, Grays Harbor, Island, Jefferson, King, (except City of Auburn), Kitsap, Kittitas, (western portion lying one mile west of the City of Easton), Mason, Pacific (Northern portion), San Juan, Skagit, Snohomish and Whatcom Counties | 9.97 | .55 | .90 | | .01 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | | | | | |
| Cement Masons | 10.37 | .75 | .70 | .60 | .10 |
| Composition materials and power machinery | 10.52 | .75 | .70 | .60 | .10 |
| Lewis, Pierce, Thurston and the City of Auburn in King County | 9.80 | .55 | 1.00 | | .02 |
| ELECTRICIANS: | | | | | |
| Adams, Ferry, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties | | | | | |
| Electricians | 12.13 | .57 | 1%+.40 | | .02 |
| Cable Splicers | 12.53 | .57 | 1%+.40 | | .02 |
| Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Walla Walla and Yakima Counties | | | | | |
| Electricians | 12.13 | .57 | 1%+.40 | | .02 |
| Cable Splicers | 13.34 | .57 | 1%+.40 | | .02 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELECTICIANS: (Cont'd) | | | | | |
| Chelan, Douglas, Grant and Okanogan Counties. | | | | | |
| Electricians | $12.13 | .57 | 1%+.40 | | .02 |
| Cable Splicers | 13.34 | .57 | 1%+.40 | | .02 |
| Clallam, Jefferson, King and Kitsap Counties | | | | | |
| Electricians | 13.20 | .70 | 1%+.65 | | .03 |
| Cable Splicers | 14.52 | .70 | 1%+.65 | | .03 |
| Clark, Klickitat and Skamania Counties | | | | | |
| Electricians | 12.80 | .65 | 1%+1.00 | | .05 |
| Cable Splicers | 13.55 | .65 | 1%+1.00 | | .05 |
| Cowlitz and Wahkiakum Counties | | | | | |
| Electricians | 11.91 | .65 | 1% | 5% | .02 |
| Cable Splicers | 13.10 | .65 | 1% | 5% | .02 |
| Grays Harbor, Lewis, Mason, Pierce, Pacific and Thurston Counties | | | | | |
| Electricians | 11.51 | .45 | 1%+.55 | .92 | .04 |
| Cable Splicers | 12.66 | .45 | 1%+.55 | .92 | .04 |
| Island, San Juan, Skagit, Snohomish and Whatcom Counties | | | | | |
| Electricians | 12.52 | .65 | 1%+.40 | | .01 |
| Cable Splicers | 13.77 | .65 | 1%+.40 | | .01 |
| ELECTRONIC TECHNICIANS: (Installation and repair of low-voltage communication and alarm systems, excluding any work under the jurisdiction of a journeyman wireman): | | | | | |
| Adams, Ferry, Lincoln, Pend Oreille, Spokane, Stevens, and Whitman Cos. | | | | | |
| Journeyman Installer | 7.30 | .43 | | | .02 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ELEVATOR CONSTRUCTORS: | | | | | |
| Adams, Asotin, Benton, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla and Whitman Counties | | | | | |
| Elevator Constructors | $11.95 | .545 | .35 | 4%+a | .02 |
| Elevator Constructors' Helpers | 70%JR | .545 | .35 | 4%+a | .02 |
| Elevator Constructors' Helpers (Prob.) | 50%JR | | | | |
| Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason Pacific, (Northern portion), Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima Counties | | | | | |
| Elevator Constructors | 12.445 | .545 | .35 | 3%+a | .02 |
| Elevator Constructors' Helpers | 70%JR | .545 | .35 | 3%+a | .02 |
| Elevator Constructors' Helpers (Prob.) | 50%JR | | | | |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | | | | | |
| Elevator Constructors | 11.13 | .495 | .32 | 3%+a | .02 |
| Elevator Constructors' Helpers | 70%JR | .495 | .32 | 3%+a | .02 |
| Elevator Constructors' Helpers (Prob.) | 50%JR | | | | |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| GLAZIERS: | | | | | |
| Adams (northeastern portion), Lincoln (eastern half); Pend Oreille, Spokane and Stevens Counties | $ 9.73 | .35 | .10 | b+.43 | |
| Adams (southeastern portion), Benton, Columbia, Franklin and Walla Walla Counties | 8.96 | .40 | .45 | .58 | |
| Adams (southwestern corner), Chelan, Douglas, Grant, Lincoln, (western half) and Okanogan Counties | 7.92 | .40 | .70 | .57 | .02 |
| Asotin, Garfield and Whitman Counties | 8.03 | .31 | .25 | b+.28 | |
| Clallam, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, (Northern portion), Pierce, San Juan, Snohomish and Thurston Counties | 9.59 | .30 | .65 | b | |
| Yakima and Kittitas Counties | 8.76 | .35 | .40 | | |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | 9.75 | .41 | .65 | 6.8% | .01 |
| IRONWORKERS: | | | | | |
| Statewide except Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties | | | | | |
| Reinforcing; Structural; Fence Erectors; Ornamental; Riggers and Signalmen | 11.00 | .73 | 1.00 | | .05 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Cos. | | | | | |
| Reinforcing; Structrual; Fence Erectors; Ornamental; Riggers; Signalmen | 11.00 | .73 | 1.00 | | .05 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LATHERS: | | | | | |
| Adams, Asotin, Benton, Chelan, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman and Yakima Counties | $10.35 | .50 | | | |
| Clallam, Island, Jofferson, King, Kitsap, Lewis, Pacific (Northern portion), Pierce, San Juan, Skagit, Snohomish and Whatcom Counties | 10.90 | .55 | 1.00 | | .04 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Cos. | 9.30 | .50 | .80 | | .01 |
| MARBLE SETTERS: | | | | | |
| Adams (except that portion including the City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties, and Grand Coulee Dam Area in Okanogan County | 11.02 | .65 | .70 | | .04 |
| Benton, Franklin and Walla Walla Counties | 10.68 | .55 | .50 | | |
| Chelan, Douglas and Okanogan Counties (except area of Grand Coulee Dam) | 9.50 | .55 | .50 | | |
| Clallam, Island, Jefferson, King, Kitsap, Snohomish and Skagit (south of the Cities of Burlington, Sedro-Woolley and Concrete) Counties | 10.42 | .65 | .65 | | .08 |
| Clark, Cowlitz, Pacific (Southern portion), Skamania, Wahkaikum Counties and a ten mile strip bordering the Columbia River in Klickitat County | 11.03 | .65 | .75 | | .10 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| MARBLE SETTERS: (Cont'd) | | | | | |
| Grant County and that portion of Adams County including the City of Othello | $10.50 | .40 | | | |
| Grays Harbor, Lewis, Mason, Thurston and northern half of Pacific Counties | 9.20 | .55 | .30 | | |
| Pierce County | 10.23 | .65 | .75 | | .02 |
| San Juan, Skagit (including the Cities of Burlington, Sedro-Wolley, Concrete and north thereof) and Whatcom Counties | 10.35 | .55 | .45 | | |
| MARBLE, TILE and TERRAZZO WORKERS HELPERS: | | | | | |
| All Counties west of the Cascade Mountain Range (except Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Cos. | 9.52 | .65 | .30 | | |
| MASON TENDERS: | | | | | |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties (including tenders to plasterers, bricklayers, tile setters, marble setters and terrazzo workers; topping for cement finishers and mortar mixers) | 8.77 | .85 | .95 | | .10 |
| PAINTERS: | | | | | |
| Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman and Yakima Counties | | | | | |
| Brush | 9.77 | .40 | .70 | | .02 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PAINTERS: (Cont'd) | | | | | |
| Steel; Spray; Steam Cleaning; Roller over 9" or 10' handle; Drywall Taper | $10.02 | .40 | .70 | | .02 |
| Swing Stage work or high rate (over 30') | 10.12 | .40 | .70 | | .02 |
| Bituminastic; Sandblasting; Bridge; Tanks on legs; Tower; Stacks; Steeples | 10.17 | .40 | .70 | | .02 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Cos. | | | | | |
| Brush | 9.24 | .55 | .60 | .50 | .10 |
| Spray | 9.64 | .55 | .60 | .50 | .10 |
| Bridges, High work over 50' (brush) | 9.99 | .55 | .60 | .50 | .10 |
| Bridges, High work over 50' (spray) | 10.39 | .55 | .60 | .50 | .10 |
| Drywall Finishers | 10.24 | .55 | .40 | .50 | .06 |
| Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston, Pacific (northern portion) and Whatcom Counties | | | | | |
| Brush; Drywall Tapers Spray; Structural Steel; Bridge; Sandblasting; Stacks; Steam Cleaning; Steeples; Swing Stage; Tanks on legs; Tower; Toxic Material | 9.98 | .44 | .76 | | .02 |
| Statewide except Wahkiakum, Cowlitz and Skamania Counties | 10.23 | .44 | .76 | | .02 |
| Striper | 10.43 | .44 | .31 | | |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLASTERERS: | | | | | |
| Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Kittitas (including the City of Ellensburg and south thereof); Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman and Yakima Counties | $10.53 | .50 | | | |
| Chelan, Douglas, Kittitas (north of the City of Ellensburg), and Okanogan Counties | 9.98 | .50 | .65 | | |
| Clallam, Island, Jefferson, King (except the City of Kent), Kitsap, Pacific (Northern portion), San Juan, Skagit and Snohomish Counties | 10.90 | .55 | 1.00 | | .06 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Cos. | 10.50 | .55 | .80 | | .01 |
| Grays Harbor, King (City of Kent), Lewis, Mason, Pierce and Thurston Counties | 9.80 | .55 | 1.00 | | |
| PLASTERERS' TENDERS: | | | | | |
| All Counties and portions of Counties East of the 120th Meridian | 8.60 | .65 | .70 | | .02 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLUMBERS: | | | | | |
| Chelan, Clallam, King, Kittitas (north of 47°15' N. Lat.), Douglas (west of the 119°30' W. Long.), Jefferson and Okanogan (except the area lying east of 119°30' W. Long., North to 48°30' N. Lat. Township lines) Counties | $12.11 | .72 | 1.35 | 1.10 | .07 |
| Adams (except area between a line drawn south from the western boundary of Ferry County to Highway #10 eastward to Whitman County), Asotin, Benton, Columbia, Franklin, Garfield, Grant, Klickitat, Walla Walla, Yakima, Douglas (east of 119°30' W. Long.), Ferry (west of a line drawn from Creston in Lincoln County northward to the Canadian Border), Kittitas (south of 47°15' N. Lat.), Lincoln (west of a line drawn from Schrag in Adams County northward to the Ferry County County Line), and Okanogan (east of 119°30' west Long. and south of 48°30' N. Lat.) Counties | 12.25 | .65 | 1.15 | 1.20 | .11 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| PLUMBERS: (Cont'd) | | | | | |
| Adams (area between a line drawn south from the western boundary of Ferry County to Highway #10 and eastward to Whitman County), Asotin, Cowlitz, Ferry (east of a line drawn from Creston in Lincoln County northward to the Canadian Border), Grays Harbor, Kitsap, Lewis, Lincoln (east of a line drawn from Schrag in Adams County northward to the Ferry County Line), Mason, Pend Oreille, Pierce, Skagit, Snohomish, Spokane, Stevens, Thurston, Wahkiakum, Whatcom, Whitman and Clark and Skamania (those portions lying north of an east-west line drawn through Woodland eastward to the Klickitat County Line) Counties | $11.60 | .65 | $ 1.10 | $1.00 | .11 |
| Clark and Skamania Counties south of an east-west line drawn through Woodland eastward to the Klickitat County Line | 13.12 | 1.21 | 1.60 | | .13 |
| ROOFERS: | | | | | |
| Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens and Whitman Counties. | 8.94 | .66 | .50 | | .01 |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| ROOFERS: (Cont'd) | | | | | |
| Benton, Franklin, Kittitas, Klickitat and Yakima Counties Roofers; Kettlemen; Waterproofers; Shinglers; Spraying | $ 9.65 | .47 | .30 | | |
| Clallam, Cowlitz, Grays Harbor, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Snohomish Thurston and Wahkiakum Cos. Roofers; Waterproofers | 9.45 | .60 | .40 | | |
| Slate and Tile Roofers | 9.70 | .60 | .40 | | |
| Island, San Juan, Skagit and Whatcom Counties Roofers and Waterproofers | 8.55 | .50 | .40 | | |
| Slate and Tile Roofers | 9.05 | .50 | .40 | | |
| Clark and Skamania Counties Roofers | 10.45 | .65 | .80 | | |
| Handling of irritating material (coal, tar or epoxy) in unconfined area | 10.95 | .65 | .80 | | |
| Handling of irritating material (coal, tar or epoxy) in confined area | 11.20 | .65 | .80 | | |
| Roofers Helpers: | | | | | |
| Under 800 hours experience | 70%JR | | | | |
| 800 - 1600 hours experience | 75%JR | | | | |
| Over 1600 hours experience | 80%JR | | | | |
| SHEET METAL WORKERS: | | | | | |
| Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman and Yakima Counties | 12.10 | 3%+.57 | .825 | | .05 |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| SHEET METAL WORKERS: (Cont'd) | | | | | |
| Clallam, Jefferson, Kitsap and Mason Counties | $10.99 | 3%+.37 | .82 | $1.50 | .03 |
| Clark and Skamania Counties | 11.13 | 3%+.81 | .93 | 1.00 | .04 |
| Cowlitz, Grays Harbor, Lewis, Pacific, Pierce, Thurston and Wahkiakum Counties | 12.23 | 3%+.56 | .90 | | .02 |
| King County | 12.15 | 3%+.56 | .99 | | .05 |
| Island and Snohomish Counties | 12.15 | 3%+.96 | .99 | | .03 |
| Whatcom, Skagit and San Juan Counties | 11.18 | .61 | .83 | | .04 |
| SOFT FLOOR LAYERS: | | | | | |
| Adams (N.E. portion), Ferry, Lincoln (E.½), Pend Orielle, Spokane and Stevens Counties | 9.05 | .40 | .60 | | |
| Adams (S.E. portion), Benton, Columbia, Franklin and Walla Walla Counties | 9.09 | .40 | .70 | 1.21 | |
| Adams (S.W. portion), Chelan, Douglas, Grant, Lincoln (Western ½), and Okanogan Cos. | 9.25 | .40 | .70 | .35 | |
| Asotin, Garfield, and Whitman Counties | 8.67 | .40 | .25 | .33 | |
| Clallam, Island, Jefferson, Lewis, San Juan, Skagit, Whatcom, King, Kitsap and Snohomish Counties | 9.86 | .46 | .75 | | .05 |
| Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Cos. | 9.435 | .50 | .90 | c | .08 |
| Grays Harbor, Mason, Pacific (Northern portion), Pierce and Thurston Counties | 10.16 | .56 | .75 | | .05 |
| Yakima and Kittitas Counties | 8.94 | .40 | .35 | | |



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| SPRINKLER FITTERS: | | | | | |
| Skagit, Snohomish, King, Island, Kitsap, Pierce and Thurston Counties | $13.81 | .60 | .90 | | .09 |
| Remaining Counties | 11.65 | .65 | .95 | | .08 |
| TERRAZZO WORKERS: | | | | | |
| Adams (except that portion including the City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Whitman and Grand Coulee Dam area in Okanogan County | 10.20 | .55 | .40 | | |
| Benton, Franklin and Walla Walla Counties | 10.01 | .55 | .50 | | |
| Chelan, Douglas, Okanogan (except area of Grand Coulee Dam) | 9.50 | .55 | .50 | | |
| Clallam, Island, Jefferson, King, Kitsap, Skagit (south of the Cities of Burlington, Sedro-Woolley and Concrete) and Snohomish Counties | 11.46 | .65 | .75 | | .05 |
| Grant County and that portion of Adams County including the City of Othello | 10.50 | .40 | | | |
| Grays Harbor, Lewis, Mason and Thurston Counties | 9.20 | .55 | .30 | | |
| Pierce County | 11.47 | .65 | .80 | | .05 |
| San Juan, Skagit (including the Cities of Burlington, Sedro-Woolley, Concrete and north thereof) and Whatcom Counties | 10.35 | .55 | .45 | | |
| TILE SETTERS: | | | | | |
| Adams (except that portion including the City of Othello), Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Whitman and Grand Coulee Dam area in Okanogan County | 10.20 | .55 | .40 | | |

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| TILE SETTERS: (Cont'd) | | | | | |
| Benton, Franklin and Walla Walla Counties | $10.01 | .55 | .50 | | |
| Chelan, Douglas, Okanogan (except area of Grand Coulee Dam) | 9.50 | .55 | .50 | | |
| Clallam, Island, Jefferson, King, Kitsap, Skagit (south of the Cities of Burlington, Sedro-Woolley and Concrete) and Snohomish Counties | 11.46 | .65 | .75 | | .05 |
| Clark, Cowlitz, Pacific (Southern portion), Skamania, Wahkiakum and a ten-mile strip bordering the Columbia River in Klickitat County | 9.69 | .50 | .55 | | .10 |
| Grant County and that portion of Adams County including the City of Othello | 10.50 | .40 | | | |
| Grays Harbor, Lewis, Mason and Thurston Counties | 9.20 | .55 | .30 | | |
| Pierce County | 11.47 | .65 | .80 | | .05 |
| San Juan, Skagit (including the Cities of Burlington, Sedro-Woolley, Concrete and north thereof) and Whatcom Cos. | 10.35 | .55 | .45 | | |



WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.

*Where Pacific County is stated as "Northern Portion" or "Southern Portion" such areas are defined as follows:

Pacific (Northern portion) - North of Wahkiakum County Northern boundary extended due West to the Pacific Ocean

Pacific (Southern portion) - South of Wahkiakum County Northern boundary extended due west to the Pacific Ocean

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% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

b. Two weeks' vacation with pay after 1 year of employment. Also seven Paid Holidays: A through F plus Washington's Birthday.

c. 4% of all gross wages to be placed to the credit of the employee with less than one year's service - 6% of all gross wages to be placed to the credit of the employee with more than one year of service.

| LINE CONSTRUCTION | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Cable Splicers, Leadman Pole Sprayer | $12.78 | .45 | 1% | .10 | 1/2% |
| Lineman, Pole Sprayer, Heavy Line Equipment Man, Certified Lineman Welder | 11.54 | .45 | 1% | .10 | 1/2% |
| Tree Trimmer | 10.42 | .45 | 1% | .10 | 1/2% |
| Line Equipment Man | 9.95 | .45 | 1% | .10 | 1/2% |
| Head Groundman (chipper), Head Groundman, Powderman, Jackhammer Man | 8.69 | .45 | 1% | .10 | 1/2% |
| Groundman, Tree Trimmer Helper | 8.18 | .45 | 1% | .10 | 1/2% |

ZONE PAY

Each classification will receive the base rate plus Zone A - $1.25, Zone B - $2.00, Zone C - $2.75, Zone D - $4.00

BASE ZONE - 0 to 3 miles from geographical center of towns listed below

ZONE A - 3 to 20 miles radius from geographical center of towns listed below.

ZONE B - 20 to 35 miles radius from geographical center of towns listed below.

ZONE C - 35 to 50 miles radius from geographical center of towns listed below

ZONE D - in excess of 50 miles.

Base hourly rate will be paid to all men working out of employers' permanent shop.

| | | | | |
|---|---|---|---|---|
| Spokane | Ellensburg | Asotoria | Portland | Couer D' Alene |
| Tacoma | Ephrata | Baker | Pendleton | Kellog |
| Walla Walla | Everett | Burns | Salem | Lewiston |
| Wenatchee | Kennewick | Bend | Roseburg | Orofino |
| Yakima | Longview | Eugene | The Dalles | San Point |
| Wilbur | Olympia | Klamath Falls | Umatilla | |
| Bellingham | Seattle | Lakeview | Corvallis | |
| | | Medford | | |



| LABORERS (Area 1) (All Counties and portions of Counties East of the 120th Meridian) | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Group 1 | $ 8.10 | .65 | .70 | | .02 |
| Group 2 | 8.25 | .65 | .70 | | .02 |
| Group 3 | 8.35 | .65 | .70 | | .02 |
| Group 4 | 8.40 | .65 | .70 | | .02 |
| Group 5 | 8.45 | .65 | .70 | | .02 |
| Group 6 | 8.50 | .65 | .70 | | .02 |
| Group 7 | 8.55 | .65 | .70 | | .02 |
| Group 8 | 8.75 | .65 | .70 | | .02 |
| Group 9: | | | | | |
| Class A | 8.15 | .65 | .70 | | .02 |
| Class B | 8.20 | .65 | .70 | | .02 |
| Class C | 8.60 | .65 | .70 | | .02 |
| Class D | 8.65 | .65 | .70 | | .02 |

LABORERS (Area 1)
All Counties and portions of Counties East of the 120th Meridian

Group 1: Brush Hog Feeder; Carpenter Tender; Concrete Crewman (to include stripping of forms, hand operating jacks on slip form construction, application of concrete curing compounds, pumpcrete machine, handling the nozzle of squeezecrete or similar machine 6" and smaller); Concrete Signalman; Crusher Feeder; Demolition (to including 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; Riprap 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 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; Jackhammer 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, Shanwac; Water Pipe Liner; Wagon Drills

Group 4: Chain Saw (faller); Laser Beam Operator; Pipe Layer (Caulker, Collarman, Jointer, Mortarman, Rigger, Jacker, Shorer and Lagger but not including laying corrugated metal culvert pipe)



LABORERS (Area 1) (Cont'd).
All Counties and portions of Counties East of the 120th Meridian

Group 5: Concrete Stack; Mortar Mixer

Group 6: Caisson Worker, free air; High Scaler

Group 7: Brush Machine (to include hoirzontal construction joint clean-up Bruch Machine, power propelled); Drills (to include down-the-hole drills with 3 inch piston or larger and out-of-the-hole drills with 4 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 1200 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

Group 9: Tunnel and Shaft, free air
Class A: Bull Gang, Pump Crete Crewman including distribution 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

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| LABORERS (Area 2)<br>(All Counties West of the 120th Meridian (except those enumerated in Areas 3 and 4) and the Northern portion of Pacific County) | | | | | |
| Group 1 | $ 8.36 | .85 | .95 | | .06 |
| Group 2 | 8.46 | .85 | .95 | | .06 |
| Group 3 | 8.51 | .85 | .95 | | .06 |
| Group 4 | 8.56 | .85 | .95 | | .06 |
| Group 5 | 8.61 | .85 | .95 | | .06 |
| Group 6 | 8.66 | .85 | .95 | | .06 |
| Group 7 | 8.71 | .85 | .95 | | .06 |
| Group 8 | 8.41 | .85 | .95 | | .06 |
| Group 9 | 8.46 | .85 | .95 | | .06 |
| Group 10 | 8.56 | .85 | .95 | | .06 |
| Group 11 | 8.66 | .85 | .95 | | .06 |
| Group 12 | 8.71 | .85 | .95 | | .06 |
| Group 13 | 8.81 | .85 | .95 | | .06 |



LABORERS (Area 2)
All Counties West of the 120th Meridian (except those enumerated in Areas 3 and 4)

Group 1: General Laborer; Nipper; Truck Spotter; Pitman; Brush Cutter; Choke Setter; Concrete and Monolithic Laborer; Pot Tender; Asphalt Laborer; Ditch Digger; Drierman; Concrete Form Stripper; Carpenter Helper; Track Laborer; Wellpoint; Header Laborer and Guardrail Erector

Group 2: Dumpman; Faller and Bucker, hand; Powderman's Helper; Sloper (over 20'); Wagon Driller and Air Trac Helper

Group 3: Groutman (pressure) including post tension beam; Power Tools (light duty) Chippers, Grinders, Tampers, and similar electric and air operated tools; Swinging Scaffold or Boatswain Chair over water or over 25' in height; Topman

Group 4: Concrete Saw Operator; Pipe Pot Tender; Power Wheel Barrow or Buggy; Power Tools (heavy duty); Jackhammer; Pavement Breaker, Vibrator Tampers (multiple and self-propelled); Railroad Spike Puller; Rakers-Asphalt

Group 5: Form Setter (steel forms); Grademan and Stake Hopper; Rodder; Nozzleman (concrete pump, green cutter when using combination of high pressure air and water on concrete and rock, sand blast, gunnite, shotcrete); Spreader (carrier grade with Rodder)

Group 6: Faller and Bucker; Chain Saw; High Scaler; Mortarman and Hod Carrier; Pipe Layer and Caulker; Pipe Wrapper; Timberman Sewer; Wagon Driller and Air Track; Manhole Builder; Laser Beam Operator

Group 7: Cement Dumper - paving; Powderman

Tunnel Work

Group 8: Topman and Bull Gang

Group 9: Chuck Tender; Mucker and Laborer; Nipper; Brakeman

Group 10: Powderman's Helper

Group 11: Miner (including Monolithic work); Spader; Re-timberman; Maintenance Man; Laser Beam Operator

Group 12: Miner, Shaft and Raise

Group 13: Powderman

LABORERS (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

| Group No. | ZONE A | ZONE B | ZONE C | ZONE D | ZONE E | ZONE F |
|---|---|---|---|---|---|---|
| 1 | $7.87 | $8.27 | $8.62 | $8.87 | $9.12 | $9.37 |
| 2 | 8.22 | 8.62 | 8.97 | 9.22 | 9.47 | 9.72 |
| 3 | 8.52 | 8.92 | 9.27 | 9.52 | 9.77 | 10.02 |
| 4 | 8.77 | 9.17 | 9.52 | 9.77 | 10.02 | 10.27 |

FRINGE BENEFITS:

| | |
|---|---|
| Health and Welfare | $ .85 |
| Pension | .95 |
| Vacation | .65 |
| Apprenticeship Tr. | .10 |



LABORERS (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 1: Asphalt Plant Laborers; Asphalt Spreaders; Batch Weighman; Broomers; Brush Burners and Cutters; Car and Truck Loaders; Carpenter Tender; Changehouse Man or Dry Shack Man; Choke Setter; Clean-up Laborers; Concrete Laborers; Culvert, hand labor; Curing, concrete; Demolition, wrecking and moving Laborers; Drillers Helpers; Dumpers, road piling crew; Dumpman (for grading crew); Elevator Feeders; Fence Builder (including guard rail, median rail, reference post, guide post, right-of-way marker); Fine Graders; Form Strippers (not swinging stages); Landscaping or Planting Laborers; Leverman or Aggregate Spreader (Flaherty and similar types); Loading Spotters; Material Yard Man (including electrical); Powderman Helper; Pittsburgh Chipper Operator or similar types Railroad Track Laborers; Ribbon Setters (including steel forms); Rip Rap Man (hand placed); Road Pump Tender; Sewer Labor; Signalman; Skipman; Slopers Spraymen; Stake Chaser; Stockpiler; Timber Faller and Bucker (hand labor); Toolroom Man (at job site); Tunnel Bull Gang (above ground); Weight Man - Crusher (aggregate when used)

Group 2: Applicator (including pot tender for same); Applying protective Material by hand or nozzle on utility lines or storage tanks on project; Brush Cutters (power saw); Burners; Choker Splicer; Clary, Power Spreader and similar types: Clean-up Nozzleman-Green-cutter (concrete, rock, etc.); Concrete Power Buggyman; Crusher Feeder; Demolition and Wrecking charred materials; Grade Checker; Gunite Nozzleman Tender; Gunite and Sand Blasting Pot Tender; Handlers or Mixers of all materials of an irritating nature (including cement and lime); Power Tool Operators, includes but not limited to: Dry Pack Machine, Jackhammer, Chipping Guns, Paving Breakers, Vibrators (less than 4" in diameter); Post Hole Digger, air, gas or electric; Vibrating Screed; Tampers, Ribbon Setter, head, Rip Rap Man (head) hand placed, Sand Blasting (wet), Stake Setter, Tunnel-Muckers, Brakeman, Concrete Crew, Bull Gang (underground)

Group 3: Asphalt Rakers; Bit Grinder; Drill Doctor; Drill Operators, Air Tracks, Cat Drills, Wagon Drills, Rubber-mounted Drills, and other similar types; Concrete Saw Operator; Gunite Nozzleman; High Scalers, Strippers and Drillers (covers work in swinging stages, chairs or belts, under extreme conditions unusual to normal drilling, blasting, barring-down or sloping and stripping); Laser Beam (pipe laying) - Applicable when employee assigned to move, set up, align Laser Beam; Manhole Builder; Powderman; Power Saw Operators (bucking and falling); Pumperete Nozzleman; Sandblasting (dry); Sewer Pipe Layers; Sewer Timberman; Track Liners; Anchor Machines, Ballast Regulators, Multiple Tampers, Power Jacks; Tugger Operator; Tunnel Chuck Tenders, Nippers and Timberman; Vibrators (4" and larger); Water Blaster; Welder

Group 4: Laser Beam (Tunnel) - Tunnel Miners; Tunnel Powderman

| LABORERS (Area 4) (Those portions of Chelan, Douglas, Kittitas, Okanogan and Yakima Counties West of the 120th Meridian) | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Group 1 | $ 8.11 | .85 | .95 | | .06 |
| Group 2 | 8.21 | .85 | .95 | | .06 |
| Group 3 | 8.26 | .85 | .95 | | .06 |
| Group 4 | 8.31 | .85 | .95 | | .06 |
| Group 5 | 8.36 | .85 | .95 | | .06 |
| Group 6 | 8.41 | .85 | .95 | | .06 |
| Group 7 | 8.46 | .85 | .95 | | .06 |
| Group 8: | | | | | |
| Class A | 8.16 | .85 | .95 | | .06 |
| Class B | 8.21 | .85 | .95 | | .06 |
| Class C | 8.31 | .85 | .95 | | .06 |
| Class D | 8.41 | .85 | .95 | | .06 |
| Class E | 8.46 | .85 | .95 | | .06 |
| Class F | 8.56 | .85 | .95 | | .06 |



LABORERS (Area 4)

Those portions of Chelan, Douglas, Kittitas, Okanogan and Yakima Counties West of the 120th Meridian

Group 1: General Laborer; Carpenter Tender; Form Stripper; Track Laborer; Choker Setter; Fence Laborer

Group 2: Air Track and Wagon Drill Helper; Crusher Feeder; Dumpman; Powderman Helper; Sloper, over 20 feet, faller and bucker, hand

Group 3: Driller Chipper; Grinder, Tampers and similar light power tools; Grout Man (power); Top Man, Swinging Scaffold or Boatswain Chair over water or over 25' in height

Group 4: Asphalt Raker and Spreader; Cement Handler; Cask or Bulk; Dope Pot Tender; House Wreckers; Jackhammer; Pavement Breaker; Vibrator; Track Spike Puller; Concrete Saw and similar Heavy Power Tools; Power Buggy Tampers (multiple and self-propelled)

Group 5: Form Setter, Steel Forms; Grademan; Stake Hopper; Spreader, Rodder, Nozzleman: Concrete Pumps, Gunnite, Sand Blast, Shot-crete, Green Cutter when using combination of high pressure air and water on concrete and rock

Group 6: Air Track and Wagon Drill Operator; High Scaler; Pipe Layer and Caulker; Pipe Wrapper; Timber Man; Mortar Man and Hod Carrier; Faller and Bucker; Chain Saw

Group 7: Cement Dumpers - paving

Group 8: Tunnel Work:
- Class A: Topman and Bull Gang
- Class B: Chuck Tender; Mucker and Laborer; Nipper; Brakemen
- Class C: Powderman Helper
- Class D: Miner (including Monolithic Worker); Re-timberman; Maintenance Man; Spader; Laser Beam Operator
- Class E: Miner; Shaft and Raise
- Class F: Powderman

POWER EQUIPMENT OPERATORS (Area 1)
(All Counties and portions of Counties East of the 120th Meridian)

| Group No. | Zone 1 | Zone 2 | Zone 3 |
|---|---|---|---|
| 1 | $8.70 | $9.20 | $9.65 |
| 2 | 9.00 | 9.50 | 9.95 |
| 3 | 9.55 | 10.05 | 10.50 |
| 4 | 9.70 | 10.20 | 10.65 |
| 5 | 9.85 | 10.35 | 10.80 |
| 6 | 10.10 | 10.60 | 11.05 |
| 7 | 10.35 | 10.85 | 11.30 |

FRINGE BENEFITS:

| | |
|---|---|
| Health & Welfare | $.80 |
| Pension | .90 |
| Apprenticeship Training | .03 |

*ZONE 1: Within a 15 mile radius from the center of the following Cities: Moses Lake, Pasco, Spokane and Walla Walla in Washington - and Coeur d' Alene and Lewiston in Idaho

*ZONE 2: From a 15 to 45 mile radius from the center of the above named Cities, except Coeur d' Alene and Walla Walla which are limited to a 15 mile zone only

*ZONE 3: Over a 45 mile radius from the center of the above named Cities except Coeur d' Alene and Walla Walla which are limited to a 15 mile zone only.



POWER EQUIPMENT OPERATORS (Area 1)
All Counties and portions of Counties East of the 120th Meridian

Group 1: Bit Grinders; Bolt Threading Machine; Compressors, under 2,000 cu. ft. per minute gas, diesel or electric power; Crusher Feeder (mechanical); Deckhand; Driller's Helper; Fireman and Heater Tender; Grade Checker; Helper (mechanic or welder, H.D.); Oiler; Oiler and Cable Tender, Mucking Machine; Pumpman; Rollers, all types 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

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 Hot; Compressor (2,000 cu. ft. or over, 2 or more - gas, diesel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Elevator Batching Materials; Dope Pots (power agitated); Fork Lift or Lumber Stacker, Hydra-lift and similar; Gin Trucks (pipeline); Hoist, single drums; Loader (bucker elevator and conveyors); Longitudinal Float; Mixer 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 Jack Operator (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

POWER EQUIPMENT OPERATORS (Area 1) (Cont'd)
All Counties and portions of Counties East of the 120th Meridian

Group 3: A-Frame Truck (2 or more drums); Assistant Refrigeration Plant and Chiller Operator (over 1,000 tons); Backfillers (Cleveland and similar); Beltcrete Conveyors with power pack or similar; Belt Loader (Kocal or similar); Blade Operator (motor patrol and attachments); 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 Lining Machine (concrete); Chipper (without crane); Cleaning and Doping Machine (pipeline); Concrete Pumps (squeeze-crete, flow-crete, pump-crete, Whitman and similar); Drills (Churn, Core, Calyx, or Diamond); Elevating Belt-type Loader (Euclid, Barber Green 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); Loader (Overhead and Front-end under 4 yards, R/T); Locomotive Engineer; Mixermobile; Mucking machines; Paver 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")

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 re-screening)



POWER EQUIPMENT OPERATORS (AREA 1) Cont'd)
All Counties and portions of Counties East of the 120th Meridian

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 3 yards); Drilling Equipment (8" bit and over) (Robbins' reverse circulation and similar); Loader Operator (Front end and Overhead 4 yards to 8 yards); Pile-driving 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 tow 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); Cableway Controller - Dispatcher; Cableway Operator; Clamshell Operator (3 yards and over); Cranes, all - 65 gons and over; Derricks and Stifflegs (65 tons and over); Draglines (3 yards and over); Elevating Belt (Holland type); Loader 360 degrees revolving Koehring Scooper or similar); Loaders (overhead and Front-end over 8 to 12 yards); Rubber-tired Scrapers (multiple engine with three 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) (All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| Group 1 | $ 10.12 | .75 | .90 | | .11 |
| Group 2 | 10.22 | .75 | .90 | | .11 |
| Group 3 | 10.33 | .75 | .90 | | .11 |
| Group 4 | 10.38 | .75 | .90 | | .11 |
| Group 5 | 10.40 | .75 | .90 | | .11 |
| Group 6 | 10.45 | .75 | .90 | | .11 |
| Group 7 | 10.46 | .75 | .90 | | .11 |
| Group 8 | 10.50 | .75 | .90 | | .11 |
| Group 9 | 10.52 | .75 | .90 | | .11 |
| Group 10 | 10.65 | .75 | .90 | | .11 |
| Group 11 | 10.68 | .75 | .90 | | .11 |
| Group 12 | 10.71 | .75 | .90 | | .11 |
| Group 13 | 10.76 | .75 | .90 | | .11 |
| Group 14 | 10.78 | .75 | .90 | | .11 |
| Group 15 | 10.80 | .75 | .90 | | .11 |
| Group 16 | 10.83 | .75 | .90 | | .11 |
| Group 17 | 10.86 | .75 | .90 | | .11 |
| Group 18 | 10.90 | .75 | .90 | | .11 |
| Group 19 | 10.97 | .75 | .90 | | .11 |
| Group 20 | 10.98 | .75 | .90 | | .11 |
| Group 21 | 11.03 | .75 | .90 | | .11 |
| Group 22 | 11.08 | .75 | .90 | | .11 |
| Group 23 | 11.30 | .75 | .90 | | .11 |
| Group 24 | 11.34 | .75 | .90 | | .11 |
| Group 25 | 11.39 | .75 | .90 | | .11 |
| Group 26 | 11.47 | .75 | .90 | | .11 |
| Group 27 | 11.69 | .75 | .90 | | .11 |
| Group 28 | 11.89 | .75 | .90 | | .11 |
| Group 29 | 12.00 | .75 | .90 | | .11 |
| Group 30 | 12.02 | .75 | .90 | | .11 |
| Group 31 | 12.30 | .75 | .90 | | .11 |



POWER EQUIPMENT OPERATORS (Area 2)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 1: Mechanics' Helpers (heavy duty)

Group 2: Oilers, Grade Checkers and Stakemen and/or Brakemen

Group 3: Firemen; Firemen (drier and hot plant)

Group 4: Rollers, Tampers and Vibrators (other than plant, road mix or multi-lift materials); Tractor (farmall type, 60 h.p. and under); Compressor (excavating and general purposes)

Group 5: Oiler Driver on Truck Cranes (over 45 tons up to 100)

Group 6: Blower Distributors and Mulch Seeding Operator; Oil Distributors

Group 7: Locomotive (Dinkey-air, diesel, electric, gas, steam)

Group 8: Equipment Service Oiler; Oiler Driver on Truck Cranes (100 tons and over)

Group 9: Pump (water); Tractors (Farmall type, over 60 h.p.)

Group 10: Post Hole Diggers (mechanical)

Group 11: Brooms (power, Wayne, Saginaw and similar types); Bulldozers (under D9 or similar); Loaders (Fork Lifts or Lumber Stacker - on construction job site - Drott Travel Lift); Rollers, Tampers and Vibrators (twin engine); Saw (concrete); Scrapers (carry-all type, single)

Group 12: Batch Plant (batch and mixer, 200 yards per hour and under); Cranes ("A" Frame Trucks, single power drum); Conveyors; Crusher (rock); Washing and Screening Plants; Finishing Machine Operator, Concrete Paving; Hoists, Air Tuggers, Strato Tower Bucket, Elevators and Deck Winches (power); Loaders (Elevating-Athey, Barber Greene and similar types, and Overhead and Front-end, under 2½ yards); Mixers (asphalt up to 4 tons per batch, and concrete mixer and batch - 200 yards per hour and under); Power Plant Operators; Pumps (Fuller Kenyon and Concrete and Pumpcrete); Rollers, Tampers and Vibrators (on plant, road mix or multi-lifts materials); Screed Man; Spreaders (Blaw Knox, Cedarapids, Jaeger, Flarrety or similar types); Trenching Machine (under 16 inches)

POWER EQUIPMENT OPERATORS (Area 2) (Cont'd)
All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 13: Mechanics or Welder (heavy duty)

Group 14: Motor Patrol Graders (including Model 14 and similar); Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment (25 yards and under)

Group 15: Compressor (steel erection including sandblasting, painting of the same); Hoists on steel erection, Air Tuggers and Towermobiles; Loaders (fork lifts with tower)

Group 16: Cement Hogs; Loaders (Elevating Grader type, Dumor and similar); Locomotive (geared or rod engine); Mixers (paving); Scraper (carryall type, double)

Group 17: Tractors (farmall type, used as Backhoes, Rubber-tired, Ford, Ferguson, Case and similar type 60 h.p. and under)

Group 18: Bull Dozer (D-9 or similar)

Group 19: Trenching Machines (16 inches and over)

Group 20: Bump Cutter (Concut, Christianson or similar types)

Group 21: Batch Plant (batch and mixer, over 200 yards per hour through 400 yards per hour); Conveyors (Beltcrete with power pack and similar types); Loaders (elevating belt type - Euclid and similar types); Mixer (asphalt, 4 tons and over, per batch, and concrete mixers and batch - over 200 yards per hour through 400 yards per hour, and paving dual)

Group 22: Bulldozer engaged in Yo Yo Operating (while clearing and scaling); Cableways (3 yards and under); Cranes ("A" Frame Trucks, double power drum: and Crawler, truck type, floating, Locomotive, Whirley, either 3 yards and under, or 150' of boom including jibs and under, or 45 tons and under: and Hydralifts, Hyster Cat Cranes and attachments and Chipper, wood with boom attachment); Derricks, all; Drilling Machine (Core, Cable Rotary and Exploration); Loader (fork lift with power boom and swing attachment, and overhead and front end, 2½ yards and up to 4 yards); Mixers (mobile type with hoist combination); Motor Patrol Graders (over Model 14 and similar); Mucking Machines (Mole, Tunnel Drill, and/or Shield); Paydozer and Linker Pusher (Quad-9 and similar); Piledriver Engineer, (L.B. Foster Puller or similar, Paving Breaker); Shovels (Crawler and truck types, all attachments, 3 yards and under); Sub Grader (Gurries, CMI and similar types); Tractors (Farmall type, used as Backhoes, Rubber-tired - Ford, Ferguson, Case and similar types - over 60 h.p.); Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment over 25 yards through 40 yards



POWER EQUIPMENT OPERATORS (Area 2) (Cont'd)
All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County

Group 23: Loaders (overhead and front end, 4 yards up to 8 yards)

Group 24: Mixer (concrete mixers and batch over 400 yards per hour through 600 yards per hour)

Group 25: Tournapulls, Caterpillar, Euclid, Scrapers and similar type(over 40 yards through 55 yards)

Group 26: Cableways (over 3 yards); Crane (Crawler, truck type, floating, Locomotive, Whirley, either over 3 yards, or over 150' of boom including jibs or over 45 tons up to 100 tons: and, Tower Cranes, Pecco, Lorraine, Bucyrus and similar types); Helicopter Winch Operator; Remote Control Operator on Rubber-tired Earth Moving Equipment; Shovels (Crawler and truck type, all attachments, over 3 yards up to 6 yards); Slip Form Paver (Zimmerman, CMI and similar types)

Group 27: Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment (over 55 yards through 70 yards)

Group 28: Loaders (overhead and front end 8 yards and over)

Group 29: Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment (over 70 yards through 85 yards)

Group 30: Cranes (Crawler, Truck type, floating, Locomotive, Whirley, either 5 yards and over 200' of boom including jibs and over, or 100 tons and over); Shovel (Crawler and Truck type, all attachments, 6 yards and over)

Group 31: Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment (over 85 yards through 100 yards)

POWER EQUIPMENT OPERATORS (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkaikum, and the Southern portion of Pacific, Counties

| Group No. | ZONE A | ZONE B | ZONE C | ZONE D | ZONE E | ZONE F |
|---|---|---|---|---|---|---|
| 1 | $9.79 | $10.19 | $10.54 | $10.79 | $11.04 | $11.29 |
| 2 | 9.93 | 10.33 | 10.68 | 10.93 | 11.18 | 11.43 |
| 3 | 10.03 | 10.43 | 10.78 | 11.03 | 11.28 | 11.53 |
| 4 | 10.19 | 10.59 | 10.94 | 11.19 | 11.44 | 11.69 |
| 5 | 10.21 | 10.61 | 10.96 | 11.21 | 11.46 | 11.71 |
| 6 | 10.29 | 10.69 | 11.04 | 11.29 | 11.54 | 11.79 |
| 7 | 10.35 | 10.75 | 11.10 | 11.35 | 11.60 | 11.85 |
| 8 | 10.45 | 10.85 | 11.20 | 11.45 | 11.70 | 11.95 |
| 9 | 10.51 | 10.91 | 11.26 | 11.51 | 11.76 | 12.01 |
| 10 | 10.57 | 10.97 | 11.32 | 11.57 | 11.82 | 12.07 |
| 11 | 10.59 | 10.99 | 11.34 | 11.59 | 11.84 | 12.09 |
| 12 | 10.65 | 11.05 | 11.40 | 11.65 | 11.90 | 12.15 |
| 13 | 10.73 | 11.13 | 11.48 | 11.73 | 11.98 | 12.23 |
| 14 | 10.89 | 11.29 | 11.64 | 11.89 | 12.14 | 12.39 |
| 15 | 11.05 | 11.45 | 11.80 | 12.05 | 12.30 | 12.55 |
| 16 | 11.23 | 11.63 | 11.98 | 12.23 | 12.48 | 12.73 |
| 17 | 11.37 | 11.77 | 12.12 | 12.37 | 12.62 | 12.87 |
| 18 | 11.55 | 11.95 | 12.30 | 12.55 | 12.80 | 13.05 |
| 19 | 11.69 | 12.09 | 12.44 | 12.69 | 12.94 | 13.19 |

FRINGE BENFITS:

| | |
|---|---|
| Health and Welfare | $ 1.00 |
| Pension | 1.00 |
| Vacation | .50 |
| Apprenticeship Training | .05 |



POWER EQUIPMENT OPERATORS (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 1: Oiler, including Plant, Crane, Crusher, Guardrail equipment, and Trenching Machine; Assistant Conveyor Operator; Crusher Feederman; Deckhand; Self-propelled Scaffolding Operator; Guardrail Punch Oiler; Pump Operator, under 4"; Brakeman; Switchman; Parts Man (tool room)

Group 2: Blade Operator, pulled type; Truck Crane Oiler-driver, 25 ton capacity or over; Crane Fireman, (all equipment except floating); A-Frame Truck Operator, single drum; Tugger or Coffin type Hoist Operator; Driller Helper; Auger Oiler; Boatman; Fork Lift or Lumber Stacker Operator (on job site); Oiler, combination Guardrail Machines; Temporary Heating Plant Operator; Grade Oiler, required to check grade; Grade Checker; Tar Pot Fireman; Tar Pot Fireman (power agitated); H.D. Repairman Helper; Welder's Helper; Helicopter Radioman (ground); Roller Operator, grading of base rock (not asphalt)

Group 3: Asphalt Plant Fireman; Pugmill Operator (any type); Truck mounted Asphalt Spreader, with Screed; Compressor Operator (any power), under 2,250 cu. ft. total capacity; Conveyor Operator; Mixer Box Operator (C.T.B., Dry Batch, etc.); Cement Hog; Concrete Saw; Concrete Curing Machine (riding type); Wire Mat or Brooming Machine; Rose Carrier Operator, (on job site); Bucket Elevator Loader, Barber-Greene and similar types; Hydraulic Pipe Press; Pump Operator (any power), 4" and over; Hydrostatic Pump; Motorman; Ballast Jack Tamper; Ball Boy phones, etc.; Tamping Machine, mechanical self-propelled; Hygrographic Seeder Machine, straw, pulp or seed; Broom Operator, self-propelled (on job site); Air Filtration Equipment; Welding Machine Operator

POWER EQUIPMENT OPERATORS (Area 3) (Cont'd)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 4: Screed Operator; Compactor, including Vibratory; Compressor (any power) over 1,250 cu. ft. total capacity; Combination Mixer and Compressor, Gunnite work; Concrete Mixer Operator, single drum, under five bag capacity; Helicopter Hoist Operator; Floating Equipment Fireman; Lull Hi-lift Operator or similar type; Fork Lift, over 5 ton; Service Oiler (greaser); Hydra Hammer or similar types; Pavement Breaker; Pump Operator, more than 5 (any size); Locomotive, under 40 tons; Roller Operator, Oiling, C.T.B.

Group 5: Extrusion Machine; Wagner Pactor or similar type (without blade); Concrete Batch Plant Quality Control Operator; Power Jumbo, Setting Slip Forms, etc. in tunnels; Slip Form Pumps, Power driven Hydraulic Lifting Device for concrete forms; Hoist, single drum; Elevator Operator; Pulvamixer or similar types; Chip Spreading Machine Operator; Lime Spreading (on job site); Sweeper (Wayne type) Self-propelled (on job site); Tractor, rubber-tired 50 H.P. Flywheel and under; Trenching Machine, maximum digging capacity 3 ft. depth

Group 6: Asphalt Burner and Reconditioner; Pavement Grinder and/or Grooving Machine (riding type); Cast-in-place Pipe Laying Machine; Maginnis Internal Full Slab Vibrator; Concrete Finishing Machine, Clary, Johnson, Bidwell, Burgess Bridge Deck or similar type; Curb Machine, Mechanical Berm, Curb and/or Curb and Gutter; Concrete Joint Machine; Concrete Planer; Concrete Paving Machine; Concrete Spreader; Loaders, rubber-tired type, 2½ cu. yds. and under; Rock Spreaders, self-propelled.

Group 7: Roller (any asphalt mix); Beltcrete; Pumperete Operator (any type); Cement Pump, Fuller-Kenyon and similar; Concrete Pump; Grouting Machine; Concrete Mixer, single drum, five bag capacity and over; Tower Mobile Operator; A-Frame Truck double drum; Boom Truck; Churn Drill and Earth Boring Machine; Hydraulic Backhoe, wheel type 3/8 cu. yds. and under with or without front end attachments 2½ cu. yds. and under. (Ford, John Deere, Case type); Elevating Grader, Tractor towed requiring operator or grader; Pot Rammer; Ballast Regulator; Ballast Tamper, Multiple-purpose; Track Liner; Tie Spacer; Shuttle Car; Locomotive, 40 tons and over



POWER EQUIPMENT OPERATORS (Area 3) (Cont'd)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 8: Diesel-Electric Engineer, Plant, Crusher, Generator, Floating; Batch Plant and/or wet mix, one and two drum; Generator Operator; Belt Loaders, Kolman and Ko Cal types; Asphalt Paver Operator

Group 9: Bulldozer; Drill Cat Operator; Side-boom Cat; Compactor, with blade; Concrete Cooling Machine; Chicago Boom and similar types; Lift Slab Machine; Boom type Lifting Device, 5 ton capacity or less; Cherry Picker or similar type Crane-hoist, 5 ton capacity or less; Grizzley Crusher; Crusher Plant; Drill Doctor; Boring Machine; Guardrail Punch and Auger (all types); Surface Heater and Planer; Hydraulic Backhoe, track type 3/8 cu. yd.; Loader, front end and overhead, 2½ cu. yds. and under 4 cu. yds.; Hammer Operator; Pipe Cleaning, Doping, Bending and Wrapping Machines; Bolt-threading Machine; Drill Doctor (bit grinder); H.D. Mechanic and Welder; Machine Tool Operator; Stationary Drag Scraper; Tractor, rubber-tired over 50 H.P. flywheel; Tractor with boom attachment; Trench Machine, maximum digging capacity over 3 ft. depth; Asphalt Plant Operator

Group 10: Bulldozer, twin engine (TC12 and similar); Cable Plow (any type); Compactor, multi-engine; Jack Operator, Elevating Barges; Barge Operator, self-unloading; Combination H.D. Mechanic-Welder, when dispatched and/or when required to do both; Rubber-tired dozers and Pushers (Michigan, Cat, Hough type); Driller-Percussion, Diamond, Core, Cable, Rotary and similar type

Group 11: Mixer Mobile; Concrete Breaker; Crane Operator, 25 tons and under; Combination Guardrail Machines, i.e., Punch, Auger, etc.; Shovel; Dragline; Clamshell, Hoe, etc., under 1 cu. yd.; Grade-alls, under 1 cu. yd.; Mucking Machine (tunnel)

Group 12: Blade Operator; Batch Plant and/or Wet Mix, 3 units or more; Reinforced Tank Banding Machine (K-17 or similar); Hoist, two or more drums; Elevating Loader, Athey and similar; Piledriver (not crane type); Rubber-tired Scraper, single and twin engine, Single Scraper, with Push-pull attachments, self-loader, Paddle Wheel, Auger type; Blade mounted Spreaders, Ulrich and similar types; Shield Operator

POWER EQUIPMENT OPERATORS (Area 3) (Cont'd)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 13: Blade Operator, finish; Blade, externally controlled by electronic, mechanical hydraulic means; Blade, Multi-engine; Concrete Paving Road Mixer; Derrick, under 100 tons; Hoist, Stiff Leg, Guy Derrick or similar, 50 tons and over; Cableway Operator 25 ton and over; Crane, over 25 ton and including 50 tons; Piledriver Operator; Floating Clamshell, etc. under 3 cu. yds.; Floating Crane (derrick barge), less than 30 ton; Elevating Grader, operated by tractor operator, Sierra, Euclid, or similar; Back Filling Machine; Shovel, etc. 1 cu. yd. and less than 3 cu. yds.; Grade-all, 1 cu. yd. and over; Bridge Crane Operator, Locomotive Crane, Gantry and Overhead

Group 14: Tower Crane Operator; Rubber-tired Scraper, with Tandem Scrapers, self-loading, Paddle Wheel, Auger type, Finish and/or 2 or more units

Group 15: Rock Hound Operator; Loader, 4 cu. yds., but less than 6 cu. yds.

Group 16: Autograder or "Trimmer"; Tandem Bulldozer, Quad-nine and similar; Automatic Concrete Slip Form Paver; Concrete Canal Line; Cableway, 25 ton and over; Crane, over 40 ton and including 100 ton; Whirley, 80 ton and under; Floating Clamshell, etc., 3 cu. yds. and over; Floating Crane (derrick barge) 30 ton but less than 80 ton; Loader, 6 cu. yds., but less than 12 cu. yds.; Rubber-tired Scraper, with Tandem Scrapers, Multi-engine; Shovel, etc., 3 cu. yds. but less than 5 cu. yds.; Wheel Excavator, under 750 cu. yds. per hour

Group 17: Crane over 100 ton and including 200 ton; Whirley over 80 ton and including 150 ton; Floating Crane (derrick barge) 80 ton less than 150 ton; Loader, 12 cu. yds. and over; Shovel, etc., 5 cu. yds. and over; Canal Trimmer

Group 18: Crane, over 200 ton; Whirley, 150 ton and over; Floating Crane 150 ton but less than 250 ton; Wheel Excavator, over 750 cu. yds. per hour; Band Wagons, in conjunction with Wheel Excavator

Group 19: Helicopter, when used in erecting work; Floating Crane 250 ton and over; Remote Controlled Earth Moving Equipment; Underwater Equipment, remote or otherwise



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| POWER EQUIPMENT OPERATORS (DREDGING) (Area 1) (All Counties and portions of Counties East of the 120th Meridian) | | | | | |
| Group 1 | $10.04 | .75 | .90 | | .11 |
| Group 2 | 10.14 | .75 | .90 | | .11 |
| Group 3 | 10.48 | .75 | .90 | | .11 |
| Group 4 | 10.53 | .75 | .90 | | .11 |
| Group 5 | 10.58 | .75 | .90 | | .11 |
| Group 6 | 10.90 | .75 | .90 | | .11 |
| Group 7: | | | | | |
| (a) | 11.29 | .75 | .90 | | .11 |
| (b) | 11.84 | .75 | .90 | | .11 |
| DREDGING (Area 2) (All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County) | | | | | |
| Group 1 | 10.04 | .75 | .90 | | .11 |
| Group 2 | 10.14 | .75 | .90 | | .11 |
| Group 3 | 10.48 | .75 | .90 | | .11 |
| Group 4 | 10.53 | .75 | .90 | | .11 |
| Group 5 | 10.58 | .75 | .90 | | .11 |
| Group 6 | 10.90 | .75 | .90 | | .11 |
| Group 7: | | | | | |
| (a) | 11.29 | .75 | .90 | | .11 |
| (b) | 11.84 | .75 | .90 | | .11 |
| DREDGING (Area 3) (Clark, Cowlitz, Klickitat, Pacific (Southern portion), Skamania and Wahkiakum Counties) | | | | | |
| Group 1 | 10.15 | 1.00 | 1.00 | .50 | .05 |
| Group 1A | 10.81 | 1.00 | 1.00 | .50 | .05 |
| Group 2 | 9.79 | 1.00 | 1.00 | .50 | .05 |
| Group 3 | 9.55 | 1.00 | 1.00 | .50 | .05 |
| Group 4 | 9.29 | 1.00 | 1.00 | .50 | .05 |

POWER EQUIPMENT OPERATORS (Areas 1 and 2)
(DREDGING)

Group 1: Assistant Mate (deckhand)

Group 2: Fireman; Oiler

Group 3: Assistant Engineer (Electric, Diesel, Steam or Booster pump); Mates and Boatmen

Group 4: Engineer Welder; Craneman

Group 5: Assistant Engineer (Electric Generator Operator for primary pump, power barge or dredge)

Group 6: Leverman, Hydraulic

Group 7: Leverman, Dipper:
(a) 5 yards and under
(b) Over 5 yards

POWER EQUIPMENT OPERATORS (Area 3)
(DREDGING)

Group 1: Leverman, Hydraulic

Group 1A: Leverman, Dipper

Group 2: Assistant Engineer (including Watch Engineer, Welder, Mechanic, and Machinist) and Mate

Group 3: Tenderman (Boatman, Attending Dredge Plant); Fireman

Group 4: Assistant Mate (Deckhand), Oiler



| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| TRUCK DRIVERS (Area 1) (All Counties and portions of Counties East of the 120th Meridian) | | | | | |
| Group 1 | $ 9.28 | $ 1.02 | .75 | | |
| Group 2 | 9.32 | 1.02 | .75 | | |
| Group 3 | 7.38 | 1.02 | .75 | | |
| Group 4 | 9.47 | 1.02 | .75 | | |
| Group 5 | 9.68 | 1.02 | .75 | | |
| Group 6 | 9.72 | 1.02 | .75 | | |
| Group 7 | 9.78 | 1.02 | .75 | | |
| Group 8 | 9.82 | 1.02 | .75 | | |
| Group 9 | 9.93 | 1.02 | .75 | | |
| Group 10 | 9.97 | 1.02 | .75 | | |
| Group 11 | 10.28 | 1.02 | .75 | | |
| Group 12 | 10.42 | 1.02 | .75 | | |
| Group 13 | 10.58 | 1.02 | .75 | | |
| Group 14 | 10.72 | 1.02 | .75 | | |

TRUCK DRIVERS (Area 1)

All Counties and portions of Counties East of the 120th Meridian.

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; Pick-up 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)

Group 4: Auto Crane - 2,000 pounds capacity; Bulk Cement Spreader; Dumptor (56 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); Rubber-tired 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 (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)



TRUCK DRIVERS (Area 1) (Cont'd)

All Counties and portions of Counties East of the 120th Meridian

Group 8: Low Boy (over 50 tons); Water Tank Truck (8,001 - 10,000 gallons); Tractor with Steer Trailer

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 Truck (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)

| | Basic Hourly Rates | Fringe Benefits Payments | | | |
|---|---|---|---|---|---|
| | | H & W | Pensions | Vacation | Education and/or Appr. Tr. |
| TRUCK DRIVERS (Area 2) (All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County and all of Kittitas and Yakima Counties) | | | | | |
| Group 1 | 10.34 | .80 | .65 | | .09 |
| Group 2 | 10.39 | .80 | .65 | | .09 |
| Group 3 | 10.44 | .80 | .65 | | .09 |
| Group 4 | 10.55 | .80 | .65 | | .09 |
| Group 5 | 10.61 | .80 | .65 | | .09 |
| Group 6 | 10.65 | .80 | .65 | | .09 |
| Group 7 | 10.66 | .80 | .65 | | .09 |
| Group 8 | 10.72 | .80 | .65 | | .09 |
| Group 9 | 10.77 | .80 | .65 | | .09 |
| Group 10 | 10.79 | .80 | .65 | | .09 |
| Group 11 | 10.82 | .80 | .65 | | .09 |
| Group 12 | 10.92 | .80 | .65 | | .09 |
| Group 13 | 10.94 | .80 | .65 | | .09 |
| Group 14 | 10.98 | .80 | .65 | | .09 |
| Group 15 | 11.10 | .80 | .65 | | .09 |
| Group 16 | 11.14 | .80 | .65 | | .09 |
| Group 17 | 11.26 | .80 | .65 | | .09 |
| Group 18 | 11.31 | .80 | .65 | | .09 |
| Group 19 | 11.47 | .80 | .65 | | .09 |
| Group 20 | 11.63 | .80 | .65 | | .09 |
| Group 21 | 11.79 | .80 | .65 | | .09 |



TRUCK DRIVERS (Area 2)

All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County and including all of Kittitas and Yakima Counties

Group 1: Leverman and Loaders at bunkers and batch plants; Pickup Truck, Escort or Pilot Car; Warehouseman and Checkers

Group 2: Team Drivers

Group 3: Bull Lifts and similar equipment used in loading and unloading trucks, transporting materials on job site, warehousing; Dumpsters, and similar equipment (including Tournarockers, Tournawagon, Turnatrailer, Cat DW series, Terra Cobra, LeTourneau, Westinghouse, Athey Wagon, Euclid, two and four-wheeled power tractor with trailer and similar top-loaded equipment transporting material: Dump Trucks - side, end and bottom dump, including Semi-trucks and Trains or combinations thereof) - up to and including 5 yards; Flatbed, single rear axle; Fuel Truck; Grease Truck; Greaser, Battery Service Man and/or Tire Service Man; Scissor Truck; Spreader, Flaherty; Tractor (small, rubber-tired); Vacuum Truck; Water Wagon and Tank Truck (up to 1,600 gallons); Winch Truck, single rear axle; Wrecker, tow truck and similar equipment

Group 4: Flatbed, dual rear axle

Group 5: Buggymobile; Hyster Operators; Straddle Carrier (Ross, Hyster, and similar equipment); Water Wagon and Tank Truck, 1,600 gallons to 3,000 gallons)

Group 6: Transit-mix, 0 to and including 41 yards

Group 7: Dumpsters and similar equipment (as listed in Group 3) - over 5 yards to and including 12 yards; Explosive Truck (field mix) and similar equipment; Lowbed and Heavy Duty Trailer, under 50 tons gross; Road Oil Distributor Driver; Slurry Truck; Sno-go and similar equipment; Winch Truck, dual rear axle

Group 8: Dumpster and similar equipment (as listed in Group 3) - over 12 yards to and including 16 yards

Group 9: Bulk Cement Tanker; Dumpsters and similar equipment (as listed in Group 3) - over 16 yards to and including 20 yards; Water Wagon and Tank Truck, over 3,000 gallons

TRUCK DRIVERS (Area 2) (Cont'd)
All Counties and portions of Counties West of the 120th Meridian (except those enumerated in Area 3) and including the Northern portion of Pacific County and including all of Kittitas and Yakima Counties

Group 10: Bull Lifts or similar equipment used in loading or unloading trucks transporting materials on job site, other than warehousing

Group 11: Transit-mix, over 4½ yards to and including 6 yards

Group 12: "A" Frame or Hydralift Trucks or similar equipment

Group 13: Dumpsters and similar equipment (as listed in Group 3) - over 20 yards to and including 30 yards; Lowbed and Heavy Duty Trailer, over 50 tons gross to and including 100 tons gross

Group 14: Transit-mix, over 6 yards, to and including 8 yards

Group 15: Dumpsters and similar equipment (as listed in Group 3) - over 30 yards to and including 40 yards; Lowbed and Heavy Duty Trailer, over 100 tons gross

Group 16: Transit-mix, over 8 yards to and including 10 yards

Group 17: Dumpsters and similar equipment (as listed in Group 3) - over 40 yards to and including 55 yards

Group 18: Transit-mix, over 10 yards to and including 12 yards

Group 19: Transit-mix, over 12 yards to and including 16 yards

Group 20: Transit-mix, over 16 yards to and including 20 yards

Group 21: Transit-mix, over 20 yards



TRUCK DRIVERS (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

| Group No. | ZONE A | ZONE B | ZONE C | ZONE D | ZONE E | ZONE F |
|---|---|---|---|---|---|---|
| 1 | $9.81 | $10.21 | $10.56 | $10.81 | $11.06 | $11.31 |
| 2 | 9.86 | 10.26 | 10.61 | 10.86 | 11.11 | 11.36 |
| 3 | 9.91 | 10.31 | 10.66 | 10.91 | 11.16 | 11.41 |
| 4 | 9.96 | 10.36 | 10.71 | 10.96 | 11.21 | 11.46 |
| 5 | 10.01 | 10.41 | 10.76 | 11.01 | 11.26 | 11.51 |
| 6 | 10.11 | 10.51 | 10.86 | 11.11 | 11.36 | 11.61 |
| 7 | 10.21 | 10.61 | 10.96 | 11.21 | 11.46 | 11.71 |
| 8 | 10.31 | 10.71 | 11.06 | 11.31 | 11.56 | 11.81 |
| 9 | 10.41 | 10.81 | 11.16 | 11.41 | 11.66 | 11.91 |
| 10 | 10.58 | 10.98 | 11.33 | 11.58 | 11.83 | 12.08 |
| 11 | 10.68 | 11.08 | 11.43 | 11.68 | 11.93 | 12.18 |
| 12 | 10.78 | 11.18 | 11.53 | 11.78 | 12.03 | 12.28 |
| 13 | 10.88 | 11.28 | 11.63 | 11.88 | 12.13 | 12.38 |
| 14 | 10.98 | 11.38 | 11.73 | 11.98 | 12.23 | 12.48 |

FRINGE BENEFITS:

| | |
|---|---|
| Health & Welfare | $ .68 |
| Pension | .70 |
| Vacation | .60 |
| Apprenticeship Training | .05 |

TRUCK DRIVERS (Area 3)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 1: Battery Rebuilders; Bus or Manhaul Driver; Concrete Buggies (power operated); Dump Trucks, side, end and bottom dumps, including Semi-trucks and Trains or combinations thereof: 6 cu. yds. and under, Lift Jitneys, Fork Lifts (all sizes in loading, unloading and transporting material on job site); Loader and/or Leverman on concrete dry batch plant (manually operated); Pilot Car; Solo Flat Bed and misc. Body Trucks, 0-10 tons; Truck Helper; Truck Mechanic Helper; Warehouseman (warehouse parts, tool men and parts chaser, checkers and receivers); Water Wagons (rated capacity) - up to 1,600 gallons

Group 2: "A" Frame of Hydra-lift Truck with load bearing surface; Lubrication Man, Fuel Truck Driver, Tireman, Wash Rack, Steam Cleaner or combinations; Team Drivers

Group 3: Dump Trucks, side, end and bottom dumps, including Semi-trucks and Trains or combinations thereof: over 6 cu. yds. and including 10 cu. yds.; Slurry Truck Driver or Leverman; Transit Mix, and wet or dry mix trucks: 5 cu. yds. and under; Tireman (full-time basis); Water Wagons (rated capacity) - 1,600 to 3,000 gallons

Group 4: Flaherty Spreader Driver or Leverman; Lowbed Equipment, Flat Bed Semi-trailer, Truck and Trailers of doubles transporting equipment or wet or dry materials; Lumber Carrier Driver - Straddle Carrier (used in loading, unloading and transporting of materials on job site); Oil Distributor Driver or Leverman; Water Wagons (rated capacity) - 3,000 to 5,000 gallons

Group 5: Dumpsters of similar equipment, all sizes; Transit Mix and wet or dry trucks, over 5 cu. yds. and including 7 cu. yds.

Group 6: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains of combinations thereof: over 10 cu. yds. and including 20 cu. yds.; Transit Mix and wet or dry mix truck, over7 cu. yds. and including 9 cu. yds.; Truck Mechanic-Welder - Body Repairman; Water Wagons (rated capacity 5000 to 7000 gallons



TRUCK DRIVERS (Area 3) (Cont'd)
Clark, Cowlitz, Klickitat, Skamania, Wahkiakum and the Southern portion of Pacific, Counties

Group 7: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 20 cu. yds. and including 30 cu. yds.; Transit Mix and wet or dry mix trucks, over 9 cu. yds. and including 11 cu. yds.; Water Wagons (rated capacity), over 7000 gallons to 10,000 gallons

Group 8: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinatins thereof: over 30 cu. yds. and including 40 cu. yds.; Transit Mix and wet or dry mix trucks, over 11 cu. yds. and including 15 cu. yds.; Water Wagons (rated capacity), over 10,000 gallons to 15,000 gallons

Group 9: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combination thereof: over 40 cu. yds. and including 50 cu. yds.; Transit Mix and wet or dry mix trucks, over 13 cu. yds. and including 15 cu. yds.

Group 10: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 50 cu. yds. and including 60 cu. yds.

Group 11: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 60 cu. yds. and including 70 cu. yds.

Group 12: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 70 cu. yds. and including 80 cu. yds.

Group 13: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 80 cu. yds. and including 90 cu. yds.

Group 14: Dump Trucks, side, end and bottom dumps, including Semi Trucks and Trains or combinations thereof: over 90 cu. yds. and including 100 cu. yds.

Drivers and Helpers (handling sacked cement - add $.15 per hour)

Winch Truck - takes classification of Truck on which Winch is mounted.

ZONE WAGE SCALE (AREA 3) ONLY

LABORERS
Goldendale, Longview and Vancouver

POWER EQUIPMENT OPERATORS
Astoria, Goldendale, Hood River, Longview
The Dalles and Vancouver

TRUCK DRIVERS
Astoria, Goldendale, Longview, the Dalles and Vancouver

ZONE A: All jobs or projects located within 10 miles of the respective City Hall

ZONE B: More than 10 miles but less than 25 miles from the City Hall

ZONE C: More than 25 miles but less than 35 miles from the respective City Hall

ZONE D: More than 35 miles but less than 45 miles from the City Hall

ZONE E: More than 45 miles but less than 75 miles from the respective City Hall

ZONE F: More than 75 miles from the respective City Hall

[FR Doc.77-17027 Filed 6-16-77;8:45 am]

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(Revised as of January 1, 1977)

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*[A Cumulative checklist of CFR issuances for 1977 appears in the first issue of the Federal Register each month under Title 1]*

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